

The Biden Administration IMMIGRATION PRIORITIES

TRUMP ADMINISTRATION Twilight Executive Action	First 100 Days	BIDEN ADMINISTRATION 300 Days	500 Days
<p> New Rules. Issue new final DOL wage rule; issue new final DHS Strengthening H-1B rule (not published); and issue final rule on H-1B lottery selection based on wage levels. <i>On February 4, the Biden Administration announced that the effective date of the H-1B Wage Selection Final Rule will be delayed until December 31, 2021.</i></p>	<p> New Rules. Suspend implementation of new final rules pending review by Biden administration and withdraw DHS Strengthening H-1B rule. On January 20, the Biden Administration placed a temporary, 60-day regulatory freeze on certain rulemaking, including these new rules.</p>	<p> Green Card Interviews. Re-prioritize green card interviews to focus on fraud data, removing interview requirements for employment-based applications and focusing on marriage-based applications.</p>	<p> Public Charge. Revise document requirements for establishing financial capacity.</p>
<p> Travel and Visa Bans. Extend COVID-related travel restrictions and nonimmigrant (H-1B, L-1, J-1 and H-2B) visa and green card bans.</p>	<p> Travel and Visa Bans. Rescind Proclamation 10052 suspension of entry for certain H-1B, L-1, J-1, and H-2B non-immigrants and Proclamation 10014 suspension of new immigrant visas.</p>	<p> STEM PhD H Cap Exemption. Exempt recent graduates of PhD programs in STEM fields in the United States from annual H-1B caps.</p>	<p> Annual EB Quotas. Work with Congress to increase the number of annual employment-based, immigrant visas beyond 140,000 and create a process for varying the number based on contemporary economic circumstances. President Biden plans to address this issue in the proposed US Citizenship Act of 2021.</p>
<p> Liberians. Extend the adjustment of status filing deadline, under the Liberian Refugee Immigration Fairness (LRIF) provision, to December 20, 2021.</p>	<p> H-4 Spouses. Withdraw from pending litigation and allow H-4 spouses to continue receiving work permits.</p>	<p> Merit-Based Visas. Develop a merit- or points-based proposal for immigrant visas allocated to high-skilled, temporary workers.</p>	<p> H-1B Shortage and Lottery Selection. Prioritize the H-1B lottery to identify "in-demand" occupational categories. President Biden plans to address this issue in the proposed US Citizenship Act of 2021.</p>
	<p> DACA. Restore the DACA program to cover new registrations and extensions of prior registrations for qualified individuals. President Biden signed a proclamation on January 20 directing DHS to "preserve and fortify DACA." <i>In addition, pursuant to a November 2020 court order, the DACA program has been restored to cover new registrations.</i></p>	<p> De Novo Review. Rescind PM-602-0151, which eliminated deference to prior determinations of eligibility for non-immigrant petitions.</p>	<p> U Visas for Whistleblowers. Expand the definition of U visas to include whistleblowers of potential labor violations. Triple the annual quota of U visas, from 10,000 to 30,000. President Biden's proposed "US Citizenship Act of 2021" is anticipated to cover this subject.</p>
	<p> Muslim Ban. Rescind travel and refugee bans on Muslim-majority countries. President Biden signed a proclamation on January 20 rescinding these travel bans.</p>	<p> Sanctuary Cities. Reinstatement a policy to address the concerns of "sanctuary cities." President Biden plans to address sanctuary cities in the proposed US Citizenship Act of 2021.</p>	<p> Heartland Visa. Create a new, location-based, immigrant visa category for large and mid-sized cities and counties experience economic downturns. President Biden plans to address this issue in the proposed US Citizenship Act of 2021.</p>
	<p> Refugee Quota. Increase to 125,000 the number of refugees admitted to the United States annually, in consultation with Congress. <i>On February 4, President Biden signed an executive order to begin the process of raising the refugee quota to 125,000, beginning in FY2022.</i></p>	<p> Priority Enforcement Program. Reinstatement the Priority Enforcement Program to share fingerprint data from criminal justice authorities with ICE.</p>	<p> Family Unity. Legislate a non-immigrant visa category for the beneficiaries of approved immigrant petitions to promote family reunification. President Biden plans to address this issue in the proposed US Citizenship Act of 2021.</p>
	<p> Asylum. Reinstatement asylum categories for particular social groups, including victims of gangs and domestic violence, LGBTQ+ applicants and individuals traveling through certain Central American countries. <i>On February 4, 2021, the President Biden signed a memorandum seeking to protect LGBTQ refugees and asylum seekers.</i></p>	<p> Veterans. End deportation of military veterans and create a parole process for veterans deported by the Trump Administration.</p>	<p> Immediate Relatives. Revise family-based immigrant visa categories to include the spouses and children of permanent residents as immediate relatives exempt from quotas.</p>
	<p> MPP Asylum Caps. Rescind the "Remain in Mexico" policy that caps the daily acceptance of asylum applications at the Southern Border. <i>On January 20, President Biden signed an executive order stopping new enrollments in the MPP policy.</i></p>	<p> DACA. Support legislation to create a path to US permanent resident status and citizenship for DACA beneficiaries. The proposed US Citizenship Act of 2021 would provide permanent residence for DACA beneficiaries, TPS holders, and immigrant farmworkers.</p>	<p> Detention of Children. Support legislation that provides long-term protections to safeguard children in immigration detention.</p>
	<p> Separation of Families at Border. Reverse policies that have led to the separation of families at the southern border. <i>On February 4, President Biden signed an executive order to end this policy and establish a task force on the reunification of families separated at the southern border.</i></p>	<p> ICE Enforcement. Make individuals who pose threats to public safety or national security an enforcement priority. President Biden plans to address this issue in the proposed US Citizenship Act of 2021.</p>	
	<p> Agency Mission Statement. Revise the mission statement of USCIS to reinsert the stricken language that had described the United States as a "Nation of Immigrants."</p>		

LEGEND

- ACTION TAKEN
- HIGH LIKELIHOOD
- MODERATE LIKELIHOOD
- LOW LIKELIHOOD
- EXECUTIVE OR AGENCY ACTION ENABLES CHANGE
- CHANGE MAY REQUIRE FORMAL RULEMAKING
- CHANGE MAY REQUIRE LEGISLATION