



Alerts

What Might Immigration Law Look Like in a Biden Administration

November 16, 2020

Insights for Employers

When it assumed office, the Trump Administration took a series of actions that dramatically changed the immigration law landscape. A new Biden Administration could take a similarly expansive approach. We anticipate changes under a Biden Presidency that would make securing work visas easier for individual immigrants and also increase the pathways for businesses to hire the best and the brightest, regardless of nationality. We additionally anticipate changes to the litigation atmosphere and expect a decrease in the backlog of court cases.

In the first 100 days of a Biden Administration, we expect that the Administration would make significant changes to immigration law, including:

1. Fully or partially repealing coronavirus-related travel bans that have suspended entry into the country of many immigrants and nonimmigrants alike
2. Reinstating and possibly expanding the Deferred Action for Childhood Arrivals (DACA) Program
3. Resuming regular processing of asylum applications and implementing methods to streamline the process for arriving asylum-seekers
4. Resuming the issuance of nonimmigrant visas, including H-1Bs and L-1s
5. Eliminating the "Public Charge" Rule, which added considerable burdens to those seeking U.S. immigration benefits
6. Returning Temporary Protected Status to eligible individuals who cannot find safety in their home countries
7. Appointing more Immigration Judges and Associate Immigration Judges nationwide

We will continue to update you about any key immigration law changes, including efforts by the current Trump Administration to expand upon their immigration restrictions. Contact [your Hinshaw attorney](#), if you have any questions.

Attorneys

Ian D. Wagreich

Service Areas

Immigration

Labor & Employment