

# IMMIGRATION SENTINEL

May 2025



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## May 2025 Visa Bulletin

The U.S. Department of State (DOS) May 2025 Visa Bulletin reflects no priority date advancement from April in the EB-2 and EB-3 final action dates except for a 2-week advancement for EB-3 India.

## Student Visa Revocations

TNBC reported how earlier this month the Trump administration revoked the visas of roughly 3,000 international students and terminated their SEVIS records. NPR had reported that hundreds, and possibly thousands, of these international students had their records restored.

## More Executive Orders

The New York Times reported that President Trump has signed three new Executive Orders (“EO’S”) intensifying his Administration’s immigration crackdown—targeting sanctuary cities, supporting law enforcement with fewer restrictions, and requiring English proficiency for truck drivers. One EO aims to penalize jurisdictions that do not cooperate with federal immigration enforcement and could impact undocumented immigrants’ access to in-state tuition.

Welcome to the May 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

## **H-2B CAP REACHED**

U.S. Citizenship and Immigration Services (“USCIS”) announced that it has received enough petitions to reach the cap for the additional 19,000 H-2B visas made available for returning workers for the early second half of FY2025 with start dates from April 1 to May 14, 2025, under the H-2B supplemental cap temporary final rule. April 18, 2025, was the final receipt date for petitions requesting supplemental H-2B visas under the FY2025 early second half returning worker allocation.

## **STATE DEPARTMENT REORGANIZATION**

U.S. Department of State (“DOS”) announced a major reorganization plan titled “Building an America First State Department,” which consolidates region-specific functions and eliminates certain non-statutory programs deemed by the current Administration to be inconsistent with national interests. The new structure appears to reduce humanitarian offices and merge the USAID Administrator role into that of the Secretary of State, while retaining key offices like Consular Affairs, PRM, DRL, and regional bureaus.

## **SAVE DATABASE OVERHAUL**

U.S. Department of Homeland Security (“DHS” Secretary Noem, alongside USCIS and the Department of Government Efficiency (“DOGE”), announced a comprehensive overhaul of the Systematic Alien Verification for Entitlements (“SAVE”) database. Among other things, the overhaul eliminates fees for database searches, streamlines mass status checks, and integrates criminal records, immigration timelines, and addresses.

## **SSA PROGRAM FUNDING**

President Trump issued a memorandum directing multiple federal agencies to take steps to prevent ineligible noncitizens from receiving funds under Social Security Act programs, including enhanced verification and enforcement measures. The memo also calls for expanding the Social Security Administration’s fraud prosecutor program and establishing similar initiatives for Medicare and Medicaid.

## **ALIEN REGISTRATION ACT**

DHS Secretary Noem made a public announcement to remind all foreign nationals present in the U.S. longer than 30 days that the deadline to register under the Alien Registration Act is on 4/11/25, and that failure to comply is a crime, punishable by fines, imprisonment, or both.

## **DENIALS BASED ON SOCIAL MEDIA CONTENT**

USCIS announced that, effective immediately, it will begin considering noncitizens’ antisemitic activity on social media and the physical harassment of Jewish individuals as grounds for denying immigration benefit requests. This policy will be implemented in the cases of noncitizens applying for lawful permanent resident status, foreign students, and noncitizens affiliated with educational institutions linked to antisemitic activity. Under this guidance, USCIS will consider social media content that indicates a noncitizen 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.

## **SUDANESE VISA REVOCATION**

Secretary of State Rubio announced that DOS is taking actions to revoke all visas held by South Sudanese passport holders and prevent further issuance to prevent entry into the United States by South Sudanese passport holders, effective immediately.

## HONG KONG DED

USCIS announced that it posted a Federal Register notice for public inspection establishing procedures for certain Hong Kong residents covered by Deferred Enforced Departure (“DED”) to apply for Employment Authorization Documents (“EAD”s) that will be valid through 2/5/27. The notice automatically extends through 2/5/27 the validity of current Hong Kong DED-related EADs with an expiration date of 2/5/23 or 2/5/25, and a Category Code of A11. Employees may present this EAD as evidence of identity and employment authorization for Form I-9, Employment Eligibility Verification.

## GENDER GUIDANCE

USCIS announced that it is updating its guidance to reflect that it recognizes only two biological sexes, male and female, consistent with President Trump’s 1/20/25 EO. Under this guidance, USCIS considers a person’s sex as that which is generally evidenced on the birth certificate issued at or nearest to the time of birth. This guidance is effective immediately and applies to benefit requests pending or filed on or after 4/2/25.

## iI-9 CHANGES

USCIS announced it has made minor changes to Form I-9, Employment Eligibility Verification, to align with statutory language, and has updated the DHS Privacy Notice. The revised Form I-9 with an edition date of 01/20/25 and an expiration date of 05/31/2027 is now available for download. Previous form editions remain valid until the forms’ respective expiration dates.

## TPS VENEZUELA

USCIS announced that the work authorization of individuals granted TPS pursuant to the 2023 designation remain valid after the U.S. District Court for the North District of California granted a motion to postpone the DHS Secretary’s decision to vacate the termination of the Temporary Protected Status (“TPS”) Venezuela 2023 designation, which was set to be terminated on April 4, 2025. As a result, Approximately 350,000 Venezuelan nationals are currently in the United States under the 2023 TPS designation. The 2021 Venezuela TPS designation has not been impacted.

## LIMITING ACCESS TO TIBET

Secretary of State Marco Rubio announced that DOS is imposing additional visa restrictions on Chinese officials involved in policies restricting foreign access to Tibetan areas. According to the announcement, this action is taken in accordance with the Reciprocal Access to Tibet Act of 2018, which aims to hold accountable those responsible for limiting access to Tibet.

**Please contact us at [CoryImmigrationTeam@FisherBroyles.com](mailto:CoryImmigrationTeam@FisherBroyles.com) or 1.833.4FB.VISA with questions. We stand ready to support!**