

Related Services

Immigration

Biden Signs Immigration-Related Executive Orders

Legal Update

02.10.2021

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.

President Biden recently signed several immigration-related executive orders to:

Develop a strategy to address irregular migration across the southern border and create a humane asylum system.

The Biden administration said it will address the underlying causes of migration; collaborate with regional partners, including foreign governments, international organizations, and nonprofits to shore up asylum seekers' and migrants' protection and opportunities closer to home; and ensure that Central American refugees and asylum seekers have access to legal avenues to the United States. The order also directs the Secretary of Homeland Security to review the Migrant Protection Protocols program, and directs a series of actions to restore the U.S. asylum system, "including by rescinding and directing agency review of a host of Trump Administration proclamations, rules, and guidance documents that have effectively closed the U.S. border to asylum seekers."

Restore the U.S. refugee admissions program.

This order launches administrative reform efforts with a goal of increasing refugee admissions to 125,000 in the first full fiscal year of the Biden administration, and proposing a raise in refugee admissions for this fiscal year after consulting with Congress. Among other things, the order will expand refugee adjudication capacity and review the current Special Immigrant Visa program for Iraqis and Syrians.

Elevate the role of the White House in coordinating the federal government's strategy to promote immigrant integration and inclusion.

This order includes re-establishing a Task Force on New Americans, and "ensuring that our legal immigration system operates fairly and efficiently." The order requires agencies to review "recent regulations, policies, and guidance that have set up barriers to our legal immigration system" and "rescinds President Trump's

memorandum requiring family sponsors to repay the government if relatives receive public benefits, instructs the agencies to review the public charge rule and related policies, and begins a review to streamline the naturalization process."

Create a task force to reunify families.

This task force will work across the U.S. government, with "key stakeholders and representatives of impacted families," and with "partners across the hemisphere to find parents and children separated by the Trump Administration." The task force will make recommendations on next steps for reunification, and "to prevent such tragedies from occurring again," and will report regularly to the President.

Details:

- "Fact Sheet: President Biden Outlines Steps to Reform Our Immigration System by Keeping Families Together, Addressing the Root Causes of Irregular Migration, and Streamlining the Legal Immigration System," White House, Feb. 2, 2021
- "Fact Sheet: President Biden to Sign Executive Actions Restoring America's Place in the World," White House, Feb. 4, 2021
- "Biden Signs Immigration Executive Orders and Establishes Task Force to Reunite Separated Families," CNN, Feb. 2, 2021