CYRUS D. MEHTA & PARTNERS PLLC
US IMMIGRATION & NATIONALITY LAW

IMMIGRATION UPDATE - JULY 01, 2025

Posted on July 1, 2025 by Cyrus Mehta

Headlines:

Supreme Court Decision Limits Nationwide Injunctions, Leaves Birthright Citizenship Issue Unsettled – On June 27, 2025, in a case implicating President Trump's Executive Order on birthright citizenship, the U.S. Supreme Court issued a decision limiting federal courts' ability to issue nationwide injunctions blocking executive orders and broad national policies. The decision did not address the merits or constitutionality of President Trump's Executive Order on birthright citizenship. The decision means that there will be continuing and evolving uncertainties, including legal challenges to the Executive Order in the federal courts.

Supreme Court Pauses Lower Court Ruling to Allow the Trump Administration to Deport People to Third Countries Without Recourse – The U.S. Supreme Court paused a lower court ruling to allow the Trump administration to deport people to third countries without the ability to argue that they would face torture. Specifically, a group of men being held at a military base in Djibouti will be sent to South Sudan while their case continues in court.

E-Verify, SAVE Announce New Status Change Reports for Employers of Those Whose Parole Is Terminated – The Department of Homeland Security announced that it is revoking Employment Authorization Documents (EAD) for certain people whose parole has been terminated. E-Verify and the Systematic Alien Verification for Entitlements program have launched new Status Change Reports for employers to identify if any of their E-Verify cases were created with an EAD that has been revoked.

Many International Doctors Are in Visa Limbo, Risking Shortages in the United States – Hundreds of doctors who were expected to begin medical

residencies at U.S. hospitals shortly are stuck in "visa limbo" because of delays, an inability to make J-1 visa appointments, or additional vetting, despite the Department of State's recent announcement that interviews could resume. Others have been unable to enter the United States due to the Trump administration's travel (entry) ban on 19 countries.

Uncertainty in Middle East Disrupts U.S. Visa Processing and Consular Services – Visa processing across the Middle East is facing renewed disruption due to developments such as tensions between the U.S. and Iran. Recent military activity involving Iran, and the U.S. government's evacuation of non-essential personnel from multiple embassies across the Middle East, are significantly affecting visa processing in the region.

OFLC Publishes New List of Professional Occupations Effective July 1, 2025 – The Department of Labor's Office of Foreign Labor Certification has reviewed occupational and education data and published a new list of occupations on its website, as it does annually.

CNMI Wage Data Released – The Office of Foreign Labor Certification said it has approved the Commonwealth of the Northern Mariana Islands' 2025 Prevailing Wage Study survey for 408 occupations and will issue updated CW-1 prevailing wages using the data from July 1, 2025, through June 30, 2026. The updated wage table includes prevailing wage data for a total of 848 occupations.

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Supreme Court Decision Limits Nationwide Injunctions, Leaves Birthright Citizenship Issue Unsettled

On June 27, 2025, in a case implicating President Trump's Executive Order (EO) on birthright citizenship, the U.S. Supreme Court issued a decision limiting federal courts' ability to issue nationwide injunctions blocking EOs and broad national policies. It explained that in such cases, courts should normally only block federal policies for the individuals or organizations that bring a lawsuit, unless a statute or class action process allows broader relief. This ruling makes it less likely that a single lawsuit will be able to stop a federal policy from taking

effect across the entire country.

The Supreme Court's order incorporates a change to the effective date of the EO, which was agreed to by the government. The Court stated that the EO does not apply to children born since January 20, 2025, and for 30 additional days after the order. Under the decision, all children born in the United States before July 28, 2025, regardless of their parents' immigration status, will be recognized as U.S. citizens by the executive branch of the federal government.

The decision did not address the merits or constitutionality of the EO. The decision means that there will be continuing and evolving uncertainties, including legal challenges to the birthright citizenship order in the federal courts. For example, filed within hours of the decision, a lawsuit in New Hampshire seeks to designate a nationwide class of children needing protection from the EO. Meanwhile, at a press conference on June 27, 2025, President Trump announced that the administration plans to take additional actions to end birthright citizenship. These efforts will likely take the form of new agency rules, policies, and guidance aimed at implementing the EO.

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Supreme Court Pauses Lower Court Ruling to Allow the Trump Administration to Deport People to Third Countries Without Recourse

On June 23, 2025, the U.S. Supreme Court paused a lower court ruling to allow the Trump administration to deport people to third countries without the ability to argue that they would face torture. Specifically, a group of men being held at a military base in Djibouti will be sent to South Sudan while their case continues in court.

Justices Sonia Sotomayor, Elena Kagan, and Ketanji Brown Jackson dissented. Justice Sotomayor said, "Apparently, the court finds the idea that thousands will suffer violence in farflung locales more palatable than the remote possibility that a district court exceeded its remedial powers when it ordered the government to provide notice and process to which the plaintiffs are constitutionally and statutorily entitled. That use of discretion is as incomprehensible as it is inexcusable."

After the ruling, Tricia McLaughlin, a spokesperson for the Department of Homeland Security, said, "DHS can now execute its lawful authority and remove

illegal aliens to a country willing to accept them. Fire up the deportation planes."

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E-Verify, SAVE Announce New Status Change Reports for Employers of Those Whose Parole Is Terminated

On June 20, 2025, the Department of Homeland Security (DHS) announced that it is revoking Employment Authorization Documents (EADs) for certain people whose parole has been terminated. These revocations may be on a case-by-case basis or may be for groups, such as those paroled through the processes for Cubans, Haitians, Nicaraguans, and Venezuelans. DHS said it sent direct notifications to certain individuals who were paroled into the United States, terminating their parole and revoking their parole-based EADs.

E-Verify developed a new report to help employers identify any E-Verify cases created with an EAD that has been revoked. DHS said the new Status Change Report allows E-Verify employers to review their aggregated case data for employees who presented EADs for employment verification that have now been revoked by DHS. The report contains the document revocation date, case number, and A-number for each affected case. DHS said the data in this report "will be regularly updated as DHS revokes EADs, and this report replaces the use of Case Status Alerts for EAD revocations." The DHS announcement includes instructions for employers and their agents on how to access the report and reverify their employees.

Also, on June 20, 2025, Systematic Alien Verification for Entitlements (SAVE) announced that it created a self-service report that user agencies can generate when logged into SAVE using a web browser. The new report allows user agencies to identify SAVE cases created for one or more benefit applicants whose parole was terminated by DHS. Since DHS data is continuously updated, agencies should consider running this report on a regular basis, SAVE said.

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Many International Doctors Are in Visa Limbo, Risking Shortages in the United States

According to reports, hundreds of doctors who were expected to begin medical residencies at U.S. hospitals shortly are stuck in "visa limbo" because of delays,

an inability to make J-1 visa appointments, and/or additional vetting, despite the Department of State's recent announcement that interviews could resume. Others have been unable to enter the United States due to the Trump administration's travel (entry) ban on 19 countries. This year, more than 6,600 non-U.S. citizen doctors were accepted into residency programs. Many such residencies are supposed to start on July 1, 2025.

Concerns include the cost of medical exams and upending of international doctors' plans to come to the United States; shortages of doctors in some communities, including medically underserved areas; and effects on U.S. hospitals and patients.

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Uncertainty in Middle East Disrupts U.S. Visa Processing and Consular Services

U.S. visa processing across the Middle East is facing renewed disruption due to developments such as tensions between the U.S. and Iran. Recent military activity involving Iran, and the U.S. government's evacuation of non-essential personnel from multiple embassies across the Middle East, are significantly affecting visa processing in the region, according to reports.

Although the Department of State recently authorized the resumption of F, M, and J visa interviews under new vetting protocols, the deteriorating security environment is likely to delay, or entirely suspend, implementation of that guidance at affected consular posts.

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OFLC Publishes New List of Professional Occupations Effective July 1, 2025

On June 24, 2025, the Department of Labor's Office of Foreign Labor Certification (OFLC) announced that it reviewed occupational and education data and published a new list of occupations on its website, as it does annually per a 2021 Federal Register notice. OFLC said the list of professional occupations "serves as a guide for employers to distinguish between professional and non-professional occupations in order to comply with the professional recruitment requirements of the PERM program."

Appendix A to the Preamble–Education and Training Categories by Occupational Information Network (O*NET)–Standard Occupational

Classification (SOC) Occupations, which implements the new list of professional occupations for the July 2025 through June 2026 wage year, will be effective July 1, 2025.

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CNMI Wage Data Released

On June 26, 2025, the Department of Labor's Office of Foreign Labor Certification (OFLC) announced that it received the 2025 Commonwealth of the Northern Mariana Islands (CNMI) Prevailing Wage Study survey from the governor of the CNMI for the CW-1 program.

OFLC said it approved the 2025 CNMI Prevailing Wage Study survey for 408 occupations and will issue updated CW-1 prevailing wages using the data from July 1, 2025, through June 30, 2026. The updated wage table includes prevailing wage data for a total of 848 occupations.

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Firm in the News

Cyrus Mehta spoke at the AILA Annual Conference in Denver, CO on June 21, 2025 on “Ethics Of AI for Immigration Lawyers and Staff”.

David Isaacson spoke at the AILA Annual Conference in Denver, CO on June 20, 2025 on "EOIR Motions to Reopen, Reconsider, and Remand".

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