



USCIS Expands the Definition of “Mother” and “Parent” to Include Gestational Mothers Using Assisted Reproductive Technology (ART)

USCIS issued a new policy clarifying the definition of “mother” and “parent” under the Immigration and Nationality Act (INA) to include gestational mothers using assisted reproductive technology regardless of whether they are the genetic mothers. USCIS and the Department of State (DOS), who exercise authority over these issues, collaborated in the development of this policy. USCIS and DOS conclude that the term “mother” and “parent” under the INA now includes any mother who: Gave birth to the child, and was the child’s legal mother at the time of birth under the law of the relevant jurisdiction.

Under this new policy, a mother who meets this definition but does not have a genetic relationship with her child (for example, she became pregnant through an egg donor) will: be able to petition for her child based on their relationship; be eligible to have her child petition for her based on their relationship; be able to transmit U.S. citizenship to her child, if she is a U.S. citizen and all other pertinent citizenship requirements are met.

Election Day is Over It’s Time for Real US Immigration Reform. Your Move, Mr. President

We are now beyond Election Day. The excuses and delays for inaction on immigration are over. The president of the United States should act swiftly and use the powers he already has under existing law to address immigration and deportation, as soon as possible.

In a few weeks, a new do-nothing Congress will replace the current do-nothing Congress, but not much will change on the immigration issue. Nearly 500 days ago, the Senate passed bipartisan legislation that would have addressed broad immigration reforms. In the House, despite a clear majority to pass similar legislation, Republican leaders did not allow a vote because it would have exposed deep divisions among Republicans – and risked President Obama actually getting some of the credit for fixing a priority national issue. With the midterms behind us, taking action is the first step in restoring orderliness and lawfulness to our immigration system.

Strengthening Security of the Visa Waiver Program through Enhancements to the Electronic System for Travel Authorization

The Secure Travel and Counterterrorism Partnership Act of 2007 (part of the Implementing Recommendations of the 9/11 Commission Act of 2007, also known as the “9/11 Act”) amended Section 217 of the Immigration and Nationality Act, requiring that the Department of Homeland Security (DHS) implement an electronic travel authorization system and other measures to enhance the security of the Visa Waiver Program.

Did you Know that Almost 40 Percent of Minnesota’s Fortune 500 Companies were Founded by an Immigrant or the Child of an Immigrant?

If you are interested in learning more about these new developments, please contact our firm at (713) 980-9939 or psb@barnett-lawgroup.com. Don’t delay to renew DACA and tell your friends who have not yet applied to contact our firm!