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President Obama Doubles Down on Immigration Failures: Delays Executive Action and Ramps Up Jailing of Families

The following is a partial statement from Leslie Holman, President of the American Immigration Lawyer Association (AILA) about President Obama's announced decision to again delay any executive action that would help immigrants, their families, and our economy:

"Through this decision to delay, President Obama has broken yet another promise to immigrants, their families, U.S. businesses, and a community largely responsible for his even having a second term. By breaking his promise to exercise his authority this summer to provide some relief for the immigration system's dysfunction, the President has bowed to political pressure to the detriment of many: the businesses that are struggling, idea-generating immigrant entrepreneurs, families waiting to be reunited, and those whose lives his deportation machine is destroying each day. All of them, all of us, were waiting for him to lead. I'm disappointed in the President and urge him to reconsider and to move swiftly on both fronts: fix what he can of what's broken in our immigration system and do what's right by the women and children jailed and railroaded instead of protected. Our country's values require no less."

CBP Practice Alert: "Implied Departure" and Denial of USCIS Benefits

In an August 6, 2014 teleconference, CBP explained that when an alien purchases a plane ticket, this information is uploaded in its computer system, which is shared with USCIS. This is known as an "implied departure" and is displayed on a preliminary screen in the system. If the alien never actually boarded the plane and departed the United States, the USCIS officer will not be aware of the fact if he or she fails to click to a deeper level of the electronic record. The fact that aliens are being denied change of status and adjustment of status applications in these cases is therefore a simple officer training issue. CBP has already informed USCIS of this issue and expects a speedy resolution.

Practice Alert: DOS and CBP Issue Procedures to Facilitate Travel for Visa Applicants Affected by CCD Outages

The U.S. Department of State's Consular Consolidated Database, a system critical to visa issuance operations, is experiencing technical problems, which is limiting the State Department's visa processing capacity. As a result, there have been widespread delays in nonimmigrant visa issuance worldwide. In conjunction with the Department of State, U.S. Customs and Border Protection has indicated that in order to ease the situation, it will exercise its legal authority to waive nonimmigrant visa requirements for admission on a case-by-case basis.

CBP Issues New Customs Declarations Form, Features Expanded Definition of Family Members

U.S. Customs and Border Protection issued anew customs declaration form that expands the definition of family members for arriving travelers as, "members of a family residing in the same household who are related by blood, marriage, domestic relationship, or adoption. The new form is CBP Form 6059B. The recent regulation change allows more returning U.S. citizens, residents and international visitors to file a joint customs declaration for items acquired abroad. This produces less paperwork for people traveling together as a family and streamlines passenger processing, thereby increasing efficiency for CBP, airline personnel and the traveling public.