

Immigration Updates: January 2025

Workshops - 0	Applications - 4	Consultations - 12	Trainings - 0
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TRUMP 2.0 BEGINS

Since taking office on January 20, 2025, President Trump has made immigration enforcement his top priority and has issued a handful of executive actions to try and effect his will. Although a good many of these actions are illegal, the Trump Administration has embraced a strategy of “flooding the zone” with action in the hopes that opposition groups and courts will be too distracted by the sheer quantity of illegal actions he is taking that he might just get one or two things through in the long run. Here is what has happened so far:

Executive Actions

- **Termination of CNHV Parole & CBP One**
 - In his executive Order titled “Securing our Borders,” President Trump directed the Secretary of Homeland Security to end all “categorical” parole programs. This order specifically named the Cuban, Haitian, Nicaraguan, and Venezuelan (CHNV) Parole Program as well as the paroles granted by appointments scheduled with CBPOne at the U.S.-Mexico border. What this means right now is that no new paroles will be granted with these programs. It is, as of now, unclear about what this means for people in the United States on these programs. The best thing people on this program can do, if they have not already, is speak with an immigration attorney to try and apply for alternative forms of relief. It is still unknown what will become of the Uniting for Ukraine (U4U), Operations Allies Welcome (OAW), Central American minors (CAM), and Family Reunification Parole programs. More available here: <https://www.cbsnews.com/news/trump-officials-make-plans-to-revoke-legal-status-of-migrants-welcomed-under-biden/>
- **Refugee Admissions Suspended**
 - Also on the first day, President Trump signed another Executive Order suspending the U.S. Refugee Assistance Program (USRAP), effective as of January 27, 2025. This means that until this order is lifted or a court somehow invalidates the order, refugee resettlement into the United States – even for people who had previously been approved for resettlement – is cancelled on the orders of President Trump due to refugees being, he says, “detrimental to the interests of the United States.” More here: <https://www.rescue.org/article/trump-administration-suspends-refugee-resettlement>
- **New Asylum Requests at U.S.-Mexico Border Suspended**
 - On 1/20/25, President Trump issued Proclamation 10888, which identifies asylum seekers seeking entry at the southern border as an “invasion” against which the states need “protection.” With it, the president gives himself powers in Article II of the Constitution of the United States to suspend physical entry until he determines that the “invasion” has ended. Although this proclamation is also illegal, the President will do it anyway until he is stopped by the courts. More here: <https://www.npr.org/2025/01/23/nx-s1-5272406/trump-suspends-asylum>
- **Birthright Citizenship at issue in the Courts**

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- On his first day in office, President Trump also issued an Executive Order declaring that children born in the United States to mothers and fathers who are not lawful permanent residents or citizens already – even if those parents are present in the United States lawfully on a temporary visa – are not automatically citizens upon birth. This Order has been temporarily halted in the District Courts for now because it is plainly unconstitutional: under the 14th Amendment, *anyone* born in the United States is automatically a citizen. Nonetheless, the President will likely appeal this issue all the way to the Supreme Court to try his luck on this issue there. More available here: <https://www.npr.org/2025/01/23/nx-s1-5270572/birthright-citizenship-trump-executive-order>

Legislative Actions

- **Passage of the Laken Riley Act**

- On January 29, 2025, President Trump signed into law the Laken Riley Act, a law that expands the category of immigrants detained by ICE who are subject to “mandatory detention,” meaning people who are not eligible for bond or parole. Now, anyone who is unlawfully present in the United States who is also (1) arrested for, convicted of, or who admits having committed the essential elements of any crime related to burglary, theft, larceny, assault of a police officer, or any crime that can result in serious bodily injury or death. Critics of this expansion say that merely being “arrested for” something is not good enough grounds for putting someone in mandatory detention, as people are falsely arrested or accused for things often with no basis in reality. More here: <https://www.npr.org/2025/01/29/g-s1-45275/trump-laken-riley-act>

Agency Action

- **DHS Given the Authority to Expand Expedited Removal**

- Effective as of January 21, 2025, DHS is now entitled to exercise its authority to use Expedited Removal to the fullest extent authorized by law. In other words, any undocumented person who is unlawfully present in the United States under INA section 212(a)(6)(C) or 212(a)(7) and who has not been lawfully admitted or paroled within two years of their last entry, can be subject to expedited removal. Under expedited removal, someone can be removed from the country without a hearing before a judge. If you are removed by expedited removal, you have a 5-year bar on re-entering the United States. If someone being removed by expedited removal expresses a fear of returning to their home country, they will be given a “Credible Fear Interview.” More is available here: <https://www.aila.org/library/dhs-notice-designating-noncitizens-for-expedited-removal-1>

- **USCIS No longer requiring proof of COVID-19 vaccination for AOS**

- Effective January 22, 2025, USCIS waives any and all requirements that applicants for adjustment of status to that of a lawful permanent resident present documentation on their Form I-693, Report of Immigration Medical Examination and Vaccination Record, that they received the COVID-19 vaccination. USCIS will not issue any Request for Evidence (RFE) or Notice of Intent to Deny (NOID) related to proving a COVID-19 vaccination. USCIS will not deny any adjustment of status application based on the applicant’s failure to present documentation that

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they received the COVID-19 vaccination. More available here: <https://www.uscis.gov/i-485>

- **Migrant Protection Protocols Re-implemented**

- On January 25, 2025, President Trump directed the Department of Homeland Security to re-implement the so-called “Migrant Protection Protocols” and they did so. More commonly known as the “Remain in Mexico” program, this policy requires that asylum seekers who have a pending case before the immigration courts wait in Mexico until their case is ready to be processed before being allowed to enter the United States for that hearing. In effect, this policy is meant to deter people from asking for asylum in the first place by making them remain in dangerous areas for an unspecified amount of time. More available here: <https://www.theguardian.com/us-news/2025/jan/21/trump-remain-in-mexico-program>

Practical Guidance

- **How to find out your next court date**

- If you or someone you know is in the immigration court system you can always check to see when their next hearing is by using the EOIR Automated Case Portal. Type their A number into the search bar to see their most up-to-date court information. Their A number can be found on their “Notice to Appear,” on their work permit (called their USCIS number), or on other official documents about immigration from the government. That link is here: <https://www.uscis.gov/i-485>

- **How to find a detainee in ICE Custody**

- If someone you know is arrested by ICE and is 18 years of age or older (including unaccompanied young adults over 18), you should first try to confirm where they are detained via the [ICE Online Detainee Locator System](#) (ODLS). As of [June 2024](#), you can also use ODLS to search for someone in Border Patrol Custody. Please note that someone detained for three days or less may not show up in the system just yet.
- If finding them in the ODLS is not working, you can try contacting the ICE Field Office with jurisdiction over the area where they were arrested. This website can show you which ICE office has jurisdiction over which areas: <http://www.ice.gov/contact/field-offices>
- If that is still not working, consider looking for the person within the Bureau of Prisons (BOP) system using this link: <https://www.bop.gov/inmateloc/>
- As a final resort, you can try VINE. VINE is a victim-notification network that allows members of the public to be alerted if there is a custody change or transfer of a criminal detainee. If your client was taken into custody by criminal authorities and you believe ICE will place a detainer on them, this site may help you keep track of your client pending transfer: <https://www.vinelink.com/#state-selection>.
- For a full explainer on all of these resources, see here: <https://www.aila.org/library/practice-pointer-how-to-locate-clients-apprehended-by-ice>

Helpful Resources and Links You Should Know About:

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Resource Name	Description	Link
EOIR Automated Case Portal	If you have an A-Number (a unique number given to non-citizens during encounters with immigration officials), you can use that number to check on the status of your immigration court case on this website and see your upcoming court dates.	English https://acis.eoir.justice.gov/en/ Spanish https://acis.eoir.justice.gov/es/
ICE Detainee Locator	If someone you know has been detained by ICE for at least 48 hours, you will be able to find out where they are detained using this link.	https://locator.ice.gov/odls/#/search
USCIS Case Status Online	If you have a receipt number from USCIS, use this link to see what the latest status of that receipted item is with the agency.	https://egov.uscis.gov/
USCIS Case Inquiry	If you are missing a receipt, if your case is outside of normal processing times, if your document has errors on it due to government mistakes, or if you need to request accommodations for an upcoming appointment, use this link.	https://egov.uscis.gov/e-request/Intro.do
Check Case Processing Times	If you have submitted a case with USCIS, you can see the expected processing times by case type using this website.	https://egov.uscis.gov/processing-times/
Automatic Employment Authorization Document Extension	If you have a work permit (EAD) that is expiring soon, it is possible that it has been automatically extended. Only some types of work permits are extended automatically. Use this website to see if yours has been.	https://www.uscis.gov/eadautoextend
Special Immigrant Juveniles	If you (or one of your members) are under the age of 21 and unmarried, please check your eligibility for Special Immigrant Juvenile status using the criteria listed on this website.	https://www.uscis.gov/working-in-US/eb4/SIJ