

## Dan Berger

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### EXPERIENCE

**Curran, Berger & Kludt**, Northampton, MA 1998-present

*Partner*, (2010-present), *Associate Attorney* (1998-2009)

Provide immigration law services for academic, business and individual clients, with a team of 50 employees

Conduct immigration screening consultations to numerous nonprofits, colleges and universities

**Princeton University Office of General Counsel**, Princeton, NJ, 1997-1998 *Intern*

**New Jersey Superior Court, Somerset County**, Somerville, NJ 1996-1997, *Judicial Law Clerk/Mediator*

**Environmental Law Institute**, Washington, D.C. 1989-1991 *Research Associate*

Contributed to environmental law drafting project for newly independent governments in Poland, and the Czech and Slovak Republics

Co-authored report on Best Available Control Technology standards for air pollution control

Developed curriculum for environmental science course for corporate attorneys

**American Association for the Advancement of Science**, Washington, DC Summer, 1989, *intern*

Assisted funding, planning and implementation of scientific conferences with sister organizations in the Western Hemisphere, including "Migration of Plants after Columbus," and "Global Change and Our Common Future" in Quito Ecuador.

**The Christian Science Monitor**, New York, NY Summer, 1987, *intern*

Wrote articles with byline, conducted research for economics desk

### EDUCATION

**Cornell Law School**, J.D., 1996

**Clinics**: Child Advocacy, Estate Planning, Legal Aid

**Law review article** - [Improving the Safety and Efficiency of Foreign Adoptions](#), 5 Cornell Journal of Law and Public Policy No. 1 (1995, winner of AILA annual writing competition).

**Harvard College**, A.B.. in History, 1989

### SELECTED PUBLICATIONS AS CO-EDITOR

[Immigration Practice Pointers](#) (formerly Immigration & Nationality Law Handbook, the CLE handbook for AILA's annual conference), American Immigration Lawyers Association (AILA), 1999-present.

Kurzban's Immigration Law Sourcebook, 17th Edition (2020-2021), American Immigration Council. Reviewer of student visa section and part of physician immigration section.

Immigration Options for Academics and Researchers. (AILA 2005, 2011, and upcoming 2021 editions).

[The International Adoption Sourcebook](#). (AILA 2008 and upcoming 2021 editions).

[Business Immigration Law & Practice](#) (AILA 2011 and 2017 editions). Reviewer for O and P visa sections.

[The Nurse Immigration Book](#), 2007-2008, ILW Immigration Law Library.

[The Diplomatic Visas Handbook](#) (AILA 2011 and 2017 editions).

SELECTED ARTICLES AND BOOK CHAPTERS as author and co-author

E. Barnert et al. [Using DNA to Reunify Separated Migrant Families](#), Science, 10.1126/science.abh3979 (May 27, 2021).

[Unleashing International Entrepreneurs to Help the US Economy Recover from the Pandemic](#) (May 2021) Report for the Brookings Institution.

[Biometric Data and Midnight Regulations](#), The Regulatory Review (March 11, 2021).

[Four Ways the Biden Administration Can Improve The Employment-Based Immigration System Without Congress](#) (January 2021) Report by the Brookings Institution.

[A proposal to bring back reasonableness: resurrect the Rice cable on students and temporary intent, and expand it to J-1 exchange visitors](#), ILW.com (December 28, 2020).

Agents and Itineraries for O and P Petitions, Immigration Options for Artists, Entertainers & Athletes 3 Ed. (AILA 2020).

[Beyond Deferred Action - Long Term Remedies for Undocumented Youth](#) (2012 and 2019), Immigrants Rising (guide for DACA and undocumented youth on options moving into status, based on 121 consultations as part of a study conducted in 2011).

[Fighting and Winning RFEs: Resources and Tips for Crafting a Winning Response](#), Athletics, Culture, Entertainment and Science Immigration Conference Handbook (2019).

[Recent Trends in EB-1 Extraordinary Ability And Outstanding Professor Green Card Petitions](#), 23 Bender's Immigration Bulletin No. 17 (September 1, 2018).

[The New National Interest Waiver Standard Established by Matter of Dhanasar](#), in conjunction with [AILA webinar](#) (2017).

[Immigration Post-Election - Issue Brief](#), American Council on Education (2017).

[Ten Key Immigration Concepts for College and University Counsel](#) (2017), National Association of College and University Attorneys.

[Sanctuary Campuses and Other Immigration Questions and Answers for Campus Leaders Post-Election](#), 22 Bender's Immigration Bulletin No. 1 (Jan. 1, 2017).

[DNA and the Search for Answers](#), Adoption Today (March 2017).

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[Guide to Immigration Options for Refugees Abroad](#), collaboration with Refugees International (2017).

[Navigating DNA Testing in Immigration Cases](#), 21 Bender's Immigration Bulletin No. 13 (July 1, 2016).

[Innovative Visa Options for Immigrant Entrepreneurs](#), 21 Bender's Immigration Bulletin No. 11 (June 1, 2016).

[Nine Key Concepts College Counsel Must Know About Immigration Law](#), 20 Bender's Immigration Bulletin 679 (July 1, 2015).

[Left Behind - Iraqis and Afghans Caught in a Sea of SIV Red Tape](#), 5 Inside Immigration No. 6 (June 2014).

*A Review of Legal Issues Arising After a Grant of DACA*, Immigration Practice Pointers (AILA 2013).

[Deferred Action - Should Undocumented Young People Apply?](#), Lexis/Nexis Emerging Issues Analysis (2012).

*Authorizations for Visa Issuance Under INA §212(d)(3)(A)*, Immigration Waiver Update - American Immigration Lawyers' Association (2012).

[Intercountry Adoption, Domestic Adoption and the Post-Hague Landscape](#), Immigration Practice Pointers (AILA 2012).

*Immigration Research 101*, Immigration Practice Pointers (AILA 2010).

*Outstanding Researcher Cases for Academic Physicians*, Immigration Options for Physicians (AILA 2009).

[Thinking Outside The Box](#) - strategies for exemption from the H-1B cap (AILA Immigration Law Today, May/June 2007).

*Does a Visa Petition Create a Legal Contract?*, 5 Bender's Immigration Bulletin No. 24 (Dec. 15, 2000).

[Adopted Children and the Child Citizenship Act of 2000](#), ILW Dec. 29, 2000 (review of issues shortly after the passage of the CCA).

## SELECTED OTHER ACTIVITIES

Consultant, Genomics, Biometrics, and Identity, NIH grant to student use of DNA technology and biometrics in U.S. immigration policy. 2019- present

Member, Advisory Board, [DNA Bridge](#) (interdisciplinary working group studying approaches to remedying the Trump family separation policy).

Provided technical advice to Senate office on visa provisions of the [International Press Freedom Act of 2021](#) bill.

Provided data and assisted with analysis on [study by the National Foundation for American Policy](#) on how H-1B visa proposal will affect international students (2021).

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Participant at invitation-only Immigration Policy Workshop sponsored by the Center for Houston's Future and Rice University's Baker Institute Center for US and Mexico, May 5, 2021.

Legal consultant to American Council on Education, including [legal opinion letter](#) on Safeguarding American Innovation Act (2021).

Contributed to [comment submitted by higher education groups](#) (led by the College and University

Personnel Association) on Department of Labor interim final rule (2020).

Volunteer Attorney, [La Posada Providencia](#) Catholic Shelter, San Benito, Texas (including ICE check in, detention visits in county and ICE facilities, 2017).

[Co-author of amicus brief](#) for AILA on permanent residence process for university teachers (2010).

Co-author of [comment for AILA on Extraordinary Ability Request for Evidence template submitted to USCIS](#), (Sept. 23, 2010).

Invited presentations on visa options for international students and scholars at [Harvard Law School](#), MIT (postdocs), Eastman School of Music, NYU, Yale University (arts, music, graduate students, [entrepreneurs](#)), University of Connecticut Health Center (medical residents and fellows), Brown University (entrepreneurs and international students), Smith College, Amherst College, Mt. Holyoke College, University of Massachusetts Amherst, Wesleyan, Georgia Institute of Technology, [University of Georgia Athens](#), Bucknell University, Middlebury College, Dartmouth College, University of New Hampshire Durham, Columbia University, Princeton University (graduate students and [entrepreneurs](#)) University of Michigan, University of Connecticut, American Museum of Natural History, Marine Biological Laboratory.

Numerous other invited presentations and panel discussions for Council For Global Immigration (now SHRM), Center for Adoption Policy at Duke Law School, NAFSA, AILA, Federal Bar Association Immigration Section, National Association of College and University Attorneys (including “Ask the Pros” open Q&A after the 2016 election), American Association of Universities Council on Federal Relations, National Association of Independent Colleges and Universities, [Williams College Claiming Williams Day](#), [Wellesley College](#) and [Smith College School for Social Work](#).

#### SELECTED MEDIA

[Atlantic Magazine](#), [USA Today](#), [ESPN](#) 2018, [ESPN](#) 2019, the [Huffington Post](#), [New York Times](#), [Market Watch](#) and Forbes Magazine ([July 2020](#), [July 2020](#), [September 2020](#), [January 2021](#), [March 2021](#), [April 2021](#), [May 2021](#), [June 2021](#)), [Reuters Legal News](#) (2021), [San Francisco Chronicle](#) (2021)

#### COURSES TAUGHT

Tufts University, Department of Political Science. *Topics In American Politics - Immigration Law*. Spring 2020 and Spring 2021.

Guest Lecturer for first class (setting the stage) at Harvard Law School (Professor Deborah Anker). *Immigration Law, Policy and Social Change*, Spring 2018.

Guest Lecturer for *Immigration Law, Asylum and Politics* class at Dartmouth College, Prof. Carol Bohmer. 2007-2015.

#### PROFESSIONAL SERVICE

Advisory Board, [DNA Bridge](#) (formerly 545 Separated Families Working Group), 2020-present  
Legal Advisory Council, [Presidents Alliance on Higher Education and Immigration](#), 2017-present  
Various liaison committees with US government agencies, American Immigration Lawyers Association, National Association of Foreign Student Advisers (2000- present)  
Regulatory Practice Coordinator, National Association of Foreign Student Advisers 2015-2018, including

[blog](#), [webinar on “extreme vetting” of US visas](#), [webinar on review of litigation](#), [webinar on students visas during the new Trump Administration](#), and [updated advice on advising in an era of uncertainty](#).

#### PROFESSIONAL MEMBERSHIPS

American Immigration Lawyers' Association, 1998-present American Academy of Adoption and Assisted Reproduction Attorneys, Honorary Fellow, 2016-present (Co-Chair of International Committee)

[United States Alliance for International Entrepreneurs](#)

Member of Massachusetts Bar, admitted 1998

#### AWARDS

National Association of Foreign Student Advisers (NAFSA) Region XI Sally M. Heim Award, 2015