



# Transcending Borders<sup>SM</sup>

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## Biden Suspends Entry for Travelers from India

On April 30, 2021 the Biden White House released a [Presidential Proclamation](#) (PP), suspending the entry of nonimmigrants and noncitizens who were physically present in the Republic of India during the 14 days preceding their attempted entry to the U.S. India is currently being ravaged by the COVID-19 pandemic, with over 20 million cases ( a number that is still surging) reported as of May 4th, and a new variant of the circulating in the country. President Biden's travel suspension for travelers from India is a direct attempt to proactively prevent the spread of COVID-19 in the U.S.



The suspension does not apply to lawful permanent residents of the U.S. and their spouses or noncitizen nationals of the U.S. and their spouses, among other special exceptions.

This proclamation took effect May 4th, 2021 at 12:01am.

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## Biden Substantially Raises Refugee Cap

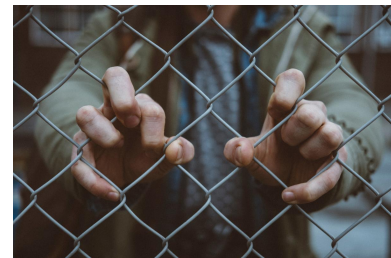
President Biden [announced](#) on Monday, May 3<sup>rd</sup>, that he is raising the cap on refugee admissions to 62,500 for the current fiscal year. This new cap far exceeds the historically low 15,000 refugee cap set by the Trump administration. While this new cap is a considerable increase, it is below the limit promised by Biden on the campaign trail (125,000).

In April, immigration advocates [were dismayed](#) when President Biden signed an order keeping the refugee admissions number at 15,000 as set by Trump. The administration faced almost immediate backlash and quickly changed its tune, promising to raise the refugee cap for the remainder of the fiscal year by mid-May. While the increase to 62,500 is a welcome change, the White House noted that it is unlikely to achieve that many admissions this year, blaming the Trump administration for the backlogged and broken system it inherited. Biden promises to aim for his campaign goal of 125,000 refugee admissions in the next fiscal year.

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## What's actually happening at the Southern Border?

As the Biden administration marks 100 days in office, its immigration agenda has zeroed in on a recent surge of migrant arrivals at the southern border. [Over 170,000 border apprehensions](#) occurred in March 2021, the highest number since 2006. The high numbers of apprehensions pose a challenge to infrastructure left in disarray, short staffed, and underfunded by the Trump administration, and have created a perception of crisis. We offer a quick fact check in order to put this into context:



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## Blog Post: Help! My Spouse is Stuck Overseas Waiting for Green Card



When a U.S. citizen (or permanent resident) marries a foreign national living overseas, the process for the couple to be reunited in the U.S. can (often much to the surprise of both spouses) take years. Among the most common inquiries GYH receives is from U.S. citizens or permanent residents seeking a green card for a foreign national spouse. In addition to the arduous task of navigating the immigrant visa process, couples are often dismayed to discover that the foreign national spouse may be stuck in their home country throughout the entire process. In this blog post, we outline five options for couples in this tricky predicament. [READ MORE...](#)

# Travel Issues for Permanent Residents Amid the Pandemic

Frequently changing pandemic-related travel restrictions have plagued most travelers in the past year and may have a particularly strong impact on legal permanent residents (LPRs) and other seeking to return to the U.S. This comprehensive flier from the American Immigration Lawyers Association's (AILA) Client Resources Committee details the considerations LPRs ought to keep in mind if forced to travel outside the U.S. during the pandemic.



View the Flier: [HERE](#)

## Policy Updates

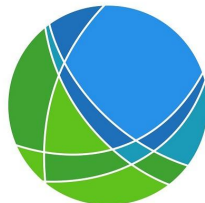
### F-1 Students Seeking OPT Can Now File Form I-765 Online

U.S. Citizenship and Immigration Services (USCIS) [announced in April](#) that F-1 students seeking optional practical training (OPT) can now file [Form I-765](#), Application for Employment Authorization, online if they are filing under one of these categories:

- (c)(3)(A) – Pre-Completion OPT;
- (c)(3)(B) – Post-Completion OPT; and
- (c)(3)(C) – 24-Month Extension of OPT for science, technology, engineering and mathematics (STEM) students.

### Expanded Interview Waiver Eligibility

In March, the Department of Homeland Security (DHS) [temporarily expanded](#) consular officers' ability to waive in-person interview requirements for individuals applying for a non-immigrant visa in the same classification. Prior to the pandemic interview waivers were only available to nonimmigrants whose visa expired within 24 months. Under the temporary expansion, interview waivers are available to nonimmigrants whose visas expired within 48 months. This change is an effort to reduce the risk of COVID-19 transmission amongst applicants and consular staff.



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