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### **President Obama's immigration actions: What employers need to know**

On November 20, 2014, President Obama announced a series of executive and administrative actions intended to streamline, modernize and simplify elements of the U.S. immigration system. While programs such as Deferred Action for Childhood Arrivals (DACA) and Deferred Action for Parents (DAP) have captured significant media attention, the administration also is proposing significant changes to the current employment-based immigration processes that directly impact employers who have foreign employees. The details of the executive actions are still emerging. Some changes will occur through executive order or policy memorandum, and others will be implemented by regulation.

For employers who sponsor foreign national workers, these anticipated changes could have significant impact on employees and their families. Some of the steps outlined by the President's proposal include:

- Finalize regulations to allow work authorization for the H-4 spouses of some H-1B workers;
- Extend the length of time that STEM graduates are eligible for Optional Practical Training (OPT) work authorization; and
- Provide the benefits of a pending Form I-485 to foreign nationals with an approved Form I-140 but who face long backlogs in green card processing.

Additional administrative efforts will begin to modernize the PERM labor certification process, to provide parole for certain foreign entrepreneurs, and to clarify the adjudication of L-1B (Intracompany Transfers) petitions.

In the coming weeks, the U.S. Citizenship and Immigration Services, the U.S. Department of State and the U.S. Department of Labor will provide additional guidance on these and other proposed changes, including the expected implementation timelines. We will provide periodic updates as this information is released.

If you have immediate questions about any steps you may need to take to prepare for these anticipated immigration changes, please contact Kelly Simon.



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🏠 Resume

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