

Case Strategy Phase II

What Does “America First” Mean
For the Immigration Practitioner?

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Trump's Inaugural Address (1/25/17)

“...from this day forward it will be America first”...“Every decision on trade, on taxes, on *immigration*...will be made to benefit American workers and American families.”



Practice With Paranoia



- * Review your contracts/~~signed~~ waivers/CYA
- * Review your intake forms
 - * Public Benefits/Mental Health/Drug Use/Tatts
- * Review your processes – mail, paranoid LAs.
- * Review your modus operandi with information you provide
 - Use disclosures, be clear about dangers, costs, etc...
 - breakdown your charges by steps (Con Pro cases – what's true today may not be true tomorrow)
- * IOLTA/Trust account issues
- * Add supplements, briefs, & **overkill the evidence**
- * Re-read instructions & case law
- * Join groups with local immigration practitioners or have your “squad” that you can rely on.



Executive Order: Enhancing Public Safety in the Interior US

- (a) Have been convicted of any criminal offense;
- (b) Have been **charged with any criminal offense**, where such charge has not been resolved;
- (c) Have committed acts that constitute a chargeable criminal offense;
- (d) Have engaged in fraud or willful misrepresentation in connection with any official matter or application before a governmental agency;
- (e) Have abused any program related to receipt of public benefits;
- (f) Are subject to a final order of removal, but who have not complied with their legal obligation to depart the United States; or
- (g) **In the judgment of an immigration officer**, otherwise pose a risk to public safety or national security.

A new version of “Protecting the Nation from Foreign Terrorist Entry into the United States” (3/6/2017)

- **Vetting process at Consulate & POEs increased w/out justification**
 - Suspended refugee resettlement program for 120 days
 - Calls for new vetting standards at Consulate Posts.
 - Creates **DS-5535** – imposing restrictions on foreign travelers who are not part of the travel ban and **requires disclosure of social media identifiers.**

Sec. 5 - Implementing Uniform Screening & Vetting Standards for All Immigration Programs



- **CBP is now collecting social media information** and has increased searches of electronic devices. (Officer probably does not have a good sense of humor – no memes).
- **USCIS is searching social media** for applicants looking for potential fraud. (A lot of officers are being hired from CBP – see sense of humor above).

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First appeared as part of the conference materials for the
42nd Annual Conference on Immigration and Nationality Law session
"Case Strategy, Planning, and Documentation"