

## IMMIGRATION INSIDER

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**[CHNV Litigation Update: USCIS Parole Terminations Stayed](#)** – Pursuant to a court order, parole termination notices sent to people in the United States from Cuba, Haiti, Nicaragua, and Venezuela "are stayed and therefore not currently in effect. No new requests for CHNV parole will be processed."

**[Temporary Restraining Order Granted in Case Challenging Terminations of F-1 Students' SEVIS Records](#)** – In a case challenging terminations of a group of more than 130 F-1 students' Student and Exchange Visitor Information System (SEVIS) records, a federal judge in Georgia granted a temporary restraining order on April 18, 2025. The order, effective immediately, directs the government to "reinstate Plaintiffs' student status and SEVIS authorization, retroactive to March 31, 2025."

**[DOL Requests Comments on New Attestation Form for Employers Seeking to Employ H-2B Nonimmigrant Workers](#)** – The Department of Labor is inviting comments on a new attestation form for employers seeking to employ H-2B nonimmigrant workers.

[May Visa Bulletin Notes Retrogression of Final Action Date for India EB-5 Unreserved Visa Categories](#) – High demand and number use by India in the EB-5 unreserved visa categories, combined with increased Rest of World demand and number use, has made it necessary to further retrogress the India final action date to May 1, 2019, the Department of State said.

[REAL ID Deadline Approaches for U.S. Travelers' Documentation](#) – By May 7, 2025, U.S. travelers' documents must be REAL ID-compliant to board domestic flights and access certain federal facilities.

[USCIS Begins Scrutinizing Social Media; Many Student, Faculty, and Researcher Visas Revoked](#) – The Trump administration has recently revoked more than 525 student, faculty, and researcher visas for a variety of reasons, or no reason.

[Trump Announces Militarization of Southern Border](#) – President Trump announced a "military mission for sealing the southern border of the United States and repelling invasions."

[Trump Suggests Allowing Undocumented Farm and Hotel Workers to Leave and Return to United States](#) – President Trump suggested that undocumented farm and hotel workers might be allowed to leave the United States and return in legal status if they have employers willing to vouch for them.

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### SEVIS Record Reactivations Not Retroactive; Uncertainty Remains

After the Department of Homeland Security [suddenly reversed course](#) under pressure on April 25, 2025, and restored many foreign students' Student and Exchange Visitor Information System (SEVIS) records along with their legal status, the administration sent out mixed signals, saying the action was temporary while the agency worked out an unspecified policy. According to [reports](#), U.S. Immigration and Customs Enforcement (ICE) reinstated many SEVIS records as of April 24, 2025—not retroactively to the date of termination of the records, thus leaving a gap that could be construed as rendering the students out of status during that time, which could have severe consequences.

A new ICE memorandum [provides guidance](#) to Student and Exchange Visitor Program managers on terminating SEVIS records on various grounds and notes that a terminated SEVIS record "could indicate that the nonimmigrant no longer maintains F or M status."

The memo also [states](#) that "DOS may at any time, in its discretion, revoke an alien's visa. [The Department of State] can consider derogatory information provided by ICE and other U.S. law enforcement agencies in its assessment of whether visa revocation is appropriate for an alien. When DOS revokes an alien's visa with immediate effect, ICE should take steps to initiate removal proceedings."

Litigation is expected to clarify whether students whose SEVIS records were terminated and restored remain at risk and whether the period during which their records were terminated constitutes unlawful presence.

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## USCIS Posts Warning Notice re Social Media Vetting of Applicants

Raising [free-speech concerns](#) after the Trump administration's targeting of international students for participating in protests, U.S. Citizenship and Immigration Services (USCIS) [posted a warning](#) on X (formerly Twitter) stating that "EVERYONE should be on notice. If you're a guest in our country—act like it. Our robust social media vetting program to identify national security & public safety risks never stops. USCIS is on watch to find anything online that poses a threat to our nation & our way of life."

USCIS also [recently announced](#) that it would require visa and permanent residence applicants to disclose social media handles for "identity verification, vetting and national security screening." USCIS said it plans to include in certain application forms new sections requiring information about an applicant's online social media presence for five years preceding the filing of the application. The revised applications and petitions include Forms I-751 (Petition to Remove Conditions on Residence), I-485 (Application to Register Permanent Residence or Adjust Status), N-400 (Application for Naturalization), I-589 (Application for Asylum and for Withholding of Removal), I-192 (Application for Advance Permission to Enter as a Nonimmigrant), I-829 (Petition by Investor to Remove Conditions on Permanent Resident Status), I-730 (Refugee/Asylee Relative Petition), I-590 (Registration for Classification as a Refugee), and I-131 (Application for Travel Document). These sections ask for the names of the "Provider/Platform" and "Social Media Identifier" used by the applicant, USCIS said.

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## Trump Administration Asks Supreme Court to Allow Ending of TPS for Venezuelans

The Trump administration has filed an [emergency application](#) to the Supreme Court to ask it to allow the ending of Temporary Protected Status (TPS) for Venezuelans following a lower court's [order](#) stopping those plans to allow a legal challenge to proceed.

Justice Elena Kagan [ordered](#) the plaintiffs (National TPS Alliance, et al.) to respond in writing by May 8, 2025.

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## Gold Card Faces Snags Despite Trump Administration's Claims

According to reports, President Trump's proposed "Gold Card" is facing opposition in Congress despite the Trump administration's [claims](#) that they've already made billions from the card, which would cost \$5 million for U.S. citizenship.

Secretary of Commerce Howard Lutnick claimed, "Yesterday I sold a thousand," and that the administration had already [made \\$5 billion](#) from sales of the card. However, the program does not yet appear to exist. Rep. Darrell Issa [attempted to codify](#) the Gold Card visa program during budget negotiations in the Judiciary Committee, but conservatives who do not want to expand visa programs rejected the idea.

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## Cap Reached for Additional H-2B Returning Workers for Early Second Half of FY 2025

U.S. Citizenship and Immigration Services (USCIS) announced on April 23, 2025, that it has received enough petitions to reach the cap for the additional 19,000 H-2B visas made available under a [temporary final rule](#) for returning workers for the early second half of fiscal year (FY) 2025 with start dates from April 1 to May 14, 2025.

April 18, 2025, was the final receipt date for petitions requesting supplemental H-2B visas under the FY 2025 early second half returning worker allocation, USCIS said.

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### **H-1B Workers, Others Receiving Requests for Evidence Asking for Home Addresses for Biometric Data Collection**

According to [reports](#), U.S. Citizenship and Immigration Services (USCIS) has begun issuing Requests for Evidence (RFEs) seeking home addresses for the purpose of collecting biometric data in H-1B and I-140 employment-based petitions, raising concerns. The RFEs refer to "potentially adverse information."

"This is highly unusual because biometrics are not typically required for these case types. The RFEs also fail to explain the nature of the adverse information, leaving employers and attorneys in the dark," [said](#) Vic Goel, of Goel & Anderson. Mr. Goel advises "not responding directly to the RFE by providing the beneficiary's address or scheduling biometrics." Instead, he said, "the attorney or petitioner should respond by citing 8 CFR 103.2(b)(16)(i), which requires USCIS to disclose any derogatory information being used as a basis for an adverse decision."

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### **DHS Says SAVE Database Is Being Overhauled**

The Systematic Alien Verification for Entitlements (SAVE) database is being overhauled by the Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services, and the Department of Government Efficiency, DHS Secretary Kristi Noem [announced](#) on April 22, 2025.

Secretary Noem said the overhaul "eliminates fees for database searches, breaks down silos for accurate results, streamlines mass status checks, and integrates criminal records, immigration timelines, and addresses. Automatic status updates and a user-friendly interface will empower federal, state, local, territorial, and tribal agencies to prevent non-citizens from exploiting taxpayer benefits or voting illegally."

DHS said it "will provide ongoing updates to stakeholders as the SAVE Optimization Plan progresses."

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### **Mexican National Sentenced for Smuggling and Labor Trafficking Scheme**

U.S. Citizenship and Immigration Services (USCIS) [announced](#) on April 24, 2025, that it assisted in an investigation leading to the sentencing of Maria Del Carmen Sanchez Potrero, a/k/a Maria Carmela Sanchez, to 51 months' imprisonment for her involvement in a smuggling and labor trafficking scheme. Among other things, USCIS said that victims paid Ms. Sanchez fees of \$15,000 to \$20,000 to be smuggled across the border into the United States and transported to the Hartford, Connecticut, area, where they were told they'd have to pay approximately \$30,000 in addition.

Ms. Sanchez and her co-conspirators created false documents, including green cards, for the 19 victims, many of whom were minors, and helped them find employment in the Hartford area. In addition to their own jobs, some victims were required to perform housework and yardwork without compensation and without having their debt reduced, USCIS said.

The investigation was conducted by the Federal Bureau of Investigation, Hartford Police Department, U.S. Department of Labor's Office of Inspector General, U.S. Customs and Border Protection, USCIS, and U.S. Immigration and Customs Enforcement.

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### **CHNV Litigation Update: USCIS Parole Terminations Stayed**

On April 14, 2025, a U.S. District Court in Massachusetts issued a preliminary injunction order staying parts of the March 25, 2025, Federal Register [notice](#), "Termination of Parole Process for Cubans, Haitians, Nicaraguans, and Venezuelans (CHNV)." On April 17, 2025, U.S. Citizenship and Immigration Services [announced](#) that pursuant to the order, parole termination notices that were sent to people in the United States from Cuba, Haiti, Nicaragua, and Venezuela "are stayed and therefore not currently in effect. No new requests for CHNV parole will be processed."

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### **Temporary Restraining Order Granted in Case Challenging Terminations of F-1 Students' SEVIS Records**

In a case challenging terminations of a group of more than 130 F-1 students' Student and Exchange Visitor Information System (SEVIS) records, a federal judge in Georgia granted a temporary restraining order on April 18, 2025. The order, effective immediately, directs the government to "reinstate Plaintiffs' student status and SEVIS authorization, retroactive to March 31, 2025."

Charles Kuck, attorney for the plaintiffs, [said](#), "Never before has an action like this taken place, ever, and what we see as a result is the terror in these students. This is designed to scare people into leaving, and kudos and bravo to these students for standing up for what their parents sent them here to do, which is to gain a good education."

A hearing for a preliminary injunction is scheduled for April 24, 2025. The case is [similar to](#) other suits filed in California, Pennsylvania, Michigan, Washington, and Texas.

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### **DOL Requests Comments on New Attestation Form for Employers Seeking to Employ H-2B Nonimmigrant Workers**

The Department of Labor (DOL) is [inviting comments](#) on a new attestation form for employers seeking to employ H-2B nonimmigrant workers.

Comments are invited on: (1) whether the information collection is necessary for the proper performance of DOL's functions, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the collection's burden and cost, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the collection; and (4) ways to minimize the burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments are due by May 19, 2025.

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## May Visa Bulletin Notes Retrogression of Final Action Date for India EB-5 Unreserved Visa Categories

The Department of State's [Visa Bulletin for May](#) says that high demand and number use by India in the EB-5 unreserved visa categories, combined with increased demand in the rest of the world, has made it necessary to further retrogress the India final action date to May 1, 2019, to hold number use within the maximum allowed under the FY 2025 annual limits.

The Visa Bulletin notes that it may also become necessary to establish a final action date for Rest of World countries if demand and number use continues to increase.

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## REAL ID Deadline Approaches for U.S. Travelers' Documentation

The Department of State [reminded](#) U.S. travelers that by May 7, 2025, their documents must be [REAL ID](#)-compliant to board domestic flights and access certain federal facilities. The passport book and passport card are both acceptable for REAL ID purposes.

The Department of Homeland Security (DHS) [explained](#) that federal agencies, including DHS and the Transportation Security Administration (TSA), may only accept state-issued driver's licenses and identification cards as identification for purposes of accessing federal facilities—including TSA airport security checkpoints—if the license or card was issued by a REAL ID-compliant state in accordance with REAL ID security standards (meaning the license or card must include the REAL ID-compliant star marking). Enhanced Driver's Licenses (EDL) issued by Washington, Michigan, Minnesota, New York, and Vermont are considered acceptable alternatives to REAL ID-compliant cards and will also be accepted for official REAL ID purposes, DHS said. (Most EDLs do not contain the star marking and this is acceptable.)

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## USCIS Begins Scrutinizing Social Media; Many Student, Faculty, and Researcher Visas Revoked

The Trump administration has recently [revoked more than 525 student, faculty, and researcher visas](#) for a variety of reasons, or no reason. The administration has cited "antisemitic activity" as one justification for scrutinizing international students' social media postings and other communications. The actions have raised First Amendment concerns.

On April 9, 2025, U.S. Citizenship and Immigration Services (USCIS) [announced](#) that it is "considering aliens' antisemitic activity on social media and the physical harassment of Jewish individuals as grounds for denying immigration benefit requests." USCIS said this new policy will immediately affect those applying for lawful permanent resident status, foreign students, and "aliens affiliated with educational institutions linked to antisemitic activity."

USCIS said it will "consider social media content that indicates an alien endorsing, espousing, promoting, or supporting antisemitic terrorism, antisemitic terrorist organizations, or other antisemitic activity as a negative factor in any USCIS discretionary analysis when adjudicating immigration benefit requests," effective immediately.

The efforts to deport foreign students and others have not been confined to addressing antisemitism. The Trump administration has claimed vast authority to do so, including under the little-used [Alien Enemies Act of 1798](#). "All of these tools that exist in the [immigration] statute have been used before, but they use them in a way that causes mass hysteria, chaos and panic with the hope that students

won't get proper legal advice and they'll just, through attrition, leave the country," [said](#) Jeff Joseph, president-elect of the American Immigration Lawyers Association.

In many cases, the Department of Homeland Security issues orders for students to [leave the country immediately](#), throwing their lives into chaos and interrupting their studies and research. The Trump administration has terminated many Student and Exchange Visitor Program registrations without notice, placed students out of lawful nonimmigrant F-1 status, and ended their employment authorizations under Optional Practical Training and Curricular Practical Training. Even permanent residents have been targeted. [Reportedly](#), a variety of reasons (or even no reason) are cited as justification, including traffic violations resolved years earlier. Some students are leaving on their own while others have been detained by immigration authorities.

Meanwhile, some colleges and universities are attempting to address the revocations quietly under threats of having millions in funding yanked. Legal challenges are expected or have already been filed in some cases, with mixed results. The situation is complex and evolving. Stay tuned.

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### **Trump Announces Militarization of Southern Border**

On April 11, 2025, President Trump [announced](#) a "military mission for sealing the southern border of the United States and repelling invasions." The plan includes "use and jurisdiction by the Department of Defense" over designated federal lands along the southern border, border-barrier construction and placing of detection and monitoring equipment, and enabling of military activities on the designated "military installation." It includes transferring authority to the Department of Defense over the Roosevelt Reservation, a portion of federal land along the border that is [60 feet wide](#).

The memorandum states that the plan will be implemented initially on a "limited sector" of federal lands designated by the Secretary of Defense, and may be extended by the Secretary of Defense at any time to additional federal lands along the southern border in coordination with other officials and "executive departments and agencies as appropriate."

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### **Trump Suggests Allowing Undocumented Farm and Hotel Workers to Leave and Return to United States**

According to [reports](#), at a cabinet meeting on April 10, 2025, President Trump suggested that undocumented farm and hotel workers might be allowed to leave the United States and return in legal status if they have employers willing to vouch for them. "We have to take care of our farmers, the hotels and, you know, the various places where they tend to, where they tend to need people," he said. "So a farmer will come in with a letter concerning certain people, saying they're great, they're working hard. We're going to slow it down a little bit for them, and then we're going to ultimately bring them back. They'll go out. They're going to come back as legal workers."

President Trump said the administration will work with people if they "go out ... in a nice way. We're going to work with them right from the beginning on, trying to get them back in legally. So it gives you real incentive. Otherwise they never come back. They'll never be allowed once a certain period of time goes by, which is probably going to be 60 days," he said.



## New Publications and Items of Interest

**New Department of State organizational chart.** The Department of State published a [new organizational chart](#), effective July 1, 2025. The [changes include](#) cutting staffing, consolidating offices, and an overhaul of the Foreign Service.

**Know your rights.** A number of organizations, including the [American Civil Liberties Union](#) (ACLU) (English and [Spanish](#)), the [Immigrant Legal Resource Center](#), [Catholic Legal Immigration Network, Inc.](#), the [National Immigrant Justice Center](#), and the [Asian Law Caucus](#), 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. ACLU of Northern California has also released [Know Your Rights: U.S. Airports and Ports of Entry](#).

**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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## ABIL Member/Firm News

**Barbara Jo Caruso** was quoted extensively by *Law360 Canada* in [Constitutional Clash Brewing as Ottawa Targets Immigration Bar With Up to \\$1.5 Million in Admin Penalties](#). She said that Immigration, Refugees and Citizenship Canada (IRCC) has said it is on track to bring the proposed regulations into force "before the end of the year. The timing is uncertain because of the election." She disputed the assumption that immigration lawyers significantly contribute to clients' misrepresentations to IRCC, stating that "there's really no evidence of that. I think what lawyers are trained to do is to review the law and test the law—sometimes test the boundaries of the law and the interpretation of the law—and that doesn't mean that we're misrepresenting when we are advocating new Charter areas. That is very much what lawyers are trained to do." Ms. Caruso said she sees a parallel to the situation in the United States, where President Trump accused the immigration bar at large, without evidence, of facilitating large-scale fraudulent asylum claims by clients. "I think the similarity in the U.S. is that immigration lawyers down there have been filing applications within the existing laws as they were. It doesn't mean that they're breaking the law or taking advantage of the law. They're hired to advocate, and that's what ... they should be able to do freely, without fear of repercussion." She also noted that the expense, time, and effort a lawyer would need to expend to comply with IRCC demands and to defend against IRCC allegations of misrepresentation, along with the risk of being hit with thousands of dollars in penalties, could chill Canadian immigration and refugee lawyers. "I think people are concerned that they may not be able to take on marginal cases, or cases that may require zealous ... advocacy, for fear of being caught in the middle, because the time to ... resolve and deal with [aspects of the regime] ... could impact their ability to service other clients. Noting that most immigration and refugee lawyers practice as sole practitioners or in small firms, she said "this type of additional administrative burden can really have a detrimental impact."



**Vic Goel** was quoted by *Forbes* in [Immigration Service Targets H-1B Visa Holders for 'Adverse Information'](#). "This is highly unusual because biometrics are not typically required for these case types. The [Requests for Evidence (RFEs)] also fail to explain the nature of the adverse information, leaving employers and attorneys in the dark," [said](#) Mr. Goel. He advises "not responding directly to the RFE by providing the beneficiary's address or scheduling biometrics." Instead, he said, "the attorney or petitioner should respond by citing 8 CFR 103.2(b)(16)(i), which requires USCIS to disclose any derogatory information being used as a basis for an adverse decision."

**Charles Kuck** was quoted by the *Times of India* in [Reinstated International Students at Risk Again After New ICE Memo on SEVIS Terminations](#). He said, "It turns out that ICE did not 'unrevoke' the SEVIS registration to the date of their mess up (aka the date of termination of the record). They reinstated it as of April 24. That means these international students now have a gap in their SEVIS records, which, according to ICE's new policy, renders them out of status during that time," and which can lead to serious consequences.

**Mr. Kuck** was quoted by the *Economic Times* in [U.S.: New ICE Memo Puts Reinstated International Students in Danger Zone Again](#). He noted that U.S. Immigration and Customs Enforcement did not "unrevoke" international students' SEVIS registrations back to the original date of the error (the date when the record was terminated). "Instead, they reinstated it effective April 24. As a result, these international students now have a gap in their SEVIS records, which, according to ICE's updated policy, places them out of status during that period."

**Mr. Kuck** was quoted by the *New York Times* in [U.S. Restores Legal Status for Many International Students, but Warns of Removals to Come](#). He said, "It is good to see ICE recognize the illegality of its actions canceling SEVIS registrations for these students. Sad that it took losing 50 times. What we don't yet know is what ICE will do to repair the damage it has done, especially for those students who lost jobs and offers and had visas revoked."

**Mr. Kuck** and **Stephen Yale-Loehr**, of **Miller Mayer, LLP**, were quoted by *Mass Live* in ['Games of Chicken': Trump Reversing Foreign Student Legal Status Raises Concerns](#). Mr. Kuck said, "All we have seen is a series of restoration[s] of SEVIS but we can't tell from the systems we've seen so far whether they're retroactive. We can't tell how that will affect the student's future statuses. We can't tell if ICE will be working with [the] Department of State to un-revoke the visas they caused revocations of, and we can't tell whether or not ICE will even issue an apology to these students for upending their lives." Even if students' SEVIS records are restored, it is unclear whether they will have a period of unlawful presence from their revocation, which will cause them future problems, he noted: "We don't know any of the real information you need to know as a lawyer to determine whether this is a good measure, a full measure or a half measure." Mr. Yale-Loehr said, "It is a welcome development, but there are a lot of questions that remain to be answered."

**Mr. Kuck** was quoted by the *Atlanta Journal-Constitution* in [Facing Deportation, International Students Get Temporary Legal Victory](#). He said his Georgia case is by far the largest lawsuit since the Trump administration began terminating the SEVIS records of international students. He estimated that the administration canceled the records of up to 6,000 international students nationwide. Mr. Kuck said he was confident that his clients would prevail.

**Mr. Kuck** was quoted by many outlets concerning a lawsuit over Georgia student SEVIS status whose plaintiffs he is representing. A representative sample is below:

- *Law360*, [Ga. Judge Leaning Toward Foreign Students in DHS Suit](#). He said, "Never before has an action like this taken place, ever, and what we see as a result is the terror in these students. This is designed to scare people into leaving, and kudos and bravo to these students for standing up for what their parents sent them here to do, which is to gain a good education." The plaintiffs

are represented by Mr. Kuck and Danielle Claffey of Kuck Baxter LLC. The case is *Jane Doe 1 v. Bondi*.

- Fox 5 Atlanta, [Court Hears Lawsuit Over Georgia Student Visa Terminations](#). During a hearing on Thursday, Mr. Kuck urged a federal judge to intervene in the case. He asked the judge to issue a temporary restraining order that would allow affected foreign students to remain in the United States while the case plays out in court. According to Mr. Kuck, none of the students he is representing have committed felony offenses, and they have no idea why their status is being terminated. "None of this makes sense, because none of these students did anything that would make them removable from the United States," he said at a press conference. "They're not out of status. So how can they use a system to reinstate them when they are still in status? You can't do it. That's the great conundrum here." Mr. Kuck also noted, "We have case after case after case exactly like that, where there is no underlying crime." He said his law firm has heard from hundreds of students. "These are kids who now, under the Trump administration, realize their position is fragile. They've preyed on a very vulnerable population. These kids aren't hiding. They're in school," he said.
- ACLU Georgia, [Civil Rights Orgs, Kuck Baxter Condemn International Students' Visa Revocations, Seek Temporary Restraining Order](#). The article notes that several Georgia civil rights organizations held a press conference with Kuck Baxter condemning the visa revocations of international students at Kennesaw State University, Georgia Tech, Emory University, University of Georgia, and other Georgia colleges. Mr. Kuck said, "When the government doesn't follow the rules, it requires people to stand up. That's what these students are doing ... We require that ICE follow[s] the law, just as ICE requires that our clients follow the law. And we will do everything possible to hold them accountable to the standards that they themselves developed."
- Atlanta News First, [Judge Weighs Decision to Grant Temporary Restraining Order for International Students Whose Visas Were Revoked](#). The article includes a video link to the press conference summarized above.
- Courthouse News Service, [Hundreds of Foreign Students Urge Georgia Judge to Remedy Pre-Graduation Visa Crisis](#).
- WSB TV-2, [Federal Judge Expected to Grant Temporary Restraining Order for International Students](#).
- CNN, [Attorneys for More Than 100 International Students Argue in Court Against Revoked Visas](#).
- Capitol Beat, [Federal Judge Considers Order to Protect Foreign College Students Whose Immigration Status Was Revoked](#).

**Mr. Kuck** was reported on by Atlanta News First. A [video](#) includes selected remarks in front of the courthouse.

**Mr. Kuck** was quoted by *Breitbart* in [Pro-Immigration Lawyers Try to Block More Than 1,000 Student Visa Cancellations](#). The "terminations are terrible, and we believe quite illegal," Mr. Kuck said, adding, "We have filed our Complaint and Motion for a TRO [temporary restraining order]/Preliminary Injunction last evening in the Northern District of Georgia for our first 17 plaintiffs. We will be amending our complaint with likely two hundred more plaintiffs, by Tuesday. There [must] be several thousand students affected by this outrageous action by the administration, judging by the number of inquiries we have received."

**Mr. Kuck** was quoted by the *Atlanta Journal-Constitution* in [Regardless of What You Think About Ángel Cabrera in the Masters, No Doubting the Privilege That Aided Him](#). He said noncitizens like golfer Ángel Cabrera who commit crimes involving moral turpitude are generally ineligible for a visa to the United States and would need to apply for a special waiver. Mr. Kuck said it was "miraculous" that Mr. Cabrera received a visa so quickly after his two convictions. "It's extraordinarily rare that somebody with that jail time and conviction gets this waiver. Usually, they have to wait, like, 15 years from the date of their conviction. This is rare." In the end, Mr. Kuck said the turnaround time in this case was "almost impossible," but that the Department of State "does give special treatment to celebrities and famous people on the visa issues. They absolutely do that and have for decades. He's not the only one." Mr. Kuck said "the system works occasionally. And it should work this way for everybody."

**Mr. Kuck** was quoted by the *Straits Times* in [Singaporean Students in U.S. on Edge Amid Trump's Crackdown on Pro-Palestinian Protesters on Campus](#). He said, "The First Amendment is the great promise of America—you can speak your mind regardless of who you are. And what they're trying to do is take that voice away from students." The recent crackdown, he said, is likely to have a chilling effect on speech for both citizens and immigrants: "This is meant to terrorize, and it's working."

**Mr. Kuck** was quoted by *Factchequeado* in [They Do Not Request Payments for Zelle Nor Do They Have "Approved" Stamps: Beware of These False Documents About Immigration Processes That Are Scams](#) [in Spanish with English available via Google Translate]. He said, "I can tell you they're all fraudulent. ICE or USCIS never request money by email, text message, or letter. They don't do that."

**Mr. Kuck** and **Kaitlyn Box**, of **Cyrus D. Mehta & Partners PLLC**, were quoted by *Inside Higher Education* in [Trump Admin Downplays Impact of Terminating International Students From Key Database](#). Mr. Kuck said, "If their official position is you don't need SEVIS to stay in school ... I'd love to see that regulation." He added that some of his clients' institutions have explicitly been told by the federal government not to bother applying for their F-1 or J-1 status for reinstatement because it would not be successful. "This is a nightmare," he said. "It's intended to be a nightmare. It is deeply unfair—right at the end of the semester. I have several clients that are defending their theses this week." Ms. Box said, "Technically it is true, yes, that SEVIS status is not dispositive of a student's true legal status, but there is a significant impact in terminating a student's SEVIS record."

**Mr. Kuck** and **Cyrus Mehta** were quoted by *Bloomberg Law* in [Lawsuits Over Foreign Students' Status Find Solid Legal Footing](#). Mr. Kuck said that certain grounds for contesting the loss of F-1 status have not been tested in federal courts before because the government has never followed a process that ignored regulations. "No prior administration wanted to break the law," he said. Mr. Mehta noted, "The fact that DHS has gone in and terminated the records [of foreign students in SEVIS] without any notice was completely in violation of all norms and due process." The article notes that "in the past, records in the ICE database have only been altered after a visa holder is placed in removal proceedings." Mr. Mehta said "[t]hat's when the student can get judicial review. If it was done on some flimsy grounds like a traffic violation or misdemeanor charge, you could potentially win in immigration court."

**Mr. Mehta** was quoted extensively by the *Boston Globe* in [Mohsen Mahdawi Walked Out of Vermont Courthouse After Judge Orders His Release From ICE Custody](#). Mr. Mehta, who represented Mr. Mahdawi, said Mr. Mahdawi was "elated" and is determined to continue to advocate for peace in the Middle East. "His advocacy on behalf of Palestinian rights is lawful speech protected under the First Amendment. My client's detention was in retaliation for that and that's not what we do in America," he said. Mr. Mehta noted that earlier allegations were baseless statements "from people who may have been biased or prejudiced against him."

**Mr. Mehta** and **Kaitlyn Box** co-authored several new blog posts: [Federal Judge Releases Mohsen Mahdawi After Being Detained for Lawful Speech](#), [How the Major Questions Doctrine Can Undo Some of Trump's Policies, Including On Birthright Citizenship](#), [Is Secretary Rubio's Bare Bones Letter Deserving of Deference in Khalil's Deportation Case?](#) and [After Chevron's Demise, Should Courts Be Giving Deference to the Trump Administration's Foreign Policy Considerations When Deporting a Noncitizen?](#)

**Mr. Mehta** was interviewed on "The Lead With Jake Tapper" ([transcript](#)) ([video](#)) about the Mohsen Madawi case. Mr. Mehta is representing Mr. Madawi. He said his client "has been arrested and detained solely for his speech, which is protected under the First Amendment. The government has provided no other evidence to support his detention right now." Mr. Mehta noted that his client "was in this final stage. Citizenship is the last stage in your journey to become a citizen. He had been scheduled for an interview. He was eligible for citizenship. When he went for his interview, he was actually interviewed for his citizenship. And at the conclusion of the interview, when he left the office, agents of the [Department of Homeland Security] arrested him. They came in several cars and whisked him away."

**Mr. Mehta** was also quoted by various media outlets on the Mohsen Mahdawi case:

- [Judge Extends Order to Keep Mohsen Mahdawi, GS '25, in Vermont, Schedules Hearing for Next Week](#), Columbia Spectator
- [Mohsen Madawi, Detained Vermonter and Palestinian Activist, Appears in Federal Court](#), VT Digger
- [Judge Says Trump Administration Can't Move Detained Palestinian Student Out of Vermont](#), NBC News
- [Mohsen Madawi Will Stay in Vermont as Judge Considers Case](#), Vermont Public
- [Judge Orders Feds to Keep Detained Student in Vermont](#), WCAX3
- [Palestinian Activist Appears in Court, to Remain in Custody](#), Seven Days

**Mr. Mehta** was quoted by *Law360* in [Student Visa Crackdown Sparks Fears of Talent Shortage](#). He said, "If students are now going to be constrained because they write an op-ed or post a tweet, ICE is going to swoop down on them [and] whisk them to prison in Louisiana, nobody will want to come here. No parent in their sane mind will want to send their child to the U.S. to study here if that's going to be the consequence."

**Mr. Mehta** was quoted by NOTUS in [What Harvard's Standoff With DHS Could Mean for International Students](#). He said that the Department of Homeland Security's (DHS) demand for student visa holders' disciplinary records at Harvard University represents "a very dangerous trend" in the Trump administration's war with educational institutions: "Harvard should just challenge the request to give [DHS] the student records and get it to federal court." He added that international students should follow guidance from the university in the meantime. "There is no doubt there's antisemitism, but the way it's being deployed by this administration as a way to expand their powers is very, very disturbing, because there's no way to define the parameters of what they may think is antisemitism."

**Mr. Mehta** was quoted by Bloomberg Law's *Daily Labor Report* in [Lawsuits Over Foreign Students' Status Find Solid Legal Footing](#). He said, "The fact that DHS has gone in and terminated the records [of foreign students in the Student and Exchange Visitor Information System] without any notice was completely in violation of all norms and due process."

**Mr. Mehta** was quoted by *VT Digger* in [Vermont Conversation: Trump's Immigration Crackdown Comes to Vermont](#). He said, "The larger concern here is one's right to free speech. The Supreme Court has long held ... that everyone in the United States, whether they're citizens or noncitizens, including green card

holders, have a First Amendment right to free speech. The free speech might not be to your liking. You may not agree with it. But as long as it's lawful, as long as you're not engaging in criminal conduct, that speech should be protected under our First Amendment."

**Mr. Mehta** was quoted by several news outlets on his representation of Mohsen Mahdawi, a Palestinian Columbia University student who was a green card holder and was detained by U.S. Immigration and Customs Enforcement (ICE) when he went for his U.S. citizenship interview:

- *Washington Post*, [Palestinian Columbia Student Detained by ICE at Citizenship Interview](#). He said that Mr. Mahdawi was clearly eligible for naturalization: "He met all the requirements for citizenship, and he had applied for it last year, and he was scheduled for an interview, and he should have been naturalized. There's no need to detain a lawful permanent resident incommunicado."
- *1010 Wins*, [Columbia Student Arrested, Detained by ICE Agents at Naturalization Interview](#). "This was a ruse. It was actually a trap. He was scheduled for a naturalization interview. The interview had concluded and at the end of the interview, ICE was there waiting for him to detain him."

**Greg Siskind**, of **Siskind Susser PC**, was quoted by the *Times of India* in in [Reinstated International Students at Risk Again After New ICE Memo on SEVIS Terminations](#). He said, "We are expecting a lot of people who were reinstated to once again have their SEVIS terminated. In short, ICE says they will terminate whenever DOS revokes a visa. And DOS will revoke a visa for phantom reasons with no due process to address why revocation happened. The Trump administration is counting on the argument that nothing DOS decides is reviewable by a court."

**Mr. Siskind** was quoted by the *Economic Times* in [U.S.: New ICE Memo Puts Reinstated International Students in Danger Zone Again](#). He said, "We anticipate that many individuals who were reinstated will once again experience SEVIS terminations. Essentially, ICE has indicated that they will terminate records whenever DOS revokes a visa. Furthermore, DOS may revoke a visa for vague reasons without providing due process to explain the rationale behind the revocation. The Trump administration relies on the argument that DOS's decisions are not subject to judicial review."

**Mr. Yale-Loehr** was quoted by the *South China Morning Post* in [Trump Immigration Crackdown Chills Speech of Foreign Students, Scholars in U.S.](#) He said, "I have not seen this many visa revocations or status terminations of international students in my 40-plus years of both practicing and teaching immigration law. We used to get one or two visa revocations a year." Mr. Yale-Loehr added, "They are trying to do everything they can to sow fear and chaos and to encourage people to self deport. It's a war on immigrants generally that I have never seen before."

**Mr. Yale-Loehr** was quoted by *American Community Media* in [Amid Deportations, Immigrant Journalists Face Heightened Risks for Their Reporting](#). He said, "If you are just reporting the news, that is clearly covered under the First Amendment. And I would think you should not fear being put into deportation proceedings for that. But he noted that "if you are a journalist ... and you write an op-ed critical of the Trump administration, then the Öztürk example is one where they did go after someone." He suggested that journalists in the United States on temporary visas, green cards, or Deferred Action for Childhood Arrivals carry documentation with them at all times, and consider burner phones when traveling abroad "so you are less likely to be harassed when you return." Mr. Yale-Loehr concluded that each journalist "has to figure out their risk tolerance in their own situation and perhaps speak to their editor if they feel uncomfortable about covering a certain event or writing a certain article."

**Mr. Yale-Loehr** was quoted by the *New York Times* in [An Immigrant Held in U.S. Custody 'Simply Disappeared'](#). He said, "I have not heard of a disappearance like this in my 40-plus years of practicing



and teaching immigration law. It's unconscionable that it took a *New York Times* article and more than one month before the government indicated where and why he was deported."

**Mr. Yale-Loehr** was quoted by the *New York Times* in [Cases Challenging the Trump Administration's Deportations Hinge on Two Key Legal Terms](#). Regarding due process, he said, "For example, a green card holder cannot be summarily deported from the United States without some kind of hearing before an immigration judge, and that hearing has to be fundamentally fair." Mr. Yale-Loehr explained that habeas corpus is an ancient concept that predates the Constitution and means that people who are in government custody have a right to challenge their status in a court hearing, called a habeas corpus proceeding.

**Mr. Yale-Loehr** co-authored an op-ed in the *New York Times*: [Our Foreign Students Are Terrified, and They're Right to Be](#). The article discusses foreign student visa revocations and SEVIS terminations.

**Mr. Yale-Loehr** was quoted by CNN in [Already Facing Trump Administration Cuts, U.S. Colleges Risk Losses From Another Revenue Source: Foreign Students](#). He said, "A lot of universities are already under financial strain from a variety of reasons [including] the recent efforts by the Trump administration against certain elite institutions to claw back federal aid to those institutions. So a drop in international students will hurt those institutions even more." He noted that "it seems like a lot of students are more skittish about coming to the United States." He also observed that many universities focus their own financial aid primarily on domestic students, and "because of that, international students bring in more dollars per student than the tuition that domestic students pay."

**Mr. Yale-Loehr** was quoted by *Time* in [Can a U.S. Citizen Be Deported? Trump's Comments Raise Legal Alarms](#). He called the Trump administration's proposal to send U.S. citizens to foreign prisons an attempt to "sow chaos and fear even if the administration's actions are not legal." He warned that forcibly transferring U.S. citizens to foreign custody could be unconstitutional under the Eighth Amendment, which prohibits cruel and unusual punishment. "When U.S. citizens get convicted of a crime, they serve time in either a state or federal jail, and then they get released. They're not supposed to be deported," he said.

**Mr. Yale-Loehr** was quoted by the *Chicago Sun-Times* in [Questionable ICE 'Wellness Check' Caught on Video in Suburban Highwood](#). He said "wellness" checks by U.S. Immigration and Customs Enforcement (ICE) agents are happening across the United States. "They're using these so-called wellness checks as a subterfuge to find out if the sponsor is in the United States illegally or could be theoretically accused of harboring the individual and that's gotten a lot of immigration lawyers very riled up." Even during the wellness checks, Mr. Yale-Loehr said, people still have the right to remain silent and not open the door to authorities unless presented with a court warrant. Everyone also has constitutional rights to video-record an encounter as long as they are not impeding or interfering with ICE agents, he said, commenting on a witness who was within her constitutional rights based on a video she posted on Instagram of a "wellness" check. "They can videotape things whether it's on the sidewalk or in their car. That's a basic constitutional right that everyone has."

**Mr. Yale-Loehr** was quoted by the *Washington Post* in [U.S. Will Monitor Immigrants' Social Media for 'Antisemitic Activity'](#). He said that this new policy appears to be a first. "To the extent of my knowledge, this has not been done before on a broad scale, applying generally to people who have certain social media indicators that the Trump administration does not like. It's part of a broader trend to go after international students that the Trump administration believes are pro-Palestine or advocate on behalf of Hamas." Mr. Yale-Loehr said that the new policy will affect others too. "If you're working for a company that espouses some of these [pro-Palestinian] beliefs that the administration doesn't like, they can deny your application for a green card." When U.S. Citizenship and Immigration Services denies an application based on its own discretion, "it's very hard to overcome that. You have to try and litigate those, and that's always time-consuming and expensive," he said.

**Mr. Yale-Loehr** was quoted by the *Chronicle of Higher Education* in [Trump Has Revoked Student Visas at Dozens of Colleges. Here's What That Means](#). He said that colleges might not be keen on joining lawsuits for fear of losing federal funding. "We've seen the Trump administration threaten several colleges with the loss of millions of dollars of federal funding. And so, some administrators are thinking carefully in terms of what they are willing to do on behalf of international students."

**Mr. Yale-Loehr** was quoted by *Times Higher Education* in [Efforts to Halt Student Deportations Risk Trump 'Retaliation.'](#) He said that campuses do not have to proactively work with immigration officials but cannot interfere with their work. Commenting on the efforts of U.S. universities in quietly trying to find ways to protect their international students from deportation without risking being targeted by the Trump administration for funding cuts, Mr. Yale-Loehr said, "Academic institutions worry that if they are too public about helping international students, the federal government could retaliate by cutting their federal research funding or even barring them from enrolling international students in the future. "It may not be the only strategy, but it may be the best strategy for now. You see that in other sectors too: big companies are not openly complaining about new tariffs but are working behind the scenes to try to get their products exempted."

**Mr. Yale-Loehr** was quoted by the *Rolling Stone* in [Team Trump is Gaming Out How to Ship U.S. Citizens to El Salvador](#). He said that he worries President Trump could try to deport U.S. citizens, given how the administration seems to be "attacking on all fronts and worrying later whether their actions are legal. So unfortunately, it would not surprise me if we saw at least one plane load of incarcerated U.S. citizens being shipped off to El Salvador."

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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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