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President Trump Proposes 'Gold Card' Visa Program to Replace EB-5 Visa

President Trump [said](#) he wants to sell a "gold card" visa for \$5 million to noncitizens, including [both individuals and companies](#). The visa would include permanent residence with work authorization and a path to U.S. citizenship. A new visa program would require passage by Congress, but Mr. Trump said he wouldn't need congressional approval "because we're not doing citizenship, we're doing the card." He said that gold card holders would "be wealthy and they'll be successful and they'll be spending a lot of money and paying a lot of taxes and employing a lot of people, and we think it's going to be extremely successful."

According to reports, Secretary of Commerce Howard Lutnick said that the new program would [replace the EB-5 visa program in two weeks](#). He also claimed [that 250,000 people were "waiting in line"](#) for it, although [an application process hasn't been established yet](#). The current EB-5 immigrant investor program includes investment and job-creation requirements. Mr. Lutnick said the EB-5 program was "full of nonsense" and "low priced." It was unclear whether existing EB-5 visa holders would be affected if the program were to be shut down and whether the Trump administration would seek congressional approval for either the new "gold card" program or shutting down the EB-5 program. In 2022, Congress [extended the EB-5 program until 2027](#).

The "gold card" idea is similar to "golden visa" programs in many other countries, although some have ended such programs due to [issues including money laundering, security concerns, and driving up housing prices](#). The European Union has recommended against such programs. When asked if gold card applicants would be vetted, Mr. Lutnick [said](#), "Of course. Deeply vetted. And we said that from the first minute.... These are vetted people." Mr. Lutnick also said the new program would bring "huge money for America." Mr. Trump was asked whether Russian oligarchs would qualify, and he [replied](#), "Yeah, possibly."

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'Show Me Your Papers': Trump Administration Announces Undocumented Immigrant Registry

On February 25, 2025, the Department of Homeland Security (DHS) [announced](#) enforcement of an existing law [requiring undocumented immigrants](#) to register with the federal government, be fingerprinted, and notify the government of address changes. DHS said that failure to register "is a crime that could result in a fine, imprisonment, or both."

DHS said those who "must apply for registration" include:

- "All aliens 14 years of age or older who were not registered and fingerprinted (if required) when applying for a visa to enter the United States and who remain in the United States for 30 days or longer. They must apply before the expiration of those 30 days.
- The parents and legal guardians of aliens less than 14 years of age who have not been registered and remain in the United States for 30 days or longer, prior to the expiration of those 30 days.
- Any alien, whether previously registered or not, who turns 14 years old in the United States, within 30 days after their 14th birthday."

Those who "have not registered" include:

- "Aliens who are present in the United States without inspection and admission or inspection and parole;
- Canadian visitors who entered the United States at land ports of entry and were not issued evidence of registration; and

- Aliens who submitted one or more benefit requests to USCIS not listed in 8 CFR 264.1(a), including applications for Deferred Action for Childhood Arrivals or Temporary Protected Status, who were not issued evidence of registration."

American Indians born in Canada who entered the United States under section 289 of the Immigration and Nationality Act, and members of the Texas Band of Kickapoo Indians who entered the United States under the Texas Band of Kickapoo Act, are [not required to register](#).

DHS said it would [soon announce](#) a form and process for registration. "Beginning Feb. 25, 2025, aliens required to register should create a [USCIS online account](#) in preparation for the registration process. See our [How to Create a USCIS Online Account](#) page for more information. Once the registration process is implemented, aliens will submit their registration, and parents and guardians will submit registration applications on behalf of their children under 14, through their USCIS online account."

Greg Chen, a senior director of government relations for the American Immigration Lawyers Association, [said](#) the registration requirement could lead to a "nationwide show-me-your-papers regime." It remains to be seen how many undocumented immigrants will be inclined to register or how the registration requirement will be enforced. In the meantime, DHS [reportedly asked](#) the Internal Revenue Service (IRS) for the home addresses of about 700,000 people believed to be in the United States without authorization and requested auditors and criminal investigators to probe businesses suspected of hiring unauthorized workers. The IRS refused to provide the home addresses to DHS but is looking for other ways to help.

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DOS Announces Expansion of Visa Restriction Policy for Individuals Exploiting Cuban Labor

On February 25, 2025, the Department of State (DOS) [announced](#) the expansion of "an existing Cuba-related visa restriction policy that targets forced labor linked to the Cuban labor export program. This expanded policy applies to current or former Cuban government officials, and other individuals, including foreign government officials, who are believed to be responsible for, or involved in, the Cuban labor export program, particularly Cuba's overseas medical missions," along with their immediate family members.

Secretary of State Marco Rubio, whose parents were Cuban immigrants, said in a statement that "Cuba continues to profit from the forced labor of its workers and the regime's abusive and coercive labor practices are well documented. Cuba's labor export programs, which include the medical missions, enrich the Cuban regime, and in the case of Cuba's overseas medical missions, deprive ordinary Cubans of the medical care they desperately need in their home country."

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Trump Administration Roundup: Highlights of Recent Immigration Developments

In addition to the actions reported in other articles below, the Trump administration has been busy. Below is a non-exhaustive summary of selected highlights of other recent immigration-related developments:

- On February 18, 2025, Department of Homeland Security (DHS) Secretary Kristi Noem [issued a memorandum](#) deputizing up to 600 special agents in the Department of State's Diplomatic Security Service across the United States "to help with arresting and deporting illegal immigrants." DHS has also deputized Internal Revenue Service and Department of Justice employees "to help with immigration enforcement actions."

- On February 17, 2025, DHS [announced](#) the launch of a multimillion-dollar international and domestic advertising campaign warning undocumented migrants to "self-deport and stay out" of the United States or face being "hunted down and deported" with the inability to return. The series of ads "will run on radio, broadcast, and digital, in multiple countries and regions in various dialects. Ads will be hyper-targeted, including through social media, text message and digital to reach illegal immigrants in the interior of the United States, as well as internationally," DHS said.
- Caleb Vitello was removed as acting administrator of U.S. Immigration and Customs Enforcement and [reassigned](#) after a month in the position. Mr. Vitello reportedly will now oversee enforcement of arrests, targeting, and field operations. As of press time, there was no announcement of a replacement. The removal followed [reports](#) of Trump administration dissatisfaction with the rate of deportations. Daily arrests were in the 300-to-1,100 range, but daily quotas were established at 1,200 to 1,400. To reach 1 million in a year, daily deportations would need to reach more than 2,700. On Inauguration Day, President Trump promised "millions and millions" of deportations.
- After President Trump issued a [memorandum](#) in January to the Secretaries of Defense and Homeland Security "to expand the Migrant Operations Center at Naval Station Guantanamo Bay to full capacity," [indicated](#) that some migrants would be sent there indefinitely rather than being deported to their home countries, and suggested that "30,000 beds" were available there for this purpose, the administration flew out the 178 migrants in Guantanamo as of February 20, 2025, following a [lawsuit](#) by the American Civil Liberties Union (ACLU) seeking access to the detainees. [Reportedly](#), almost all of the group were flown to Honduras and onward to Venezuela where they were from. "Shipping immigrants off to Guantanamo without access to lawyers or the outside world cannot be reconciled with our country's laws or principles. It will now be up to the courts to reaffirm that the rule of law governs our nation," said Lee Gelernt, ACLU lawyer and lead counsel in the lawsuit.
- [Several lawsuits were filed](#) by a group of Venezuelans in California and several immigrant advocacy organizations, including CASA and Make the Road New York, in a U.S. district court in Maryland. The lawsuits challenge the Trump administration's decision to end Temporary Protected Status (TPS) for Venezuelans. "This unconstitutional action forces nearly 600,000 Venezuelans and their families currently living in the U.S. with TPS protection into the untenable position of potentially being forced to return to a country experiencing what has been described as one of the worst humanitarian crises in the history of the Western Hemisphere," the groups said in a statement.
- A federal judge in the District of Columbia [ruled](#) that the Trump administration cannot deport eight asylum-seekers who are either in detention in the United States or have been deported. Some observers [note](#) that the case "will determine whether immigrants have a right to claim asylum on the southern border. On a broader level, it is also a test of whether presidential orders can supersede Congress."
- The Department of Justice [fired](#) 20 immigration judges, 13 of whom had not yet been sworn in, without explanation amid major cuts and backlogged immigration courts. According to reports, the backlog comprises approximately 3.7 million cases.

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DHS Partially Vacates Haitian TPS Notice, Reduces Extension and Redesignation Period

On February 20, 2025, Homeland Security Secretary Kristi Noem [partially vacated](#) the July 1, 2024, [notice](#) that extended and redesignated Haiti for Temporary Protected Status (TPS) for [an estimated 500,000 Haitians](#) and persons of no nationality who last habitually resided in Haiti. The [new notice](#) reduces the period of extension and redesignation of Haiti for TPS from 18 months to 12 months, with a new end date of August 3, 2025, and makes a corresponding change to the initial registration period for new applicants under the redesignation, which will now remain in effect through August 3, 2025.

The notice says that employers and federal, state, and local government agencies that previously accepted or are presented with an Employment Authorization Document for a Haitian TPS beneficiary "with the TPS category code of A-12 or C-19 that expires on February 3, 2026, must update their records to note that the validity date of the document is through August 3, 2025."

Those who filed TPS applications pursuant to the July 1, 2024, notice that remain pending with U.S. Citizenship and Immigration Services (USCIS) "may also choose to withdraw their TPS applications and request a refund of any filing fees by submitting a signed written withdrawal request to USCIS," according to the notice.

Secretary Noem "intends to conduct a review of current conditions in Haiti and make a new determination in due course," the notice states.

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DHS Revokes Extension of Work Authorization for Hong Kong DED Beneficiaries in United States

On January 15, 2025, then-President Biden issued a [memorandum](#) extending eligibility for Deferred Enforced Departure (DED) for certain Hong Kong residents from February 5, 2025, to February 5, 2027. President Biden also directed the Department of Homeland Security (DHS) to provide certain Hong Kong residents continued work authorization through February 5, 2027. On February 18, 2025, DHS [announced](#) an extension of DED through February 5, 2027, for individuals covered by DED Hong Kong, who "are not subject to removal." However, DHS said, "At this time, DED-related Employment Authorization Documents (EADs) provided to certain Hong Kong residents have not been extended."

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DOS Rescinds Previous Expansion of Interview Waiver Policy

On February 18, 2025, the Department of State (DOS) [released](#) the following update of its [interview waiver policy](#):

The Department of State has updated the categories of applicants that may be eligible for a waiver of the nonimmigrant visa interview. Consular officers have the authority and discretion to waive the in-person interview for the following categories as outlined in the Immigration and Nationality Act section 222(h):

- Applicants classifiable under the visa symbols A-1, A-2, C-3 (except attendants, servants, or personal employees of accredited officials), G-1, G-2, G-3, G-4, NATO-1 through NATO-6, or TECRO E-1;
- Applicants for diplomatic- or official-type visas; and
- Applicants who previously held a visa in the same category that expired less than 12 months

prior to the new application.

To be eligible for an interview waiver, applicants must also meet certain criteria, including that they:

- apply in their country of nationality or residence;
- have never been refused a visa (unless such refusal was overcome or waived); and
- have no apparent or potential ineligibility.

Consular officers may still require in-person interviews on a case-by-case basis or because of local conditions. We encourage applicants to check embassy and consulate websites for more detailed information about visa application requirements and procedures, and to learn more about the embassy or consulate's operating status and services.

This supersedes the Interview Waiver Update of December 21, 2023.

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March Visa Bulletin Announces Retrogression of EB-4 Category, Religious Workers Expiration

The Department of State's Visa Office has released the [Visa Bulletin for March 2025](#). Among other things, the bulletin announces retrogression of the final action date in the EB-4/SR categories, and warns that it may be necessary to make them "Unavailable" in "the coming months, possibly as soon as April. If the categories become "Unavailable," EB-4/SR visa numbers will be available on October 1, 2025, with the start of fiscal year 2026, the bulletin states.

The bulletin also notes the March 14, 2025, expiration date for the employment fourth preference "Certain Religious Workers" (SR) category. "No SR visas may be issued overseas, or final action taken on adjustment of status cases, after midnight March 13, 2025. Visas issued prior to that date will be valid only until March 13, 2025, and all individuals seeking admission in the non-minister special immigrant category must be admitted (repeat, admitted) into the United States no later than midnight March 13, 2025," the bulletin states.

The bulletin also lists, among other things, the diversity visa category rank cut-offs that will apply in March and April.

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OFLC Announces Deletion of Older Records in FLAG System

On February 14, 2025, the Department of Labor's Office of Foreign Labor Certification (OFLC) [announced](#) that records more than five years old will be deleted from the Foreign Labor Access Gateway (FLAG) System beginning on March 20, 2025.

OFLC explained that deletions of eligible case records will be based on the final determination date recorded in the FLAG System for each case. For example, cases with a final determination date of March 21, 2020, will be deleted on March 21, 2025. OFLC advises stakeholders to download before the deadline any records they would like to retain that are older than five years from the determination date.

OFLC said the following programs will be affected by this implementation:

- Prevailing Wage Determinations (PWD)
- Permanent Labor Certification Applications (PERM)
- Temporary Labor Certification Applications (H-2A, H-2B, CW-1 visas)

- Temporary Labor Condition Applications (H-1B, H-1B1, and E-3 visas)

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DOS Releases Employer Guidance on I-9 Reverification Process for Venezuelan TPS Beneficiaries

On February 5, 2025, the Department of Homeland Security released [guidance for employers](#) on completing the Form I-9 work authorization verification form for Venezuelan TPS beneficiaries.

The notice says that employment authorization documents (EADs) with a Category Code of A12 or C19 and a Card Expires date of March 10, 2024, or September 9, 2022, associated with the 2021 Venezuela TPS designation expire on March 10, 2025. "Employers must reverify 2021 TPS Venezuela beneficiaries who presented these EADs before they start work on March 11, 2025. Beneficiaries of the 2023 TPS Venezuela designation who presented an EAD with a Category Code of A12 or C19 and an expiration date of April 2, 2025, must be reverified before they start work on April 3, 2025," the notice states.

DHS noted that it [terminated](#) the 2023 designation of Venezuela for temporary protected status (TPS). TPS and related benefits associated with the 2023 designation will end on April 7, 2025. That termination does not apply to the 2021 designation of Venezuela for TPS, which remains in effect until September 10, 2025.

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DOS Requests Public Comments on Passport Application Changes; Lawsuit Filed

On February 14, 2025, the Department of State (DOS) [published](#) a 30-day notice requesting public comments until March 17, 2025, on changes to the Application for a U.S. Passport (Form DS-11). Among other things, to comply with [Executive Order \(EO\) 14168](#), DOS updated the form to replace the term "gender" with "sex" and to request the applicant's "biological sex at birth, male 'M' or female 'F'."

DOS said it also made "plain language changes" and revised the Acts or Conditions statement on the form to add an applicant statement "affirming that he or she is not required to register as a sex offender."

On February 11, 2025, DOS [said](#) the agency "will no longer issue U.S. passports or Consular Reports of Birth Abroad (CRBAs) with an X marker. We will only issue passports with an M or F sex marker that match the customer's biological sex at birth." Passports with "X" for a person's gender (sex) will remain valid until expiration.

On February 7, 2025, a [lawsuit](#) was filed in U.S. District Court in Massachusetts by seven people challenging the executive order and the passport changes. The complaint argues that the EO is "transparently unlawful and unconstitutional. It also is unmoored from scientific and medical reality: Transgender people, intersex people, and people who do not identify as either (or exclusively) male or female exist." Plaintiffs seek a declaration that the passport policy and the EO as applied to passports are unconstitutional, a declaration that the passport policy violates the Administrative Procedure Act, and a permanent injunction. "Declaratory and injunctive relief are needed to remedy the many constitutional and statutory violations the Passport Policy inflicts. Relief is needed on a class-wide basis to prevent class-wide harm to the hundreds of thousands, if not millions, of transgender, nonbinary, and intersex people in the United States who need a passport they can use without suffering harm," the complaint states.

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EOIR Issues 'Core Policy Values' Memo

On January 27, 2025, the Department of Justice's Executive Office for Immigration Review (EOIR) issued a memorandum, [EOIR's Core Policy Values](#). The memo states that more guidance on the values of its "core mission" of "integrity, impartiality, and the decisional independence of its adjudicators" will be forthcoming but that EOIR's "primary policy-formulating principle going forward will be to restore these values as the pillars of all of its activities."

The memo includes various admonishments against how the EOIR was managed before the current administration and advises that EOIR employees "should not read policies obtusely or ridiculously, and all policies should be read with a modicum of common sense," among other things.

The memo also states that "EOIR has reconstructed the Policy Manual as it was in effect as of January 2021 and will update it, as appropriate, once it is available online. To that point, the policies contained in the Policy Manual as of January 2021 are re-established as EOIR policies."

A [list of EOIR memoranda](#) is available on EOIR's website.

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EOIR Rescinds 2021 Memo, Resetting Default Filing Deadline in Non-Detained Cases to 30 Days Before Calendar Hearing

On February 14, 2025, the Department of Justice's Executive Office for Immigration Review [rescinded](#) a 2021 memorandum that set a default filing deadline in non-detained cases of 15 days before individual calendar hearings. The rescission returns the default filing deadline in such cases to 30 days.

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FY 2026 H-1B Cap Initial Registration Period Opens March 7

On February 5, 2025, U.S. Citizenship and Immigration Services (USCIS) [announced](#) that the initial registration period for the fiscal year 2026 H-1B cap season will open at noon ET on March 7, 2025, and run through noon ET on March 24, 2025. During this period, prospective petitioners and representatives must use a USCIS online account to register each beneficiary electronically for the selection process and pay the associated \$215 registration fee.

Below are highlights of the USCIS announcement:

- H-1B petitioning employers who do not have a USCIS online account must [create an organizational account](#). Existing accounts for H-1B petitioning employers who had an H-1B registrant account for the FY 2021–2024 H-1B registration seasons, but did not use the account for FY 2025, will be converted to an organizational account after their next log-in. First-time registrants can create an account at any time. Additional information is available on the [Organizational Accounts Frequently Asked Questions](#) page. USCIS said that the FAQs will be updated with FY 2026 information "before the start of the initial registration period."
- USCIS will use the beneficiary-centric selection process launched in FY 2025. Under that process, registrations are selected by unique beneficiary rather than by registration. USCIS said, "If we receive registrations for enough unique beneficiaries by March 24, we will randomly select unique beneficiaries and send selection notifications via users' USCIS online accounts. If we do not receive registrations for enough unique beneficiaries, all registrations for unique beneficiaries that were properly submitted in the initial registration period will be selected. We

intend to notify by March 31 prospective petitioners and representatives whose accounts have at least one registration selected."

- The Department of the Treasury has approved a temporary increase in the daily credit card transaction limit from \$24,999.99 to \$99,999.99 per day for the FY 2026 H-1B cap season "in response to the volume of previous H-1B registrations that exceeded the daily credit card limit." Transactions of more than \$99,999.99 may be made via [Automated Clearing House \(ACH\)](#).

USCIS also said that for FY 2026, it is making "multiple enhancements" for organizational and representative accounts for H-1B filing, to go live before the start of the initial registration period, including:

- The ability for paralegals to work with more than one legal representative;
- An easier way for legal representatives to add paralegals to company clients;
- Pre-population of certain Form I-129 fields from selected H-1B registrations; and
- The ability to prepare a spreadsheet of H-1B beneficiary data and upload the information to pre-populate data in H-1B registrations.

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DHS Terminates 2023 But Not 2021 Venezuela TPS Designation

On October 3, 2023, Venezuela was newly designated for Temporary Protected Status (TPS), which was set to expire on April 2, 2025. On February 5, 2025, the Department of Homeland Security (DHS) [announced](#) the [termination](#) of the TPS designation for Venezuela, effective April 7, 2025, for Venezuelan nationals covered by the 2023 designation.

DHS said that this determination does not apply to the 2021 designation of Venezuela for TPS, which remains in effect until September 10, 2025, or to individuals who are registered for TPS under the 2021 designation. A lawsuit challenging DHS's termination of the 2023 Venezuela TPS designation is expected shortly.

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President Trump Calls for Resettlement of White South Africans in the United States

On February 7, 2025, President Trump signed an [executive order](#) (EO) to halt foreign aid to South Africa and "promote the resettlement of Afrikaner refugees escaping government-sponsored race-based discrimination, including racially discriminatory property confiscation." The EO directs the Secretaries of State and Homeland Security to "prioritize humanitarian relief, including admission and resettlement through the United States Refugee Admissions Program, for Afrikaners in South Africa who are victims of unjust racial discrimination."

Groups representing some Afrikaners, who are members of South Africa's white minority who speak [Afrikaans](#) and are descended from predominantly Dutch settlers as well as French, German, and others, [said](#) they want to stay in South Africa. Kallie Kriel, CEO of the AfriForum, an Afrikaner lobbying group, said, "We have to state categorically: We don't want to move elsewhere." Non-Afrikaner white South Africans, who were not referred to in the EO, are of British descent or from other backgrounds.

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EOIR Rescinds 2023 Memo on Language Access in Immigration Court

On February 6, 2025, Sirce Owen, Acting Director of the Department of Justice's Executive Office for Immigration Review (EOIR), issued a [memorandum](#) rescinding an EOIR memorandum dated June 6, 2023, [Language Access in Immigration Court \(DM 23-02\)](#), which provided guidance to immigration judges (IJs) on how to ensure that every noncitizen who appears before an immigration court has a "full and fair opportunity to present their case," including being provided with interpretation and translation into the noncitizen's preferred language.

Among other things, the 2023 memorandum directed IJs to familiarize themselves with resources available to noncitizens at detention facilities; for example, language assistance services at the facility's library. The 2025 memorandum said that the job of an IJ "is not to serve as a roving inspector of detention facility libraries operated by the Department of Homeland Security, and directing [IJs] to engage in extrajudicial factfinding about such libraries was grossly improper."

The 2025 memorandum states that EOIR "recognizes the importance of language access and interpretive services" for those appearing in its proceedings and "is committed to providing professional interpretive services in all appropriate cases."

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EOIR Re-establishes Anti-Fraud Program

On February 5, 2025, Sirce Owen, Acting Director of the Department of Justice's Executive Office for Immigration Review (EOIR), [announced](#) a renewed anti-fraud emphasis. The memo states that EOIR "is committed to re-establishing a robust and effective Anti-Fraud Program" that will:

- Provide resources to employees on how to identify and report instances of suspected fraud (particularly asylum fraud);
- Coordinate with investigative authorities to respond to instances of fraud; and
- Notify appropriate authorities of instances of fraud, misrepresentation, or abuse involving attorneys or accredited representatives.

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DOS Suspends Follow-to-Join Refugee Processing

On February 7, 2025, the Department of State (DOS) [announced](#) that pursuant to an executive order, processing of all refugee applications under the U.S. Refugee Admissions Program (USRAP) is suspended, including following-to-join refugee (FTJ-R) travel eligibility determinations conducted at consular posts and embassies overseas. DOS said that "FTJ-R beneficiaries whose cases are already at a U.S. embassy or consulate should contact that embassy or consulate directly to inquire about the status of their travel eligibility interviews and for instructions on passport retrieval if they have not already received such guidance." FTJ-R beneficiaries whose cases are at the National Visa Center (NVC) should contact NVC using the [Public Inquiry Form](#).

DOS said that FTJ-R beneficiaries in possession of unexpired boarding foils should direct questions about entry into the United States to U.S. Customs and Border Protection.

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USCIS Pauses Acceptance of Declaration of Financial Support

On January 28, 2025, USCIS [announced](#), "Due to the Jan. 20, 2025 Executive Order, [Securing Our Borders](#), USCIS is pausing acceptance of Form I-134A, Online Request to be a Supporter and Declaration of Financial Support, until we review all categorical parole processes as required by that order."

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New Publications and Items of Interest

Assistance for U.S. Citizens in the West Bank. The U.S. Embassy in Israel [announced](#) that it continues to provide assistance to U.S. citizens in the West Bank. U.S. citizens who need an emergency passport but cannot make it to the U.S. Embassy in Jerusalem or Branch Office in Tel Aviv or who would like to request Embassy assistance to depart the West Bank should complete the [Crisis Intake Form](#). The embassy also provided several telephone numbers:

Consular Affairs (Department of State): 1-833-890-9595 (toll-free) or +1-606-641-0131
Local number: (03-519-7426)

Government shutdown would not affect H-1B applications. U.S. Citizenship and Immigration Services (USCIS) has confirmed that "in the event of a lapse in appropriations, USCIS will continue to support the H-1B application process via all collection methods, including pay.gov," the American Immigration Lawyers Association [reported](#) (scroll to 2/28/25 Practice Alert).

DHS fact sheet on Immigration Services Program. The Department of Homeland Security (DHS) released a [fact sheet](#) on its Science and Technology Directorate's Immigration Services Program. The program will "support DHS in enhancing their ability to streamline immigration custody, case processing, and removal operations, prevent immigration fraud, and improve mission data management, analysis, visualization and sharing across the homeland security enterprise."

OFLC data. The Office of Foreign Labor Certification has [released](#) (scroll to February 14, 2025) public disclosure data and selected statistics for Q1 of fiscal year (FY) 2024 and its H-2B foreign labor recruiter list for Q1 of FY 2025.

Know your rights. A number of organizations, including the [Immigrant Legal Resource Center](#) and [Catholic Legal Immigration Network, Inc.](#), have published resources highlighting immigrants' rights in the United States, including "know your rights" information and what documents they may want to carry when traveling inside the United States.

E-Verify webinars: E-Verify has [added a webinar](#) with a focus on acceptable documents for Form I-9 verification, and has updated its [calendar of webinars](#).

SAVE webinars: Systematic Alien Verification for Entitlements (SAVE) has updated its [calendar of webinars](#).

Immigration agency X (formerly Twitter) accounts:

- EOIR: @DOJ_EOIR
- ICE: @ICEgov
- Study in the States: @StudyinStates
- USCIS: @USCIS

Alliance of Business Immigration Lawyers: ABIL is available on X (formerly Twitter): [@ABILImmigration](#)

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Charles Kuck and **Stephen Yale-Loehr** of **Miller Mayer, LLP**, were quoted by the *Miami Herald* in [Can ICE Target Employers? Legal Experts Weigh in After Bakery Owners Arrested in Texas](#). Mr. Kuck said that to arrest an employer, the government must have probable cause that the employer has knowingly hired undocumented workers or failed to do the required I-9 work authorization verification. "What they usually do is an audit. ICE has since 1986 been authorized to do I-9 audits," he said. "ICE has to show actual knowledge that you intentionally violated the immigration laws. It's an extraordinarily high standard, and I could probably count on one hand the number of these cases in the past decade." This is in part because employers are not expected to be "forensic document experts," Mr. Kuck said. Mr. Yale-Loehr said that in general, employing undocumented workers is a civil violation that results in a fine.

Mr. Kuck was quoted by *ABC News* in [States Threaten Fines, Jail for Officials Who Resist Trump's Immigration Crackdown](#). He said, "This all relates to Donald Trump's war on immigrants and local people trying to garner favor with him through legislation that doesn't solve any problems."

Mr. Kuck was quoted by *WRBL News 3* in [Columbus Police Chief on Deportation Rumors: 'I've Got No Evidence That ICE is in Community Doing Anything.'](#) He said, "There are right now 1.5 million people in America that have deportation orders. They've had their due process. Even them, does [U.S. Immigration and Customs Enforcement] pick them up and put them on a plane and send them home? No, they take them to a detention center. Why? Because of our international treaty obligations. We're required to tell the receiving country who is coming and when they're coming. And now, of course, we can't fly them on C-130s. So we're going to have to have, you know, Venezuela Airlines will fly up to Stewart and pick up a boatload of people. They're going to be in jail [for two or] six weeks. That's the reality. Nobody is getting picked up in the morning and deported in the afternoon if they're not literally in El Paso." Mr. Kuck also said, "The Constitution gives the word persons...human being[s]. It doesn't say citizens, [it] says persons unless you want to say they're not human beings, which would truly be extraordinary.... The reality is they're persons, just like they're persons for counting [for the U.S. Census], just like they're persons that you can arrest. They are persons to whom the Constitution applies, really simple. You might not like that. Too bad, because the Constitution also protects you."

Cyrus Mehta was quoted by *BBC News* in [Trump's Citizenship Order Leaves Expecting Indian Immigrant Parents in Limbo](#). The article discusses how President Trump's birthright citizenship executive order is causing anxiety among Indians in H-1B nonimmigrant status who are wondering what nationality a child would have if the executive order took effect. "Their concern is valid. U.S. law has no provision for granting nonimmigrant status to a person born here," he said.

Mr. Mehta was quoted by the *Texas Observer* in [ICE Prosecutor in Dallas Runs White Supremacist X Account](#), regarding a U.S. Immigration and Customs Enforcement attorney who was discovered to have posted hateful messages on X regarding noncitizens appearing in immigration court under a pseudonym. "A government lawyer who vilifies people that he opposes in court, and puts that out under the radar, would clearly be engaging in conduct that's prejudicial to the administration of justice," he said.

Mr. Mehta and **Kaitlyn Box** co-authored a new blog post: [The False Distinction Between Legal and Undocumented Immigrants in the Debate on Birthright Citizenship](#).

Mr. Yale-Loehr was quoted by the *Associated Press* in [Immigration Officials Say Everyone Living in the U.S. Illegally Must Register. What Does That Mean?](#) He said that "even if [the registration requirement] doesn't actually accomplish much in terms of deporting more people, it sends a signal to the American people that 'we're cracking down on immigrants,' and it will also heighten the fear immigrants already have about what's going on."

Angelo Paparelli, of **Seyfarth Shaw LLP**, authored a new blog post: [Unpacking President Trump's New Immigration Orders: A Road Map for Mobility Professionals](#).

Mr. Paparelli appeared on the Fill to Capacity podcast, [Immigration Law: Outspoken Changemaker in a Convoluted Maze](#) (scroll down to link under "Listen on Buzzsprout"). Mr. Paparelli discussed the U.S. immigration system of changing laws, history, quotas, political parties, and bureaucratic turf wars. You can listen to the [full podcast here](#).

Mr. Yale-Loehr was quoted by *Newsweek* in [Donald Trump's Gold Visa Plan Could Run Into Problems](#). He said, "The current EB-5 green card program requires investors to prove that the source of their investment was lawfully obtained or earned. I assume that the new gold card visa program would have a similar verification requirement to prevent fraud. There are potential political problems with the proposal. Many Americans may oppose allowing ultrawealthy people to essentially buy their way into the United States."

Mr. Yale-Loehr was quoted by the *South China Morning Post* in [Will Hongkongers Be Next to Leave U.S. Under Trump's Immigration Crackdown?](#) (subscription required). He said the Deferred Enforced Departure (DED) program explained a drop in deportations of Hongkongers in recent years, but he warned that they could rise again under the current administration. "If President Trump revokes DED, more Hongkongers would be deported," he said. He also suggested that President Trump could use the DED program as a negotiating tactic in discussions with Beijing.

Mr. Yale-Loehr was quoted by the *Chicago Sun-Times* in [Trump's Immigration Arrests in Chicago Raise Questions About 4th Amendment Violations](#). He noted that if U.S. Immigration and Customs Enforcement (ICE) agents don't have a warrant, anyone in the U.S. has constitutional protections against search and seizure: "A cop or an ICE agent can't just call you down on the street and say, well, you look like a foreign national so I'm going to arrest you."

Mr. Yale-Loehr was quoted by *USA Today* in [Tech visas and trade: 'Total killer' Indian leader to meet with Trump](#) regarding President Trump's meeting with Indian Prime Minister Narendra Modi and Trump's use of H-1B immigration policy. The article summarizes what Mr. Yale-Loehr said, indicating that while Modi can ask Trump to increase the number of H-1B visas, only Congress has the authority to do that. Mr. Yale-Loehr added, "More realistically, Modi could ask President Trump not to slow down H-1B processing or issue more requests for additional evidence or denials" but also "[t]here is an internal conflict between some of President Trump's advisors, like Elon Musk, who like H-1B visas, and others like Steve Bannon who want to restrict H-1B visas."

Mr. Yale-Loehr was quoted by the *Associated Press* in [El Salvador's Offer to Take In U.S. Deportees and Violent Criminals is Unlike Any Other Migrant Deal](#). He said that "just as President Trump can't eliminate birthright citizenship by himself, so too the U.S. government cannot deport U.S. citizens, even if they have committed crimes."

Mr. Yale-Loehr was quoted by the *Miami Herald* in [Can U.S. Citizens Be Deported? El Salvador Offers to Take American Criminals, Rubio Says](#). He said, "Natural-born U.S. citizens maintain their citizenship through the Fourteenth Amendment. Just as President Trump can't eliminate birthright citizenship by himself, so too the U.S. government cannot deport U.S. citizens, even if they have committed crimes. Otherwise, hundreds of thousands of U.S. citizens could be deported."

Mr. Yale-Loehr was quoted by *Syracuse.com* in [Immigration Crackdown in Upstate NY: A Knock at the Door and Fear: 'Everything is Different.'](#) He said, "ICE is definitely arresting more people right now, and making a big show of it." Commenting on reports that ICE is starting with people who have committed crimes but is giving arrest quotas to ICE offices, Mr. Yale-Loehr said deportations are likely to increase, noting that "[i]t is hard to meet quotas by just arresting noncitizens who have criminal convictions. For

that reason, I suspect that ICE offices are going to places where they suspect there are a lot of immigrants, whether or not they have criminal convictions."

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Government Agency Links

Follow these links to access current processing times of the USCIS Service Centers and the Department of State's latest Visa Bulletin with the most recent cut-off dates for visa numbers:

USCIS case processing times online: <https://egov.uscis.gov/processing-times/>

Department of State Visa Bulletin: <https://travel.state.gov/content/travel/en/legal/visa-law0/visa-bulletin.html>

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About ABIL

The Alliance of Business Immigration Lawyers (ABIL) offers a single point of contact for customer needs, news alerts, staff training, and other programs that benefit clients through the collaboration of more than 400 member lawyers and their more than 1,000 staff. Corporate counsel, human resource professionals, in-house immigration managers, and other corporate decision-makers turn to ABIL lawyers for outstanding legal skills and services. ABIL's work also includes advocating for enlightened immigration reform, providing speakers and media sources, presenting at conferences, publishing books and articles on cutting-edge immigration topics, and sharing best practices, all with the ultimate goal of offering value-added services to business immigration clients.

The Alliance of Business Immigration Lawyers' website is at <https://www.abil.com/>.

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