

How Will the Trump Administration Impact Your Business?

Labor & Employment Law Update

By Jacqueline Lentini McCullough on December 5, 2024

The election results are in and many are wondering what to expect for business employment immigration. The news is full of stories about mass deportations, but scant on information about those legally in the U.S. working in highly skilled professional positions.

With relatively little information available at this point, it can be challenging to speculate about what is going to happen. What we *do* know may be gleaned from President-Elect Trump's first administration. It is possible we may see the return of the following:

- **No deference to prior petitions.** If there is a return of no deference to prior petitions, an extension will be as involved as an initial petition.
- **Increased auditing.** Across different government agencies, we may see more audits, requests for evidence, site visits, interviews, and denials across different government agencies.
- **Updated rules for Adjustment of Status.** Applicants for Adjustment of Status may face more strict public charge rules.
- **Executive orders.** A return of the Buy American Hire American standard is possible.

What may be new this time around is an increase in the minimum salary requirements for H-1B visa holders. Last time Trump held office, the salary discussed was \$100,000. If there is a salary increase for H-1B visa holders, then compliance of H-1B public access files may also increase.