

IMMIGRATION SENTINEL

February 2025



Jennifer Cory, Partner

February 2025 Visa Bulletin

The U.S. Department of State March 2025 Visa Bulletin reflects some priority date advancement from February in the employment-based final action dates for EB-2 All Chargeability, EB-2 and EB-3 China, and EB-3 India.

DOL Adjusts Civil Monetary Penalties

DOL published a rule adjusting civil monetary penalties assessed or enforced by the DOL in various divisions such as the Employment and Training Administration, Wage and Hour Division, and Occupational Safety and Health Administration.

Automatic EAD Extensions

The U.S. Department of Homeland Security (DHS) published a final rule to permanently increase the automatic extension of EAD renewals from 180 days to 540 days for certain individuals who timely file a Form I-765. This rule becomes effective on January 13, 2025.

DHS Adjusts Fines

DHS published a rule adjusting the fines for employer Form I-9 paperwork violations, and violations related to hiring or continuing to employ unauthorized workers.

Welcome to the February 2025 issue of our monthly newsletter, *The Immigration Sentinel*. As we monitor immigration benefits and compliance developments, we hope that this medium will be a valuable resource in helping you stay informed and prepared for potential changes that may impact you corporately and individually.



Jeffrey Widdison, Senior Counsel

Venezuela TPS to End

DHS Secretary vacated a prior notice that extended a Temporary Protected Status (“TPS”) designation for Venezuela, and announced it will revert to a prior TPS redesignation and extension that provided TPS to eligible Venezuelan nationals through 9/10/2025.

Southern Border Response

The Acting DHS Secretary issued a finding that “an actual or imminent mass influx of aliens is arriving at the southern border” of the U.S. and “presents urgent circumstances requiring an immediate federal response.” He requested the assistance of state and local governments in all 50 states. This finding was effective immediately and expires 3/21/2025, unless extended.

Expedited Removal Authority

The Acting DHS Secretary issued a memo directing Immigration & Customs Enforcement, Customs & Border Protection, and USCIS to follow certain guidance in exercising enforcement discretion and expanding to the full extent of the agencies’ authority for expedited removal. The memo has significant implications for individuals who entered the U.S. on parole.

COVID-19 Vaccinations

USCIS announced it is waiving the requirement that applicants for adjustment of status to that of a lawful permanent resident (“LPR”) present documentation that they received the COVID-19 vaccination on their Form I-693, Report of Immigration Medical Examination and Vaccination Record.

Arrests Permitted at Schools, Hospitals & Churches

DHS announced a rescission of President Biden-era protections that restricted immigration enforcement in sensitive areas, allowing immigration authorities to conduct arrests at schools, healthcare facilities, and places of worship.

Summary of Inauguration Day Executive Actions

President Trump signed numerous executive orders related to immigration on the first day of his second presidential term. The American Immigration Council has published a summary of these executive actions and how they may affect immigration policy and procedure.

President Biden-Era Orders Rescinded

President Trump signed an executive order rescinding several President Biden-era orders that had previously reversed orders issued during President Trump’s first term. This may have the effect of reinstating the executive orders President Trump previously had in place, which relate to, among other things: border security, enforcement priorities, ending asylum and refugee programs and processes, ending family reunification programs, overturning efforts to streamline adjudication of immigration benefits, removing outreach efforts such as information sessions on naturalization, and reinstating sanctions on Cuba.

El Salvador TPS

DHS published notice extending the designation of El Salvador for TPS for 18 months, from 3/10/25 to 9/9/26. The 60-day reregistration period for existing beneficiaries runs from 1/17/25 through 3/18/25.

Sudan TPS

DHS announced the extension of Temporary Protected Status (TPS) for Sudan for 18 months, through October 19, 2026. Eligibility requires showing the applicant has continuously resided in the United States since at least August 16, 2023.

Ukraine TPS

DHS announced the extension of Temporary Protected Status (TPS) for Ukraine for 18 months, through October 19, 2026. extension of Temporary Protected Status (TPS) for Ukraine. Eligibility requires showing the applicant has continuously resided in the United States since at least August 16, 2023.

DACA Unlawful

The U.S. Court of Appeals for the Fifth Circuit held that the Deferred Action for Childhood Arrival (“DACA”) program was unlawful, but limited a lower court’s nationwide injunction to just the state of Texas, and stayed the decision pending further appeal. While the stay is in place, DACA recipients can continue to apply to DHS to renew their DACA grants.

Electronic Device Searches at Ports of Entry

U.S. Customs & Border Protection (CB) inspects electronic devices at ports of entry to safeguard national security, combat criminal activity, and assess the admissibility of travelers. Make sure you understand your rights and prepare accordingly.

Romania Added to Visa Waiver Program

DHS announced the designation of Romania as a participating country in the Visa Waiver Program (“VWP”). The VWP permits nationals of participating countries to travel to the United States for tourism or business purposes for up to 90 days without first obtaining a U.S. visa.

J-1 Exchange Visitor Skills List Updated

U.S. Department of State (DOS) published public notice of an update of the Exchange Visitor Skills List, used to determine whether an individual admitted into the U.S. as a J-1 exchange visitor, or who acquired such status, is subject to the two-year foreign residence requirement.

Please contact us at CoryImmigrationTeam@FisherBroyles.com or 1.833.4FB.VISA with questions. We stand ready to support!

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