



## IMMIGRATION UPDATE – FEBRUARY 3, 2025

*Posted on February 3, 2025 by Cyrus Mehta*

### DHS Pauses Humanitarian Parole Programs

On January 23, 2025, the top official at U.S. Citizenship and Immigration Services (USCIS) reportedly ordered a pause of various humanitarian parole programs while the agency assesses them, following an email order from the acting head of the Department of Homeland Security (DHS) to conduct such a review. The *New York Times*, which obtained a copy of the email, [reported](#) that the directive "demands an immediate end to 'final decisions' on applications related to the programs while the administration reviews them and decides whether to terminate them." The news report describes the scope of the programs to be paused as "vast." Affected parole programs include those for Ukrainians, [Cubans, Haitians, Nicaraguans, and Venezuelans](#).

The agency orders are aligned with various Trump administration statements and actions, including an executive order (EO), [Protecting the American People Against Invasion](#), which President Trump signed on his first day in office; an order to end "[all categorical parole programs that are contrary to the policies of the United States established in my executive orders](#)"; and a memorandum from Acting DHS Secretary Benjamine Huffman, "[Guidance Regarding How to Enforce Enforcement Discretion](#)." A DHS statement [said](#) that this action "will return the humanitarian parole program to its original purpose of looking at migrants on a case-by-case basis."

Yael Schacher, the director of Americas and Europe for Refugees International, said, "This suspension on parole decisions is similar to the suspension of all asylum access at the border and the suspension of the refugee program. It's a testament to the administration's hostility to all humanitarian immigration."

**Uniting for Ukraine.** Among the paused programs is the [Uniting for Ukraine](#)

[\(U4U\) Parole Program](#), implemented after Russia's invasion of Ukraine, which permits Ukrainians seeking temporary refuge to travel to and work in the United States. The DHS directive halts the review and adjudication of both initial and renewal parole applications under the U4U program. While not officially terminated, the directive suggests that DHS will not accept new applications for initial parole periods or renewal (or "reparole") applications for those seeking to extend their parole in United States.

Practitioners have offered [tips for Ukrainians currently in the United States](#), including knowing their rights, avoiding international travel (even with advance parole or similar travel authorizations), and staying informed. Due to heightened scrutiny at ports of entry, travelers risk being denied reentry and may face expedited removal proceedings. Those seeking reentry have reportedly been asked to voluntarily depart or risk detention.

**Venezuelan TPS.** Kristi Noem, DHS Secretary, [canceled](#) the latest extension of Temporary Protected Status for Venezuelans, which will now end on [April 1 or September 10, 2025](#), depending on when they arrived in the United States. USCIS said it "will invalidate EADs; Forms I-797, Notice of Action (Approval Notice); and Forms I-94, Arrival/Departure Record (collectively known as TPS-related documentation) that have been issued with October 2, 2026 expiration dates under the Mayorkas Notice. USCIS will provide refunds to any fees paid by these aliens as well." USCIS said it "will provide additional guidance regarding the two Venezuela TPS designations on a future date in accordance with applicable laws." There are [more than 300,000](#) Venezuelans in the United States with TPS.

## **CBP Clarifies Advance Parole Guidance; Practitioners Urge Caution**

On January 22, 2025, U.S. Customs and Border Protection (CBP) [clarified](#) that an executive order to "terminate all categorical parole programs that are contrary to the policies of the United States" does not apply to those arriving with a valid Form I-512 or those being processed for Significant Public Benefit Parole in coordination with federal law enforcement partners.

Even though the guidance clarified that adjustment of status applicants with a valid I-512 may be admitted, practitioners [urge caution](#) and recommend that employees maintain their underlying visa status and travel using valid H and L

visas to the extent possible. Recommendations include:

- Consider deferring unnecessary travel until clear guidance, procedures, and training are in place for CBP officers at the various ports of entry.
- Those with "dual intent" H or L visas should present valid nonimmigrant visas to facilitate re-entry in lieu of relying on advance parole.
- If travel is necessary and there is no underlying H or L visa, it may be helpful to bring copies of CBP's [Regional Carrier Liaison Guidance](#) until training is fully rolled out.
- Those in other nonimmigrant statuses that are not recognized as "dual intent," such as O, E, F, and TN status, who have a Form I-485, Application to Register Permanent Residence or Adjust Status, application pending should be prepared to explain to CBP that admission in their nonimmigrant status may trigger the abandonment of a pending I-485 and continue to request admission pursuant to their valid advance parole.
- Those seeking to travel with parole documents should be prepared for longer periods of review and questioning in CBP's Secondary Inspection and should be prepared to present relevant documentation upon request. For example, travelers presenting advance parole documents related to a pending I-485 application should confirm that their I-485 remains pending and travel with a copy of their I-485 receipt notice, as CBP often seeks to confirm whether the I-485 remains pending during secondary inspection.

## **President Trump Orders Guantanamo Bay Expansion to 'Full Capacity'**

On January 29, 2025, President Trump issued a [memorandum](#) to the Secretaries of Defense and Homeland Security "to expand the Migrant Operations Center at Naval Station Guantanamo Bay to full capacity to provide additional detention space for high-priority criminal aliens unlawfully present in the United States, and to address attendant immigration enforcement needs identified by the Department of Defense and the Department of Homeland Security." The memo states that this action is necessary "to halt the border invasion, dismantle criminal cartels, and restore national sovereignty."

President Trump [indicated](#) that some migrants would be sent there indefinitely rather than being deported to their home countries: "We have 30,000 beds in Guantanamo to detain the worst criminal illegal aliens threatening the

American people. Some of them are so bad we don't even trust the countries to hold them, because we don't want them coming back, so we're going to send them to Guantanamo."

## **Scammers Are Impersonating ICE Officers and Local Police**

In the current climate of aggressive deportations, scammers are attempting to cash in by impersonating U.S. Immigration and Customs Enforcement (ICE) officers and local police to scare naturalized U.S. citizens and immigrants into giving out information.

For example, on the NextDoor social media site, a posting stated that a naturalized U.S. citizen received multiple calls from purported ICE agents and the county police. The fake ICE agent informed him that there was an arrest warrant and asked about his bank account and other assets. The spoofed phone number matched the phone number on ICE's actual website. The fake police detective called and gave the victim his badge number and name and stated that the police were coming to arrest him. The victim and his brother took steps to verify the information. The police did not have any detective or badge number matching the fake information.

Police or ICE agents will not call people before serving an arrest warrant and ask for personal or financial information. Also, scammers can mimic valid phone numbers. Such scams should be reported to the local police.

## **Firm in the News**

Mr. Mehta was Chair of the Practising Law Institute's Basic Immigration Law program on January 30, 2025, in New York City and webcast. He was also Chair of the Immigrant Relief companion program on January 31, 2025.