



# Transcending Borders<sup>SM</sup>

In the first Transcending Borders<sup>SM</sup> newsletter of 2024, we bring you the inaugural issue of “Our Immigrant Stories,” a series featuring GYH attorneys who have experience with the immigration process both as lawyers and as foreign nationals. This issue also includes immigration policy updates, original articles, firm news, and a new section spotlighting the firm’s **international protection practice**.

Is there a topic you would like us to cover? **Let us know!**

## Contents

### Original Content

- Our Immigrant Stories – Meet Claudia Cedeño
- DHS Proposes Modernization of H-1B Visa Program
- PERM Compliance After the Apple Settlement
- How Can Social Media Impact a Visa Application?
- Webinar: Exploring the E-2 Visa

### Policy Updates

- H-1B Season Nears!
- Stateside Visa Renewal Pilot Program Begins
- Israel Designated into the Visa Waiver Program
- NIL Bill Would Expand Opportunities for International Student Athletes

### International Protection Practice

- ICE Issues Updated Guidance on Use of INTERPOL Red Notices
- Panel: Interpol Pre-General Assembly
- Assessing Interpol’s 2023 General Assembly

### Firm News

- GYH Welcomes **Shivani Honwad**, Of Counsel

- [Sandra Grossman](#) is named Immigration Lawyer of the Year

## Original Content



### Our Immigrant Stories - Meet [Claudia Cedeño](#)

For many, going through the U.S. immigration process is stressful, dehumanizing, and demoralizing. Having an attorney who is not only tenacious, but is themselves familiar with the immigrant experience, can make a world of difference.

At Grossman Young & Hammond, many of our attorneys, paralegals, and staff are immigrants themselves. They have experienced the immigration process as legal practitioners and as applicants for immigration benefits. Attorney Claudia Cedeño has seen the immigration process first-hand as an immigrant, as a diplomat, and as an attorney. She jokes that she has held almost every visa type, including B-1/B-2, A-1/A-2, F-1, and TN.

[Read more...](#)

## DHS Proposes Modernization of H-1B Visa Program

By, [Valerie Mahoney](#), Attorney

In an effort to modernize, improve program efficiency and flexibility, and strengthen integrity measures, the Department of Homeland Security (DHS) has proposed a set of significant changes to the H-1B visa program. Most importantly, DHS proposes to change the H-1B registration and selection process so that each person is counted as one entry into the H-1B lottery regardless of how many times they are submitted. The changes could also potentially benefit nonprofit and governmental research organizations, F-1 students transitioning to H-1B status, entrepreneurs, and employers seeking to hire highly skilled foreign workers. The changes would also modernize the H-1B visa program to increasingly remote work opportunities.



[Read more...](#)

Employers: [Contact us](#) for a free 15-minute consultation to discuss your H-1B program.

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## PERM Compliance after the Apple Settlement

By [Nikki Whetstone](#), Senior Attorney & [Harisa Henderson](#), Attorney

After a new settlement, Apple is required to pay up to



\$25 million in backpay and civil penalties due to their recruitment practices for PERM related job openings. Specifically, Department of Justice (DOJ) determined that Apple discriminated against U.S. citizens when handling PERM recruitment by requiring all PERM position applicants to mail in paper employment applications and not considering employment applications that were submitted electronically. In addition, the DOJ found issue with Apple neglecting to

include the PERM related job openings on their website, which is the company's standard practice for all other job openings.

What does this mean for employers?

[Read more...](#)

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## How Can Social Media Impact a Visa Application?

*By, Andrea Santini, Legal Intern*

In an increasingly digital world, the influence of technology extends far beyond connecting friends and sharing moments. Social media is extremely present in many people's lives. Most people have heard about the dangers of social media when it comes to bullying, identity theft, hacking, and other issues. But the impact of social media in immigration petitions is rarely considered. As individuals pursue immigration to new countries, their online footprint can significantly impact their prospects.



[Read more...](#)

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## Visa Options for Foreign Investors - Webinar

The United States offers two primary visa options to foreign investors and entrepreneurs seeking to start a new business or buy an existing business. The E-2 non-immigrant investor visa program is extremely flexible— there is no minimum capital investment test and no minimum job creation requirements. Alternatively, the EB-5 immigrant investor program is a slower and more structured process but yields Green Card status. Each has pros and cons, and both options are often pursued in parallel to maximize immigration benefits.

View this recorded webinar [here](#), as well as other GYH webinars on [our website](#).



## Policy Updates

### H-1B Season Nears!



Employers - It's time to prepare for the fiscal year 2025 H-1B cap visa lottery! Generally, this applies to any non-exempt employer who would like to sponsor a foreign national who has never held H-1B status.

#### What you can do now:

- Review your roster of foreign national employees – focusing on:
  - Any employees with CPT or OPT (even if they have a year or two of STEM OPT left, we recommend applying annually to get the most “bites at the apple”)
  - Any employees in other non-immigrant statuses that expire before 10/1/2025 (which will be your next opportunity to sponsor cap-subject H1Bs)
  - Any former employees you would like to bring back and potential new hires
- Contact GYH (sooner is better) before 1/31/2024 for a complimentary 15-minute consultation to discuss next steps.

[Contact Us](#)

### Stateside Visa Renewal Pilot Program Begins

In December, the Department of State (DOS) announced the beginning of its much anticipated stateside visa renewal pilot program, which will begin on January 29, 2024, and end on April 1, 2024.



Who is eligible? What is the application process?

[Read more...](#)



## Israel Designated into the Visa Waiver Program

In September 2023, DHS designated Israel into the Visa Waiver Program, allowing Israeli citizens and nationals to travel to the United States for short-term visits without a U.S. visa. In October, the Electronic System for Travel Authorization (ESTA) **was updated** to reflect Israel's designation.

Israeli citizens and nationals may now visit the U.S. for up to 90 days for tourism or business purposes without first obtaining a visa. In October, DHS updated the Electronic System for Travel Authorization (ESTA) to allow Israeli citizens and nationals to travel to the U.S. Israeli citizens with valid B1/B2 visas may continue to visit the United States on their visas until expiration.

[Click here](#) for a list of other countries designated under the Visa Waiver Program.

## NIL Bill Would Expand Opportunities for International Student Athletes



A 2021 U.S. **Supreme Court decision** gave college athletes with U.S. citizenship an unprecedented opportunity to profit from their name, image and likeness (NIL). Unfortunately, international students have been unable to benefit from this opportunity due to the restrictive nature of F-1 visas. Most international students are in the United States on an F-1 visa. Under this visa type, the students are restricted from obtaining any form of employment in the United States, which would include NIL profit-making opportunities.

On October 17, 2023, however, **bipartisan Senators from Connecticut and Nebraska** introduced **a bill** that, if passed, would amend Section 214(m) of the Immigration and Nationality Act to grant employment authorization to international student-athletes on F-1 visas "for the purpose of engaging in activities pursuant to an endorsement contract for the commercial use of the non-immigrant's name, image, or likeness."

The passage of this legislation would expand opportunities for international student athletes in the U.S. to build their own brands and to be compensated when their universities use their image and/or likeness for promotional purposes.

GYH will provide periodic updates on this important development.

## International Protection Practice

### ICE Issues Updated Guidance on Use of INTERPOL Red Notices

Attorneys and advocates battling INTERPOL abuse welcomed news of a new U.S. Immigration and Customs Enforcement (ICE) directive instructing its personnel to stop using INTERPOL Red Notices and Wanted Person Diffusions as the sole grounds for arrest and detention.



**Meg Hobbins** and **Ted R. Bromund** published **an article** in the latest issue of the International Enforcement Law Reporter outlining the details of the directive and sharing their thoughts about the benefits and shortcomings of this guidance.

[Read More...](#)




**21 Nov 2023  
17:00 GMT**

**INTERPOL PRE-GENERAL ASSEMBLY  
ONLINE DISCUSSION**

Ahead of INTERPOL's annual General Assembly on 28/11 - 1/12 in Vienna, join us for an online discussion on the priorities for the General Assembly and the future of INTERPOL

**Chair**  
**Roger Sahota**  
Partner, Berkeley Square Solicitors



**Bill Browder**  
Human rights campaigner & founder of Magnitsky Awards



**Ben Keith**  
UK Barrister, 5 St Andrew's Hill



**Meg Hobbins**  
Immigration Attorney, Grossman, Young & Hammond



**Ted Bromund**  
Senior Research Fellow, Heritage Foundation



## Panel: Interpol Pre-General Assembly

**Meg Hobbins**, Partner, and **Dr. Ted R. Bromund** participated in an expert panel discussing the priorities of INTERPOL's most recent General Assembly, hosted by **Red Notice Monitor** (RNM).

The panel shines a light on the work of INTERPOL amidst increasing concern about the lack of transparency in its work, especially how its procedures have been abused by its Member States.

Other speakers included RNM Editor Roger Sahota (chair), Bill Browder, and Ben Keith.

View recording and details: [here](#).

## Assessing Interpol's 2023 General Assembly

Partner **Sandra Grossman** co-authored with Ted R. Bromund and Ben Keith an article for **Red Notice Monitor** assessing the takeaways from INTERPOL's General Assembly, which met from November 28th to December 1st in Vienna.



The four key areas addressed in the article are 1) admission of Palau as a member, 2) the adoption of resolutions related to Interpol's governance and rules, 3) Resolution 10, which calls for enhanced standards in the use of Red Notices and Wanted Person Diffusions, 4) Interpol's efforts against transnational organized crime with the launch of the "Vienna Declaration" and the pursuit of a global security architecture, and other important developments.

[Read More...](#)

## Firm News

### GYH Welcomes Shivani Honwad, Of Counsel

GYH recently welcomed **Shivani Honwad** as Of Counsel in the firm's business immigration practice! Shivani is a passionate attorney whose practice focuses primarily on business and immigration law for creative individuals and companies in the fashion, entertainment and tech industries. She has worked with models, actors, artists, DJs, painters, musicians, architects, designers, creative directors, photographers, filmmakers, and producers, and has negotiated contracts for her creative clients working with Nike, Amazon, Disney, Netflix, HBO, AppleTV+ and many more.



**Sandra Grossman is Named**



## Immigration Lawyer of the Year

Co-Managing Partner **Sandra Grossman** was named Immigration Lawyer of the Year (USA) in the 2023 Women in Law Awards published by Lawyer Monthly. The Women in Law Awards publication is a prestigious recognition celebrating the outstanding achievements and dedication of female legal professionals who are shaping the future of law and blazing trails for future generations.

[Read more...](#)



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