

IMMIGRATION UPDATE - MARCH 13, 2025

Posted on March 13, 2025 by Cyrus Mehta

Headlines:

<u>Trump Administration Plans to Restart and Expand Travel Bans</u> – The travel ban would likely include Cuba, Iran, Libya, North Korea, Somalia, Sudan, Syria, Venezuela, and Yemen, along with Afghanistan, Pakistan, and possibly others.

USCIS Changes Many Forms With No Notice, Adds Grace Periods After Complaint Filed – U.S. Citizenship and Immigration Services (USCIS) posted changes to many forms with grace periods of up to one month, immediately following a complaint filed by the American Immigration Lawyers Association challenging USCIS's publishing new editions of immigration forms with no notice and requiring their use with no grace period.

<u>Accounts</u> – U.S. Citizenship and Immigration Services said there was a "need to collect social media identifiers ('handles') and associated social media platform names from applicants to enable and help inform identity verification, national security and public safety screening, and vetting, and related inspections."

Trump Administration Fires EOIR Personnel and Immigration Judges While Backlogs Grow – the Trump administration has fired a number of Executive Office for Immigration Review staff and immigration judges (IJs), along with more than a dozen members of the Board of Immigration Appeals.

<u>Annual Limit Reached in EB-4 Category</u> – The annual limits will reset with the start of the new fiscal year on October 1, 2025.

<u>President Trump Designates English as Official Language But Does Not</u>

<u>Require Agencies to Delete or Stop Producing Materials in Other</u>

<u>Languages</u> – The order states that agency heads "are not required to amend,

remove, or otherwise stop production of documents, products, or other services prepared or offered in languages other than English."

Details:

Trump Administration Plans to Restart and Expand Travel Bans

According to reports, the Trump administration is preparing to restart and expand a travel ban policy against certain countries that had been implemented during his first administration. Officials said the travel ban would likely include the same countries that were on the list the first time—Cuba, Iran, Libya, North Korea, Somalia, Sudan, Syria, Venezuela, and Yemen—and that Afghanistan and Pakistan could be added, along with possibly others.

It is unclear whether the travel ban will include highly vetted Afghans already cleared for U.S. resettlement on Special Immigrant Visas (SIVs) or as refugees due to their working with the United States during the war with the Taliban. The Department of State's Coordinator for Afghan Relocation Efforts recommended an exemption for SIV-holders "but it's not assumed likely to be granted," according to one source. That office has been ordered to close. "Shutting this down would be a national disgrace, a betrayal of our Afghan allies, of the veterans who fought for them, and of America's word," said Shawn VanDiver, founder of #AfghanEvac. Meanwhile, Afghan evacuation and resettlement efforts have been paused.

Back to Top

USCIS Changes Many Forms With No Notice, Adds Grace Periods After Complaint Filed

On March 8, 2025, U.S. Citizenship and Immigration Services (USCIS) <u>posted</u> <u>changes to many forms</u> with grace periods for their use of up to one month. This immediately followed a <u>complaint</u> filed by the American Immigration Lawyers Association (AILA) and Benach Collopy LLP for declaratory and injunctive relief to challenge USCIS's publishing new editions of immigration forms with no notice and requiring their use with no grace period.

AILA <u>explained</u> that on Monday, March 3, and again on Tuesday, March 4, 2025, USCIS "abruptly posted multiple forms for immediate use and removed the previous versions, only permitting the submission of the new form editions. No notice was given, no grace period was implemented." AILA said that across the

United States, "immigration attorneys and their clients were faced with the reality that potentially tens of thousands of forms that had been submitted properly and in accordance with the law would be rejected even if mailed before the new form was made available." AILA said it reached out to USCIS to "request a grace period for acceptance of the new forms, but the agency offered no clear relief or public guidance" and thus "litigation was required." Shortly after AILA filed the lawsuit, USCIS responded that "while no definite grace period is being provided, USCIS will exercise its discretion to not reject previous versions of forms that are submitted for a reasonable period after the new versions take effect." USCIS then subsequently posted grace periods.

According to AILA, at least some of the changes are related to gender identity language and reinstituting the use of "alien."

Back to Top

USCIS Plans to Require Applicants to Provide Access to Social Media Accounts

On March 5, 2025, U.S. Citizenship and Immigration Services (USCIS) <u>announced</u> that it plans to require applicants for various immigration benefits to provide access to their social media accounts. USCIS said there was a "need to collect social media identifiers ('handles') and associated social media platform names from applicants to enable and help inform identity verification, national security and public safety screening, and vetting, and related inspections."

The agency said the collection of information was "necessary to comply with section 2 of the Executive order (E.O.) entitled 'Protecting the United States from Foreign Terrorists and Other National Security and Public Safety Threats,' which directs implementation of uniform vetting standards and requires the collection of all information necessary for a rigorous vetting and screening of all grounds of inadmissibility or bases for the denial of immigration-related benefits." The Department of State already <u>asks for social media information</u> in conjunction with visa applications filed outside of the United States.

USCIS said comments are "encouraged" and will be accepted until May 5, 2025.

Back to Top

Trump Administration Fires EOIR Personnel and Immigration Judges While

Backlogs Grow

According to reports, the Trump administration has fired a number of Executive Office for Immigration Review staff and immigration judges (IJs). On February 14, 2025, 13 IJs who had been hired recently were summarily fired, along with seven assistant chief IJs. One IJ, Kerry Doyle, was fired via an email with the subject line "Termination" that stated, "EOIR has determined that retaining you is not in the best interest of the agency," with no other details. Her hiring process had taken 14 months with multiple interviews, and she was appointed in December 2024.

Since February 14, according to the International Federation of Professional and Technical Engineers, a parent union of the National Association of Immigration Judges (NAIJ), at least two more IJs have been fired, along with eight supervisory assistant chief immigration judges and five senior managers. Some were recent hires, but others had been on the job for a long time. Collectively, they would have been responsible for hearing an estimated 10,000 cases this year. More IJs and staff are leaving or retiring early. In addition, more than a dozen of the 28 members of the Board of Immigration Appeals were purged.

It is unclear if or when the fired staff will be replaced. Aaron Reichlin-Melnick, a senior fellow with the <u>American Immigration Council</u>, <u>posted</u> on Bluesky that the <u>actions were an "ideological purge"</u> and that the results show "how much 'fire everyone' conflicts badly with 'deport everyone.' " Meanwhile, backlogs continue to grow, reaching nearly 3.6 million cases, as evidenced by the graph below:

Back to Top

Annual Limit Reached in EB-4 Category

The Department of State (DOS), in collaboration with U.S. Citizenship and Immigration Services, <u>announced</u> that it has issued all available immigrant visas in the employment-based fourth preference (EB-4) category for fiscal year (FY) 2025. This category of about 10,000 green cards per year is for a variety of people, including religious workers and special immigrant juveniles.

DOS said that "embassies and consulates may not issue visas in these categories for the remainder of the fiscal year. The annual limits will reset with

the start of the new fiscal year (FY 2026) on October 1, 2025. At that point, embassies and consulates may resume issuing immigrant visas in this category to qualified applicants."

Back to Top

President Trump Designates English as Official Language But Does Not Require Agencies to Delete or Stop Producing Materials in Other Languages

On March 1, 2025, President Trump issued an <u>executive order</u> designating English as the official language of the United States.

Notably, although the order states that Executive Order 13166 of August 11, 2000 (Improving Access to Services for Persons with Limited English Proficiency), is revoked, the order does not require or direct any change in the services provided by any agency: "Agency heads should make decisions as they deem necessary to fulfill their respective agencies' mission and efficiently provide Government services to the American people. Agency heads are not required to amend, remove, or otherwise stop production of documents, products, or other services prepared or offered in languages other than English."

Back to Top