

## Plan To Cut Legal Immigration Likely To Be Uphill Battle

By **Allissa Wickham**

Law360, New York (July 17, 2017, 5:27 PM EDT) -- President Donald Trump is reportedly preparing to back a plan to reduce legal immigration, and while the proposal will likely have a tough time getting through Congress, its circulation could still contribute to a chilling effect on immigration, attorneys say.

Politico reported Wednesday that legal immigration may soon find itself in the crosshairs as Trump is planning to support a bill from two Republican senators that, over the next decade, would halve the number of legal immigrants coming to the U.S. every year.

The bill, which Politico said is slated to be introduced this summer, was characterized as a "revised and expanded version" of the RAISE Act, which was **put forward** by Sens. Tom Cotton, R-Ark., and David Perdue, R-Ga., in February.

That legislation takes particular aim at family immigration. Cotton said in a press conference on the initial bill earlier this year that it would eliminate immigration categories for parents, siblings and adult children. It would also end the diversity visa lottery and would only allow 50,000 refugees to get permanent residency each year.

Overall, the RAISE Act would reduce immigration to about 638,000 during its first year and to roughly 540,000 per year in a decade, according to Cotton's office. Such levels would represent a dramatic decrease in immigration, as about 1.05 million people received green cards in 2015, according to the U.S. Department of Homeland Security.

But even if the White House lends support to a revised version of the bill, getting it through Congress won't be easy, according to immigration attorneys, who noted there's limited desire for cutting back legal immigration and that even some Republicans may not support the idea.

"Maybe if President Trump is forcefully behind something then it might get a little more attention and momentum, but I think, in the end, there's just not a huge appetite across the board for reducing legal immigration," said Kim Thompson, chair of the global immigration practice group at Fisher Phillips.

It's doubtful that Democrats would get behind such a measure, meaning the legislation may not be able to reach the 60 votes needed to overcome a filibuster. There's also a question of whether Republicans who are viewed as more moderate on immigration would get behind the bill, potentially leaving it even more vulnerable.

"Even [for] those people in the more moderate parts of the Republican Party who might not be terribly sympathetic to family reunification — this is pretty draconian," said David Grunblatt, co-head of the immigration & nationality group at Proskauer Rose LLP, who called the desire to be restrictive toward U.S. citizens sponsoring their parents "pretty rough."

The proposal therefore could spark a fight between the immigration hawks in Congress and the White House and those who take a less harsh view of the issue.

"This is putting a stake in the ground, and it'll be where that conversation begins," said Mitch Wexler, a partner at Fragomen, Del Rey, Bernsen & Loewy LLP.

When reached for comment, a representative for Perdue told Law360 that "Senators Perdue and Cotton continue to work on their RAISE Act efforts." Representatives for Cotton and the White House did not respond to requests for comment.

Notably, even if the bill doesn't get through Congress, just having the idea circulating could chill legal immigration, according to Susan Cohen, chair of the immigration practice at Mintz Levin Cohn Ferris Glovsky and Popeo PC.

"I wouldn't be surprised if that was one of the intended effects, like with everything else this administration is doing around immigration," Cohen said. "It's had a chilling effect, there's no question about it."

The proposal would also come not long after the administration acted to delay the **international entrepreneur rule**, which would have enabled about 3,000 international entrepreneurs per year to seek temporary permission to be in the country to grow businesses, in another move that will thwart some legal immigration.

--Additional reporting by Kelcee Griffis. Editing by Brian Baresch and Emily Kokoll.