



IMMIGRATION UPDATE - JULY 15, 2025

Posted on July 15, 2025 by Cyrus Mehta

Headlines:

[**Judge Allows Class Action and Temporarily Blocks Trump Administration's Birthright Citizenship Ban**](#) – The judge said that "this court has no hesitation determining this situation warrants emergency injunctive relief and class certification."

[**DHS Ends TPS for Honduras and Nicaragua**](#) – The Temporary Protected Status designations for the two countries were set to expire on July 5, 2025. The termination will be effective September 8, 2025.

[**DOL Requires Work Authorization for Participants in Workforce Innovation and Opportunity Act Programs**](#) – On July 10, 2025, the Department of Labor's Employment and Training Administration issued guidance requiring that all participants under Workforce Innovation and Opportunity Act programs have authorization to work in the United States. For individuals whose work authorization is temporary, grantees "must verify their continued work authorization at a reasonable interval determined by when their temporary authorization is expected to expire, but no less than once every three months."

[**DOJ Raises Penalty Fees for Certain Immigration-Related Violations**](#) – As part of the Department of Justice's (DOJ) adjustments of various civil monetary penalties assessed or enforced by DOJ components, the agency issued a final rule raising penalty fees for certain immigration-related violations. The rule, effective July 3, 2025, applies to violations occurring after November 2, 2015.

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Details:

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Judge Allows Class Action and Temporarily Blocks Trump Administration's Birthright Citizenship Ban

On July 10, 2025, a federal judge in New Hampshire [provisionally certified a class](#) consisting of all children born in the United States on or after February 20, 2025, to parents who are present temporarily or without authorization, then issued a [preliminary injunction](#) temporarily blocking enforcement of the Trump administration's birthright citizenship ban.

The judge said that "this court has no hesitation determining this situation warrants emergency injunctive relief and class certification. The respondents' proposed course of action would reverse a nationally known and recognized government policy in place for over a century and affect thousands of families." Denial of citizenship status at birth "can have immediate, irreversible effects," the judge noted, adding that the Executive Order in question "likely violates the Fourteenth Amendment" of the U.S. Constitution and the related statute codifying it ([8 U.S.C. § 1401](#)).

The judge said that the certified class includes only those persons for whom the Executive Order would deny citizenship but does not include their parents, as the petitioners had requested. The class therefore includes:

All current and future persons who are born on or after February 20, 2025, where (1) that person's mother was unlawfully present in the United States and the person's father was not a United States citizen or lawful permanent resident at the time of said person's birth, or (2) that person's mother's presence in the United States was lawful but temporary, and the person's father was not a United States citizen or lawful permanent resident at the time of said person's birth.

The judge noted that including future class members "is no bar to class certification. Although the future class member children in this case have yet to be born, as soon as they are born, they will join the class and their claims will be ripe."

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DHS Ends TPS for Honduras and Nicaragua

On July 7, 2025, the Department of Homeland Security (DHS) announced the termination of Temporary Protected Status (TPS) for [Honduras](#) and [Nicaragua](#).

The TPS designations for the two countries were set to expire on July 5, 2025. The termination of TPS for [Honduras](#) and [Nicaragua](#) will be effective 60 days after publication of the Federal Register notices, which is September 8, 2025. After that date, nationals of Honduras and Nicaragua (and those having no nationality who last habitually resided in either of those countries) who were granted TPS under the designation will no longer have TPS.

DHS said that Honduran and Nicaraguan nationals departing the United States can use U.S. Customs and Border Protection's [CBP Home app](#) to report their departure from the United States and receive a complimentary plane ticket, a \$1,000 exit bonus, and potential "future opportunities for legal immigration."

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DOL Requires Work Authorization for Participants in Workforce Innovation and Opportunity Act Programs

On July 10, 2025, the Department of Labor's Employment and Training Administration issued guidance ([Training and Employment Guidance Letter 10-23, Change 2](#)) requiring that all participants in programs under the Workforce Innovation and Opportunity Act have authorization to work in the United States. For individuals whose work authorization is temporary, grantees "must verify their continued work authorization at a reasonable interval determined by when their temporary authorization is expected to expire, but no less than once every three months."

Affected programs are directed to align their policies, procedures, and requirements with the guidance. The programs include Workforce Innovation and Opportunity Act (WIOA) Title I Adult, Dislocated Worker, Youth programs (including statewide employment and training services funded by the Governor reserve); WIOA National Dislocated Worker Grants; Wagner-Peyser Act Employment Service; Reentry Employment Opportunities and other programs authorized under Section 169 of WIOA; YouthBuild; Section 167 Migrant and Seasonal Farmworker Program, also commonly referred to as the National Farmworker Jobs Program; and the Senior Community Service Employment Program. The guidance also establishes that all such participant-level services are considered "federal public benefits" under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA).

The guidance notes that individuals in certain employment-based

nonimmigrant categories, such as H-2A, H-2B, and CW-1 workers, are ineligible to receive participant-level services in WIOA and related programs as they are not included in WIOA Section 188's category of "other immigrants authorized to work in the United States" or in PRWORA's definition of "qualified alien."

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DOJ Raises Penalty Fees for Certain Immigration-Related Violations

As part of the Department of Justice's (DOJ) adjustments of various civil monetary penalties assessed or enforced by DOJ components, the agency issued a [final rule](#) raising penalty fees for certain immigration-related violations. The rule, effective July 3, 2025, applies to violations occurring after November 2, 2015, the date the Bipartisan Budget Act was enacted.

The rule includes raised penalty fees for violations such as employment of unauthorized workers, failure to notify of a final nonconfirmation of an employee's employment eligibility, unfair immigration-related employment practices, and document fraud.

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Firm in the News

[Cyrus Mehta](#) was quoted by *Slate* in [Trump is Threatening to Take Away People's Citizenship. Can He?](#) Commenting on the Trump administration's newly announced prioritizing of denaturalization, the article states that "he immigration courts have no jurisdiction over U.S. citizens, so the only way for the administration to attempt to strip citizenship is to go through the actual federal judiciary, which is far more independent and much less likely to look favorably upon efforts to target the relatively ironclad protections of citizenship. The government can attempt either a civil or criminal denaturalization, with the latter alleging that the naturalization itself was obtained through criminal means. Despite the Supreme Court's recent kowtowing to the more authoritarian aspects of Trump's agenda, in the [unanimous 2017 decision](#) in *Maslenjak v. United States*, the court ruled that the government could not strip citizenship from a woman who had lied about her husband having served in the Bosnian Serb army because the denaturalization statute 'demands a causal or means-end connection between a legal violation

and naturalization.' " Mr. Mehta said that "ny omission that would not have had an impact on the citizenship application would not cut it, even if it was misrepresentation or an omission." Mr. Mehta is representing Palestinian activist Mohsen Mahdawi, a permanent resident detained by the Trump administration.

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