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FEATURE ARTICLE

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Feature Article

ELECTRONIC TRAVEL AUTHORIZATIONS: AN OVERVIEW

This article provides an update on electronic travel authorizations in several countries.

Canada

An Electronic Travel Authorization (eTA) is a mandatory entry requirement for many foreign nationals exempt from visas when traveling to Canada by air. An eTA is linked to the applicant's passport and remains valid for five years or until the passport expires. Applicants from visa-exempt countries who require an eTA include, but are not limited to, those from France, Australia, the Bahamas, Belgium, and Germany.

U.S. citizens do not need an eTA or a visa and can enter Canada with a valid U.S. passport. U.S. lawful permanent residents can enter Canada with a passport from their country of citizenship and their U.S. permanent resident card (green card).

Changes that took effect on February 29, 2024, affect Mexican nationals' eligibility to apply for an eTA. Mexican nationals who did not hold a valid study or work permit as of February 29, 2024, have had their eTAs invalidated and must now apply for a Temporary Resident Visa (TRV), also known as a visitor visa.

Mexican citizens who hold a valid U.S. nonimmigrant visa or have held a Canadian visa in the past 10 years can continue to apply for an eTA to enter Canada.

Applying for an eTA is usually a simple process (unless there is past criminality) that takes only a few minutes. The application is completed online through the Government of Canada's website. While some

requests are processed within minutes, others may take several days. It is advisable to submit an eTA request well in advance of one's flight. Ideally, travelers should apply for an eTA before booking their flight to Canada. The eTA application costs CAN $7 and must be completed for one person at a time. Foreign nationals applying for an eTA will need their passport, a credit card, and an email address.

> **Note**: Applicants must ensure that the passport number listed on their eTA matches the number on their passport. If it does not match, they will need to apply for a new eTA.

European Union

The **European Travel Information and Authorisation System (ETIAS)** is an automated IT system proposed by the European Commission to strengthen security and control irregular migratory risks posed by persons who travel visa-free to the European Union (EU). In addition, it is intended to ease the process of crossing borders for the vast majority of travelers who do not pose such risks. Every non-EU national who wants to travel to the Schengen area will need to apply through the ETIAS system before traveling there. ETIAS is expected to enter into force in the final quarter of 2026.

Applicants will need to complete and submit an online application form. After doing that, the system will conduct some checks and then it ordinarily will issue a travel authorization within minutes. This is expected to ease border checks and avoid bureaucracy and delays for travelers at the EU borders, as well as reducing the risk of irregular migration from third-country nationals and reducing the number of refusals at border crossing points.

ETIAS authorization is not a visa like the Schengen visa. The process to obtain it will be much faster and simpler. An applicant will not need to go to a consulate or undergo any biometric data collection. Its validity is three years, a much longer time compared to the Schengen visa. Moreover, it will be valid for an unlimited number of entries.

Verifying and assessing potential security or irregular immigration risks related to visa-exempt travelers before their entry in the EU through ETIAS is an important tool to safeguard and complement the success of the EU's visa liberalization policy.

How will ETIAS work and what will visa-exempt travelers need to do before traveling to the EU?

To obtain ETIAS travel authorization, the applicant will complete and submit an online application through a website or an app for mobile devices, providing as documentation only a travel document (passport or other equivalent document). For each application, payment of a fee of 7 euros is required. In case of inability to apply because of age, competence, etc., a third person can submit the application.

After payment is made, the automated assessment process will start and, in the majority of cases, the applicant will receive approval within minutes. If there is any problem or undecided outcome of the automated process, the application will be sent to a Central Unit in the European Border and Coast Guard Agency or a Member State team. If this happens, the response time for approval will be delayed up to 96 hours. In very exceptional circumstances, the applicant may be required to provide further information, and additional procedural steps may be necessary. In all cases, a final decision on the application will be made within four weeks. After the decision is made, the applicant will receive an email with valid travel authorization or a justification if the application is rejected.

In case of rejection, the applicant has the right to appeal. The appeal must be made in the Member State where the decision on the application was made and in accordance with the national law of that State. After that, the applicant will receive a communication about the national authority responsible for the processing and decision on the travel authorization and the procedure they will follow. Furthermore,

a traveler who believes the outcome is unfair has the right to seek redress and access to information through the national authority.

Once the applicant receives authorization and arrives at one of the Schengen area border crossing points, the border guard will electronically check the travel document data, accessing various databases, including ETIAS in case of visa-exempt travelers. If the travel authorization is valid, a border control process is conducted and the traveler obtains authorization to enter the Schengen area. If the applicant does not fulfill the conditions required, the border guard will refuse entry and record the applicant and the refusal of entry in the Entry-Exit System.

Travel authorization can be revoked or annulled when the traveler no longer meets the necessary requirements.

What is mandatory for the carriers?

Air and sea carriers and carriers transporting groups overland by coach will need to verify the status of the travel document before boarding, as well as the requirement to hold valid ETIAS travel authorization. There will be a transitional period for carriers transporting groups overland by the coach during which they will not need to check the presence of valid travel authorization.

ETIAS: an important tool to close information gaps and enhance security

Considering that border and law enforcement authorities have little information on who crosses the EU borders visa-free, apart from people who have a Schengen visa, whose information is recorded in the Visa Information System (VIS), ETIAS can close an important information gap. By ensuring that all travelers are checked before their arrival, ETIAS will help to identify potential security or irregular migration risks before visa-free travelers arrive in the EU and to monitor people who cross EU borders. By providing vital information on security, irregular migration, and public health, the system is expected to enhance detection of human trafficking, tackle cross-border criminality, and facilitate the identification of persons in the Schengen area who could pose an internal security threat. These data may also be made available to national law enforcement authorities and Europol if necessary for the prevention, detection, or investigation of terrorist or other serious criminal offenses while respecting fundamental rights and data protection.

Data protection and respect of fundamental rights are supported because ETIAS is in line with the highest standards of data protection and personal data will not be kept for longer than necessary. Personal data will be stored for the period of validity of the travel authorization or five years from the last decision to refuse, revoke, or annul the travel authorization. Data will be kept for an additional period of three years only if applicants freely choose to keep their data stored.

ETIAS is designed to be interoperable with existing systems and systems currently being developed, such as the Entry-Exit System (EES). Therefore, the ETIAS will reuse the hardware and software components of the EES and its communication infrastructure. Interoperability will also be established with the other information systems to be consulted by ETIAS, such as VIS, Europol data, the Schengen Information System, Eurodac, and the European Criminal Records Information System (ECRIS).

There will be also an ETIAS watchlist. This will consist of data related to persons suspected of having committed or taken part in serious criminal offenses or persons on which there are indications or responsible grounds to believe that they will commit terrorist or other serious criminal offenses. The watchlist will be created on the basis of information provided by the Member States and Europol.

As noted above, ETIAS is expected to enter into force in the final quarter of 2026. To be efficient, it will be created on the basis of the existing information system and together with those that are still to be

developed (e.g., EES). The cost for developing ETIAS is estimated at 212.1 million euros, and the average annual operations cost is estimated to be 85 million euros. It will be financially self-sustaining, as the annual operation costs will be covered by fee revenue.

India

In recent years, the e-Visa is being more widely used. An e-Visa is granted to a foreign national whose sole objective for visiting India is recreation, sightseeing, a casual visit to meet friends or relatives, attending a short-term yoga program, medical treatment including treatment under Indian systems of medicine, business purposes, and for no other purpose or activity. The e-Visa has also been introduced for studying in India up to one year.

Categories of e-Visas include:

- *e-Tourist Visa*: For recreation, sightseeing, a casual visit to meet friends or relatives, and attending a short-term yoga program.
- *e-Business Visa*: For all activities permitted under a normal Business Visa.
- *e-Medical Visa*: For seeking medical treatment through conventional medical practices.
- *e-Medical Attendant Visa*: Attendant to an e-Medical Visa holder.
- *e-Conference Visa*: For attending a conference/seminar/workshop.
- *e-Ayush Visa*: For seeking medical treatment through Ayush systems (a traditional Indian system of medicine).
- *e-Ayush Attendant Visa*: Attendant to e-Ayush visa holder.
- *e-Emergency Visa*: For genuine emergencies, such as a family member's death or serious illness.
- *e-Student Visa and E-Dependent Student Visa*: One year (365 days) from the grant of the travel authorization.

Further details on the e-Visa are available at *https://indianvisaonline.gov.in/visa/tvoa.html*.

Mexico

Mexico has implemented an Electronic Authorization System (Sistema de Autorización Electrónica [SAE]) that allows nationals of Russia, Ukraine, and Turkey to travel to Mexico for tourism, business, or transit purposes without a visa, provided they arrive by air and meet specific requirements. This system is designed to streamline the entry process and reduce the need for a physical visa for short visits (up to 180 days).

To use the SAE, eligible travelers must complete an online application before their trip. The process is free and typically straightforward, requiring basic personal information, passport details, a travel itinerary, and responses to security-related questions. Once approved, the electronic authorization must be printed and presented at the airport before boarding and upon arrival in Mexico. This authorization does not apply to entry by land or sea—in such cases, a regular visa is still required.

Travelers who already possess a valid visa or permanent residence from countries such as the United States, Canada, Japan, the United Kingdom, or any Schengen Area country are exempt from both the visa and SAE requirement and can enter Mexico directly.

The SAE system reflects Mexico's commitment to maintaining secure but accessible travel options for select nationalities, promoting tourism and bilateral cooperation.

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Country Updates

ITALY

A new law introduces significant changes to eligibility criteria for Italian citizenship by descent.

On Friday, May 23, 2025, the Official Gazette published text formalizing the conversion of Decree-Law No. 36 into ordinary law. The new law brings significant changes to eligibility criteria for Italian citizenship by descent, particularly by introducing a generational limit on the transmission of Italian citizenship. From now on, individuals born abroad with Italian ancestry will not be granted Italian citizenship unless they meet one of the requirements (or exceptions) outlined below:

- An individual has submitted their application for the recognition of Italian citizenship, including all necessary documentation, with the appropriate authorities (Italian Consulate, Town Hall, Court) prior to March 27, 2025 (included). These applications will be evaluated in accordance with the regulations that were in force before the decree-law took effect;

- An individual submits their application after March 27, 2025, but the appointment was scheduled and communicated to the applicant by the competent authority before that date. These applications will be evaluated in accordance with the regulations that were in force before the decree-law took effect;

- An individual has a parent or a grandparent who held exclusively Italian citizenship at the time of their death or currently holds it;

- An individual has a parent or adoptive parent who has been resident in Italy for at least two continuous years after the acquisition of Italian citizenship and before the date of the individual's birth or adoption.

Different rules are in force also for minor children of Italian citizens:

- Children who were still minors on May 24, 2025 (under 18): Italian parents can submit a declaration for them to acquire Italian citizenship until May 31, 2026.

- Children up to 1 year old: The child can acquire citizenship if a parent or guardian submits a declaration for them to acquire Italian citizenship, within the first birth year.

- Children over 1 year old: The child must reside in Italy for two consecutive years following the submission of a declaration by their parents.

A minor who has been granted Italian citizenship may renounce it once they turn 18 (if they hold another nationality).

Law n. 74 introduces other several provisions relating to Italian citizenship.

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UNITED KINGDOM

The Home Office has released a comprehensive white paper outlining major proposed immigration reforms.

The United Kingdom's (UK) Home Office has released a comprehensive white paper, "Restoring Control over the Immigration System." It outlines major proposed reforms to the UK's immigration policy. The plan signals a shift toward more restrictive and domestically focused immigration rules while continuing to carve out space for elite global talent. The proposals are positioned as a reset after years of surging net migration, which peaked at 906,000 in 2023.

A Turning Point for UK Immigration Strategy

At the heart of the new policy framework is a promise to reduce overall net migration and return control to domestic institutions and communities. The Prime Minister declared that the new government would prioritize fairness, emphasizing contribution, integration, and investment in the domestic workforce. The Home Secretary echoed this sentiment, noting a decline in public trust and overreliance on migration for sectors like social care and education. She emphasized the need to enforce immigration laws more strictly while supporting integration and developing talent among UK residents.

Key Policy Shifts: Higher Skill Requirements and Fewer Dependents

One of the cornerstone changes involves **raising the skill threshold for sponsored work visas**. The minimum skill level for the Skilled Worker route will revert from RQF Level 3 (A-level equivalent) to RQF Level 6 (graduate degree equivalent). This reverses the 2020 policy that broadened visa eligibility to include lower-skilled roles and is expected to eliminate hundreds of job types from the eligible list.

Notably, the **adult social care visa route will be closed** to new overseas applicants—a sharp response to reported issues in the sector. Employers in this space will need to focus on domestic recruitment and will be subject to Fair Pay Agreements. A transitional window for in-country visa renewals will remain open until 2028, but its future is uncertain.

Additionally, **salary thresholds will rise**, although the base threshold of £38,700 appears to remain for now. However, government reviews could eliminate discounts such as those formerly offered via the now-abolished Immigration Salary List. These changes are designed to make overseas hiring less financially appealing compared to domestic training.

Family reunification policies are also under review. While details remain vague, a new family policy is expected by year's end that may impose tighter financial, relationship, and language requirements. The white paper also outlines a path to extending the qualifying period for **Indefinite Leave to Remain (ILR)** from five to ten years, unless mitigated by point-based "contributions to society."

Students and Graduates: Steeper Hurdles

International students—long seen as economic and research assets—face a tightening of both compliance standards and post-study options. Institutions will be required to meet more stringent sponsor metrics, and the Graduate Route (which allows students to remain in the UK to work for up to two years) will be shortened to 18 months.

Graduates and dependents will also need to meet elevated English language requirements, with B2-level competency expected for main visa holders and B1 for settlement applicants. The new standards aim to promote integration but could make the UK less attractive to students who previously enjoyed more flexibility.

The government is also considering a levy on higher education institutions that admit international students—a controversial proposal aimed at redistributing the economic benefits of student migration back into domestic skills training.

Attracting Top Talent Amid Stricter Controls

In contrast to the restrictive posture on general migration, the UK government continues to court professionals with critical expertise. It plans to expand routes like the Global Talent and Innovator Founder visas, particularly in sectors such as artificial intelligence and advanced research. The High Potential Individual (HPI) visa, currently open to graduates of top global universities, may double its list of eligible institutions.

There will also be more flexibility for research interns and expansion workers. The Global Business Mobility (GBM) expansion route, for instance, will grow from five to ten allowable staff per business, supporting global companies' ability to establish UK branches.

Enforcement, Sponsorship Accountability, and Digital Transformation

The reforms will be accompanied by stricter enforcement measures. The government plans to focus on unauthorized work, sponsorship abuse, and exploitation, particularly in industries like care, hospitality, and domestic labor. Sponsors will face greater scrutiny and may be required to participate in comprehensive workforce strategies or risk losing the ability to sponsor.

A proposed overhaul of the eVisa system and digital immigration records will make it easier to monitor overstays, enforce removals, and streamline compliance checks. This includes digital identity systems and biometric tracking—technologies that promise increased efficiency while also raising civil liberties concerns.

Industry Reactions and Next Steps

The immigration legal community has responded with a mix of caution and concern. While the framework has been published, there are many variables and unknowns, and additional guidance is expected later in the year. Employers are advised to begin reviewing sponsorship practices, upskilling programs, and examining salary structures now, as the direction of travel is unmistakably toward stricter regulation and higher standards.

No implementation timeline has been issued for most proposals, but several policies, such as the family route reform and social care visa closure, are expected before the end of 2025.

This immigration white paper from the UK marks a historic inflection point, signaling a transition from a liberal, globalist model to a domestic, skills-first agenda. For multinational employers, global mobility professionals, and immigration attorneys, the next 12 months require reflection about and pivoting of companies' recruitment and retention strategies, particularly with respect to foreign nationals. As the UK recalibrates its migration pathways, proactive compliance and strategic workforce planning thus will be essential.

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New Publications and Items of Interest

Alliance of Business Immigration Lawyers:

- ABIL is available on X (formerly Twitter): @ABILImmigration
- Recent ABIL member blogs are at http://www.abilblog.com/

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ABIL Member/Firm News

Barbara Jo Caruso was quoted extensively by *Law360 Canada* in Constitutional Clash Brewing as Ottawa Targets Immigration Bar With Up to $1.5 Million in Admin Penalties. She said that Immigration, Refugees and Citizenship Canada (IRCC) has said it is on track to bring the proposed regulations into force "before the end of the year. The timing is uncertain because of the election." She disputed the assumption that immigration lawyers significantly contribute to clients' misrepresentations to IRCC, stating that "there's really no evidence of that. I think what lawyers are trained to do is to review the law and test the law—sometimes test the boundaries of the law and the interpretation of the law—and that doesn't mean that we're misrepresenting when we are advocating new Charter areas. That is very much what lawyers are trained to do." Ms. Caruso said she sees a parallel to the situation in the United States, where President Trump accused the immigration bar at large, without evidence, of facilitating large-scale fraudulent asylum claims by clients. "I think the similarity in the U.S. is that immigration lawyers down there have been filing applications within the existing laws as they were. It doesn't mean that they're breaking the law or taking advantage of the law. They're hired to advocate, and that's what … they should be able to do freely, without fear of repercussion." She also noted that the expense, time, and effort a lawyer would need to expend to comply with IRCC demands and to defend against IRCC allegations of misrepresentation, along with the risk of being hit with thousands of dollars in penalties, could chill Canadian immigration and refugee lawyers. "I think people are concerned that they may not be able to take on marginal cases, or cases that may require zealous … advocacy, for fear of being caught in the middle, because the time to … resolve and deal with [aspects of the regime] … could impact their ability to service other clients. Noting that most immigration and refugee lawyers practice as sole practitioners or in small firms, she said "this type of additional administrative burden can really have a detrimental impact."

Vic Goel was quoted by *Forbes* in Immigration Service Targets H-1B Visa Holders for 'Adverse Information'. "This is highly unusual because biometrics are not typically required for these case types. The [Requests for Evidence (RFEs)] also fail to explain the nature of the adverse information, leaving employers and attorneys in the dark," said Mr. Goel. He advises "not responding directly to the RFE by providing the beneficiary's address or scheduling biometrics." Instead, he said, "the attorney or petitioner should respond by citing 8 CFR 103.2(b)(16)(i), which requires USCIS to disclose any derogatory information being used as a basis for an adverse decision."

Klasko Immigration Law Partners, LLP, has published several new blog posts: DOJ Prioritizes Immigration Violations in Expanded Corporate Whistleblower Awards Pilot Program, SCOTUS Ruling on TPS Causes Uncertainty for Beneficiaries and Employers Alike, and United Kingdom Announces Sweeping Immigration Reform in New White Paper.

Charles Kuck was interviewed on PBS NewsHour about the Trump administration's deportations and court rulings against him on immigration matters.

Mr. Kuck was quoted by the *Washington Post* in Georgia Teen Detained by ICE After Mistaken Traffic Stop to be Released on Bond. Ximena Arias Cristobal, 19, who was mistakenly detained, grew up in the United States and has two younger siblings who are U.S. citizens, said Mr. Kuck, who is one of the attorneys representing her. He said the teenager was kind, gentle, and well-known in her community. She was not eligible for protection under the Deferred Action for Childhood Arrivals (DACA) policy, said **Dustin Baxter** of **Kuck Baxter Immigration LLC**. She will be freed on a bond of $1,500, which is the minimum amount allowable by law, Mr. Baxter said, adding that Ximena "was in ICE custody following an arrest that never should have happened is salt in the wound. That ICE didn't release Ximena after the criminal charges were rightfully dropped defies common sense."

Mr. Kuck was quoted by the *Times of India* in Reinstated International Students at Risk Again After New ICE Memo on SEVIS Terminations. He said, "It turns out that ICE did not 'unrevoke' the SEVIS registration to the date of their mess up (aka the date of termination of the record). They reinstated it as of April 24. That means these international students now have a gap in their SEVIS records, which, according to ICE's new policy, renders them out of status during that time," and which can lead to serious consequences.

Mr. Kuck was quoted by the *Economic Times* in U.S.: New ICE Memo Puts Reinstated International Students in Danger Zone Again. He noted that U.S. Immigration and Customs Enforcement did not "unrevoke" international students' SEVIS registrations back to the original date of the error (the date when the record was terminated). "Instead, they reinstated it effective April 24. As a result, these international students now have a gap in their SEVIS records, which, according to ICE's updated policy, places them out of status during that period."

Mr. Kuck was quoted by the *New York Times* in U.S. Restores Legal Status for Many International Students, but Warns of Removals to Come. He said, "It is good to see ICE recognize the illegality of its actions canceling SEVIS registrations for these students. Sad that it took losing 50 times. What we don't yet know is what ICE will do to repair the damage it has done, especially for those students who lost jobs and offers and had visas revoked."

Mr. Kuck and **Stephen Yale-Loehr,** of **Miller Mayer, LLP,** were quoted by *Mass Live* in 'Games of Chicken': Trump Reversing Foreign Student Legal Status Raises Concerns. Mr. Kuck said, "All we have seen is a series of restoration[s] of SEVIS but we can't tell from the systems we've seen so far whether they're retroactive. We can't tell how that will affect the student's future statuses. We can't tell if ICE will be working with [the] Department of State to un-revoke the visas they caused revocations of, and we can't tell whether or not ICE will even issue an apology to these students for upending their lives." Even if students' SEVIS records are restored, it is unclear whether they will have a period of unlawful presence from their revocation, which will cause them future problems, he noted: "We don't know any of the real information you need to know as a lawyer to determine whether this is a good measure, a full measure or a half measure." Mr. Yale-Loehr said, "It is a welcome development, but there are a lot of questions that remain to be answered."

Mr. Kuck was quoted by the *Atlanta Journal-Constitution* in Facing Deportation, International Students Get Temporary Legal Victory. He said his Georgia case is by far the largest lawsuit since the Trump administration began terminating the SEVIS records of international students. He estimated that the administration canceled the records of up to 6,000 international students nationwide. Mr. Kuck said he was confident that his clients would prevail.

Cyrus Mehta and **Kaitlyn Box** authored several new blog posts: Fighting Back Trump's Attacks on Foreign Students, Federal Judge Releases Mohsen Mahdawi After Being Detained for Lawful Speech, and How the Major Questions Doctrine Can Undo Some of Trump's Policies, Including On Birthright Citizenship.

Mr. Mehta was quoted by *Forbes* in Rubio Makes Immigration Threat to Revoke Student, H-1B and Other Visas. He said, "Those who are impacted by Rubio's catch and revoke policy should not hesitate to challenge the actions in court. If the revocation of the underlying visa results in detention and removal proceedings, they should challenge the detention as unconstitutional through a habeas petition in federal district court and also separately contest the deportation grounds in immigration court." He noted that "[t]he only way to get the government to back down and prevent it from creating a climate of fear among nonimmigrants in the United States is through concerted legal action that challenges detention and deportation at the same time."

Mr. Mehta was quoted extensively by the *Boston Globe* in Mohsen Mahdawi Walked Out of Vermont Courthouse After Judge Orders His Release From ICE Custody. Mr. Mehta, who represented Mr. Mahdawi, said Mr. Mahdawi was "elated" and is determined to continue to advocate for peace in the Middle East. "His advocacy on behalf of Palestinian rights is lawful speech protected under the First Amendment. My client's detention was in retaliation for that and that's not what we do in America," he said. Mr. Mehta noted that earlier allegations were baseless statements "from people who may have been biased or prejudiced against him."

Cyrus Mehta was interviewed on "The Lead With Jake Tapper" (transcript) (video) about the Mohsen Madawi case. Mr. Mehta is representing Mr. Madawi. He said his client "has been arrested and detained solely for his speech, which is protected under the First Amendment. The government has provided no other evidence to support his detention right now." Mr. Mehta noted that his client "was in this final stage. Citizenship is the last stage in your journey to become a citizen. He had been scheduled for an interview. He was eligible for citizenship. When he went for his interview, he was actually interviewed for his citizenship. And at the conclusion of the interview, when he left the office, agents of the [Department of Homeland Security] arrested him. They came in several cars and whisked him away."

Mr. Mehta was also quoted by various media outlets on the Mohsen Mahdawi case:

- Judge Extends Order to Keep Mohsen Mahdawi, GS '25, in Vermont, Schedules Hearing for Next Week, Columbia Spectator
- Mohsen Madawi, Detained Vermonter and Palestinian Activist, Appears in Federal Court, VT Digger
- Judge Says Trump Administration Can't Move Detained Palestinian Student Out of Vermont, NBC News
- Mohsen Madawi Will Stay in Vermont as Judge Considers Case, Vermont Public
- Judge Orders Feds to Keep Detained Student in Vermont, WCAX3
- Palestinian Activist Appears in Court, to Remain in Custody, Seven Days

Mr. Mehta was quoted by *Law360* in Student Visa Crackdown Sparks Fears of Talent Shortage. He said, "If students are now going to be constrained because they write an op-ed or post a tweet, ICE is going to swoop down on them [and] whisk them to prison in Louisiana, nobody will want to come here. No parent in their sane mind will want to send their child to the U.S. to study here if that's going to be the consequence."

Greg Siskind, of **Siskind Susser PC**, was quoted by the *Times of India* in in Reinstated International Students at Risk Again After New ICE Memo on SEVIS Terminations. He said, "We are expecting a lot of people who were reinstated to once again have their SEVIS terminated. In short, ICE says they will terminate whenever DOS revokes a visa. And DOS will revoke a visa for phantom reasons with no due process to address why revocation happened. The Trump administration is counting on the argument that nothing DOS decides is reviewable by a court."

Mr. Siskind was quoted by the *Economic Times* in U.S.: New ICE Memo Puts Reinstated International Students in Danger Zone Again. He said, "We anticipate that many individuals who were reinstated will once again experience SEVIS terminations. Essentially, ICE has indicated that they will terminate records whenever DOS revokes a visa. Furthermore, DOS may revoke a visa for vague reasons without providing due process to explain the rationale behind the revocation. The Trump administration relies on the argument that DOS's decisions are not subject to judicial review."

Stephen Yale-Loehr, of **Miller Mayer, LLP,** was quoted by the *South China Morning Post* in Harvard to Win Injunction in Foreign Student Fight Against the Trump Administration. He said that a preliminary injunction would indicate a favorable final ruling for Harvard. But, he added, "the Trump administration will certainly appeal and drag it all out." Mr. Yale-Loehr said that the broader posture the administration has taken would be likely to keep deterring students from staying in the United States: "Even if Harvard wins the litigation battle, Trump may win the immigration war."

Mr. Yale-Loehr was quoted by the *Times of London* in What is Next for Trump's Escalating War With Harvard? He said that even if Harvard were to prevail in court, it may be a pyrrhic victory in the broader public relations fight. "This legal battle coalesces two of Trump's wars, one on immigration and international students generally, and the second on higher education. And Harvard is sort of at the crux of both fights. I think Harvard will eventually win the litigation battle, but I fear that Trump is winning the war. They are essentially saying, 'If we win in court, great, but if we don't, we can just blame all those judges.' " Beyond challenging the orders in court, Harvard could lobby Congress and try to win hearts and minds by demonstrating the importance of its research and the contributions made by non-native students, he noted, but added, "That's a long, slow fight. You can't turn around public opinion that quickly."

Mr. Yale-Loehr was quoted by the *Morning Dispatch* in Trump Admin Targets International College Students. He said, "I would say that Harvard is going to win its lawsuit on both procedural and substantive grounds." Procedurally, he noted that the federal government failed to provide Harvard sufficient notice to appeal the decision, a requirement of federal law, and also failed to provide sufficient evidence for its claims. Substantively, Mr. Yale-Loehr pointed out that by specifically targeting Harvard and seeking to exert control over its curriculum, the White House was likely violating the First Amendment right to academic freedom and free expression, along with the privacy rights of international students. But the State Department's pause of visa interviews will likely have effects far beyond Harvard, he noted. "It's the absolute worst timing," he said, adding that foreign students can only apply for a student visa after receiving an acceptance letter from and making a deposit to a U.S. university.

Mr. Yale-Loehr was quoted by *Forbes* in Harvard's Response to the Trump Administration's Immigration Actions. He said, "While Trump may lose this litigation battle, he may win his war against international students. The combination of starting this lawsuit against Harvard, threatening to terminate Optional Practical Training, and revoking the immigration status of over 1,000 international students leaves prospective students applying to colleges outside the U.S., and current international students, worried about their futures."

Mr. Yale-Loehr was quoted by *Newsweek* in Donald Trump Will Lose Harvard Student Fight, Legal Experts Say. "I think Harvard will win its lawsuit, on both procedural and substantive grounds," he said. "Procedurally, the immigration regulations set forth specific procedures to revoke a school's approval to enroll international students. The government can't just issue a press release or letter announcing the revocation." Mr. Yale-Loehr also said, "Substantively, Harvard has strong grounds to claim that the administration's actions retaliate against Harvard for exercising its First Amendment rights to decide its curriculum and other issues. Harvard may also claim that the administration's demands for records on all its international students violated the students' privacy rights under federal law."

Mr. Yale-Loehr was quoted by the *Chronicle of Higher Education* in Trump Administration Revokes Harvard's Ability to Enroll International Students. "I'm confident in 40 years of practicing law, I've never seen a whole program revoked in [such] a sweeping way," he said. The Department of Homeland Security can't just "issue a letter or press release stating that a school can no longer enroll international students," Yale-Loehr said. Yale-Loehr said Harvard's foreign students should not automatically lose their legal status and should be given time to transfer, change to another visa, or leave the country.

Mr. Yale-Loehr was quoted by *Syracuse.com* in New York Inspector Makes a Call That Gets a Trucker Deported. Gov. Hochul Says He Was Wrong. He said he had never heard of a transportation inspector enforcing immigration law. "The facts here are egregious," said Mr. Yale-Loehr. "Is this a rogue inspector, or a policy? Unless [New York Department of Transportation] workers or others are trained on which immigration documents make a person legal or illegal, they shouldn't hold someone for [immigration authorities]. I can't just go up to you on the street and say, 'You look illegal, so I am going to hold you until ICE comes here,' " he said.

Mr. Yale-Loehr was quoted by *285 South* in Brian and Anthony Got Married at an ICE Facility in Folkston. Now They're Fighting for Brian's Release. The article notes that "[p]reviously, if an immigrant whom the federal government was trying to remove from the country also had a pending green card application, the judge in charge of the removal might halt those proceedings—because the approval of the green card would render them moot." Mr. Yale-Loehr said, "Under the Trump administration, however, many immigration judges no longer grant those administrative closures. So Brian still could be removed, even though he is married to a U.S. citizen."

Mr. Yale-Loehr was quoted by the *South China Morning Post* in Trump Immigration Crackdown Chills Speech of Foreign Students, Scholars in U.S. He said, "I have not seen this many visa revocations or status terminations of international students in my 40-plus years of both practicing and teaching immigration law. We used to get one or two visa revocations a year." Mr. Yale-Loehr added, "They are trying to do everything they can to sow fear and chaos and to encourage people to self deport. It's a war on immigrants generally that I have never seen before."

Mr. Yale-Loehr was quoted by *American Community Media* in Amid Deportations, Immigrant Journalists Face Heightened Risks for Their Reporting. He said, "If you are just reporting the news, that is clearly covered under the First Amendment. And I would think you should not fear being put into deportation proceedings for that. But he noted that "if you are a journalist … and you write an op-ed critical of the Trump administration, then the Öztürk example is one where they did go after someone." He suggested that journalists in the United States on temporary visas, green cards, or Deferred Action for Childhood Arrivals carry documentation with them at all times, and consider burner phones when traveling abroad "so you are less likely to be harassed when you return." Mr. Yale-Loehr concluded that each journalist "has to figure out their risk tolerance in their own situation and perhaps speak to their editor if they feel uncomfortable about covering a certain event or writing a certain article."

Mr. Yale-Loehr was quoted by the *New York Times* in An Immigrant Held in U.S. Custody 'Simply Disappeared'. He said, "I have not heard of a disappearance like this in my 40-plus years of practicing and teaching immigration law. It's unconscionable that it took a *New York Times* article and more than one month before the government indicated where and why he was deported."

Mr. Yale-Loehr was quoted by the *New York Times* in Cases Challenging the Trump Administration's Deportations Hinge on Two Key Legal Terms. Regarding due process, he said, "For example, a green card holder cannot be summarily deported from the United States without some kind of hearing before an immigration judge, and that hearing has to be fundamentally fair." Mr. Yale-Loehr explained that habeas corpus is an ancient concept that predates the Constitution and means that people who are in government custody have a right to challenge their status in a court hearing, called a habeas corpus proceeding.

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