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Immigration

Alliance of Business Immigration Lawyers Offers 12 Recommendations for Biden Administration

Legal Update

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This article was prepared with the assistance of ABIL, the Alliance of Business Immigration Lawyers, of which Loan Huynh, Fredrikson Immigration Department Chair, is a member.

The Alliance of Business Immigration Lawyers, Inc. (ABIL) released a non-exhaustive list of 12 recommendations to reform business immigration in the early days of the Biden-Harris administration. The recommendations align with the consensus recognition by the incoming administration and the Joint Economic Committee of Congress regarding the economic value that immigrants and immigration bring to the United States.

- Restore the customer-service ethos and recognition of our heritage as a nation of immigrants in the USCIS mission statement.
- Eliminate racial and national-origin profiling in immigration cases.
- Rescind the three H-1B regulations (DOL wages, specialty occupation, and lottery registration selection) published this fall.
- Direct USCIS and the State Department to reinstate and exercise freely their respective authority to waive the requirement that employment-based applicants for adjustment of status or nonimmigrant visa reissuance be interviewed.
- Rescind recently revised policies on the use of discretion in adjudications.
- Return to the prior 90-day adjudicatory timeframe and automatic 180-day extensions for timely filed work authorization applications.
- Stop counting derivatives separately under the family and employment-based immigrant visas preferences.
- Take USCIS out of investigations and limit its role to adjudicating requests for immigration benefits.
- Promote entrepreneurial immigration.
- Rapidly advance “Dates for Filing” (DFF) cutoffs in the Visa Bulletin to maximize the number of I-485 adjustment applications.
- Use the DFF to freeze the age of children under the Child Status Protection Act.
- Parole into the United States beneficiaries of approved I-130 and I-140 petitions who are waiting overseas.

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Details:

- "Immigrants, the Economy and the COVID-19 Outbreak," U.S. Congress Joint Economic Committee (June 30, 2020), <https://bit.ly/2V9qsua>
- "Proposal for the Biden Administration to Reduce Backlogs: Count the Family Together So That They May Stay Together," Insightful Immigration Blog, <https://bit.ly/3lej6x>
- Amicus brief, ABIL, *Immigrant Legal Resource Center v. Wolf*