

What You Say Can & Will Be
Used Against You: *Succeeding in
The Trump Era*

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Know Your Immigration Documents

- Interplay of Visa/U.S. I-94/U.S.I-797
- Electronic I-94 receipts/check within 24 hours of entry
- Deferred inspections

Key Agency Players Different Agencies; Different Responsibilities



USCIS Approved My Case Not the End of the Journey

- Take DS-160 seriously/be consistent with petition
- Embassy visa interview is NOT a “rubber stamping”
- Trump factor/BAHA/Government shutdowns
- Partnering with counsel is essential

USCIS Approved My Case Not the End of the Journey

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Choosing a consulate

- Default: opt for post closest to your residence
- Trickier Cases-talk to an attorney about other options (if any)
- Wait Times
- Problem Consulates
 - L-1/Chennai
 - L-1/O-1/London

USCIS Approved My Case Not the End of the Journey

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The NIV Interview

- General trends
- Interviews are quick (usually just 2 minutes)
- Opportunity to advocate for yourself
- Preparatory call with counsel/NO 2nd chance to make a 1st impression
- Read your visa application – be consistent!
- Common interview questions
- Administrative processing

The Next Hurdle: Interacting with CBP

- Even after succeeding at USCIS & DOS, the journey is not yet complete
- What to expect at CBP/Required documentation
- Special rules for Canadians
- Review your entry record

But Wait, There's More USCIS Site Visits

- Company site visits on the rise
- Site visits quadrupled in FY18
- Form I-9 audits increased by 5x
- Verifying job duties/location
- Attack on H-1Bs and 3rd party worksites
- Must inform counsel of changes **PRIOR** to taking place



But Wait, There's More USCIS Site Visits

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- Maintain records
- Notify counsel of employment changes (and USCIS if required)
- Conduct internal I-9 audits
- Have an I-9 policy in place
- E-Verify?



Questions?


