

# IMMIGRATION SENTINEL

July - August 2025



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## August 2025 Visa Bulletin

The U.S. Department of State (DOS) [August 2025 Visa Bulletin](#) shows slowed forward movement in most family- and employment-based categories and EB-2 Final Action Date retrogressions in Worldwide, Mexico and the Philippines. Advances include F2A, Mexico F2B, and Philippines F4, while EB-4 remains unavailable and EB-1 India shows no movement.

## Interview Waiver Policy Changes

DOS [announced](#) an update of its interview waiver policy. Effective 9/2/2025, most nonimmigrant visa applicants will generally require an in-person interview with a consular officer. This supersedes the Interview Waiver Update dated 2/18/25.

## No Further H-1B Selections

U.S. Citizenship & Immigration Services (USCIS) [announced](#) it has received sufficient H-1B petitions to meet the congressionally mandated fiscal year 2026 caps of 65,000 regular visas and 20,000 for the U.S. advanced degree exemption (master's cap).

## Employer Fine Increases

The U.S. Department of Justice (DOJ) [issued](#) a final rule adjusting for inflation the civil monetary penalties assessed against employers after 7/3/25 with respect to violations occurring after 11/2/15. This includes penalties against employers for unlawful employment of immigrants and for immigration-related paperwork violations and unfair employment practices.

Welcome to the July-August 2025 double 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

## **GENDER IDENTITY & CBP**

As of 7/7/2025, in compliance with President Trump's Executive Order 14168, U.S. Customs & Border Protection (CBP) is requiring airlines to select either M (Male) or F (Female) on the passenger information it sends to CBP. Where the travel document has another designation, the carrier or the traveler must select either M or F. Mismatched gender/sex designations could result in review in secondary inspection to ensure the identity and purpose of the passenger but should not be a basis for a finding of misrepresentation or other inadmissibility unless the traveler's identity or purpose in the United States cannot be verified.

## **RESTRICTIONS ON FEDERALLY FUNDED BENEFITS**

The White House announced the Trump Administration is taking steps to block undocumented immigrants from accessing federally funded benefits, such as preschool and food assistance. The announcement cites changes from the Departments of Health and Human Services, Education, Agriculture, Labor, and Justice. The DOJ issued an order to align its agency with this announcement.

## **BIRTHRIGHT CITIZENSHIP**

The U.S. District Court for the District of New Hampshire granted certification to a nationwide class of children born in the U.S. and issued a preliminary injunction against President Trump's Executive Order (EO) 14160, which seeks to end birthright citizenship. The judge stayed the preliminary injunction for 7 days to allow the Trump Administration to appeal. USCIS later released an "Implementation Plan" in preparation for President Trump's EO to end birthright citizenship being allowed to proceed.

## **HAITI TEMPORARY STATUS (TPS)**

The U.S. District Court for the Eastern District of New York ruled that DHS Secretary Kristi Noem exceeded her statutory authority when she attempted to shorten Haiti's TPS designation by six months via a "partial vacatur" of the country's July 2024 TPS extension. As a result, the court restored Haiti's TPS designation through 2/3/2026. USCIS's updated its Haiti TPS webpage to reflect USCIS has automatically extended affected EADs through 2/3/2026.

## **HONDURAS & NICARAGUA TPS ENDING**

The U.S. Department of Homeland Security (DHS) announced the termination of TPS for Honduras and Nicaragua, effective September 8, 2025. The TPS designation of both countries is set to expire on 7/5/25. The termination of both countries' designation effective 9/8/25, after which nationals of Honduras and Nicaragua (or individuals with no nationality who last habitually resided in one of those countries) who have been granted TPS will no longer have TPS.

## **CIVIL FINES FOR IMMIGRATION VIOLATORS**

U.S. Department of Homeland Security (DHS) and Department of Justice (DOJ) issued an interim final rule (IFR) updating procedures for DHS to impose and collect civil monetary penalties under the Immigration and Nationality Act. The rule targets noncitizens who fail to depart during the voluntary departure period, violate final removal orders, or are apprehended entering or attempting to enter the United States improperly, and notably eliminates the 30-day notice period before fines are issued.

## **CBP LINK**

U.S. Customs and Border Protection (CBP) announced that travelers entering the United States can now use CBP Link, a new app containing some functions formerly included on the CBP Home mobile application. The CBP Home app will now solely be used for “self-deportation.”

## **IMMIGRATION ENFORCEMENT ACTION GUIDANCE**

U.S. Immigration and Customs Enforcement (ICE) issued a policy memo providing guidance governing civil immigration enforcement actions in or near courthouses. The memo outlines which noncitizens are generally subject to such enforcement actions, procedures, and responsibilities. It also notes that ICE officers should generally avoid enforcement near non-criminal or specialized courts.

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

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