The Immigration Department at Kerr, Russell & Weber, PLC
wishes you a happy and safe holiday season.
We look forward to working with you in the New Year.

President Obama’s Executive Order
As announced in a prior Immigration Insider, on November 20, 2014, President Obama unveiled his plan for immigration reform. This plan, in the form of an Executive Order, comes after years of political wrangling in Congress has resulted in a standstill on the issue of comprehensive reform to repair our broken immigration system.

The President’s plan touches nearly every aspect of immigration, from family and employment-based temporary and permanent immigration, to enforcement measures, to those unlawfully present in the United States. As one can imagine, reviewing, drafting and implementing these changes will take time, and we expect several provisions to be challenged in federal court. It is critical to bear in mind that at this point, there are no new immigration provisions in effect.

Below are just some of the proposed aspects of the reform:

- Allow individuals who have approved employment-based immigrant petitions (I-140), but are unable to file green card applications (I-485s) due to priority date backlogs, to obtain the benefits of a filed I-485 while they wait (presumably employment and travel authorization).

- Allow H-4 dependents to obtain work authorization, if their spouse is the beneficiary of an approved immigrant petition (I-140).

- Modernization of the PERM process and application, as well as the immigrant visa system in an effort to decrease priority date backlogs.

- Expansion of the length of time permitted for Optional Practical Training (OPT) for STEM (science, technology, engineering and math) graduates.
handled matters involving criminal and inadmissibility issues, family-based immigration, and asylum proceedings.  
kmccarroll@kerr-russell.com

Miroslava Orduño Rincón  
Associate Attorney  
Miroslava has extensive employment-related experience in regard to U.S. non-immigrant and immigrant petitions for large international clients. She also processes outbound visitor and work visas, family-based petitions, and naturalization.  
morduno@kerr-russell.com

Robert S. Anderson  
Of Counsel  
Robert counsels and represents clients in the full spectrum of immigration legal issues as applied to their workforces and staff, including all aspects of the international movement of personnel for local, national, and international companies.  
randerson@kerr-russell.com

- Review and revision of the interpretation of L-1B (intracompany transferee with specialized knowledge) requirements.

- Expansion of the present DACA program, to allow those who entered the United States as children before January 1, 2010, have lived in the U.S. for at least five years, and meet education and public safety criteria to obtain temporary relief from deportation.

- Allow parents of U.S. citizens of lawful permanent residents who have been in the U.S. for more than five years and meet public safety criteria to request temporary relief from deportation and obtain work authorization.

Again, none of the benefits outlined above are presently in effect, and we do not expect any new provisions to be effective until 2015. In the meantime, if you have any questions, contact Kerr Russell's Immigration Department.

Border Wait Time App Launched

U.S. Customs and Border Protection has launched a Border Wait Time app which provides estimated wait times and open lane status at land ports of entry, allowing travelers to plan their border crossings. With the free app, travelers can locate ports of entry nearest their location and map the best route to the crossing of their choice. Travelers can access wait times for pedestrian, passenger and commercial vehicle crossings, as well as by lane type (standard, NEXUS, FAST, etc.). The app does not require individuals to register or provide any personal information.

Change in Validity Period for U.S. Visas for Chinese Nationals

The Department of State has announced longer validity periods for U.S. visitor (B) and student (F) visas issued in China. Chinese applicants who qualify as a visitor for pleasure or business may now be issued a multiple-entry visa valid for up to ten years. Qualified students are now eligible for multiple entry visas valid for up to five years (or the length of their program of study). This change was part of a reciprocal agreement between China and the United States, whereby U.S. citizens will also receive Chinese visas with these longer validity periods.

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