

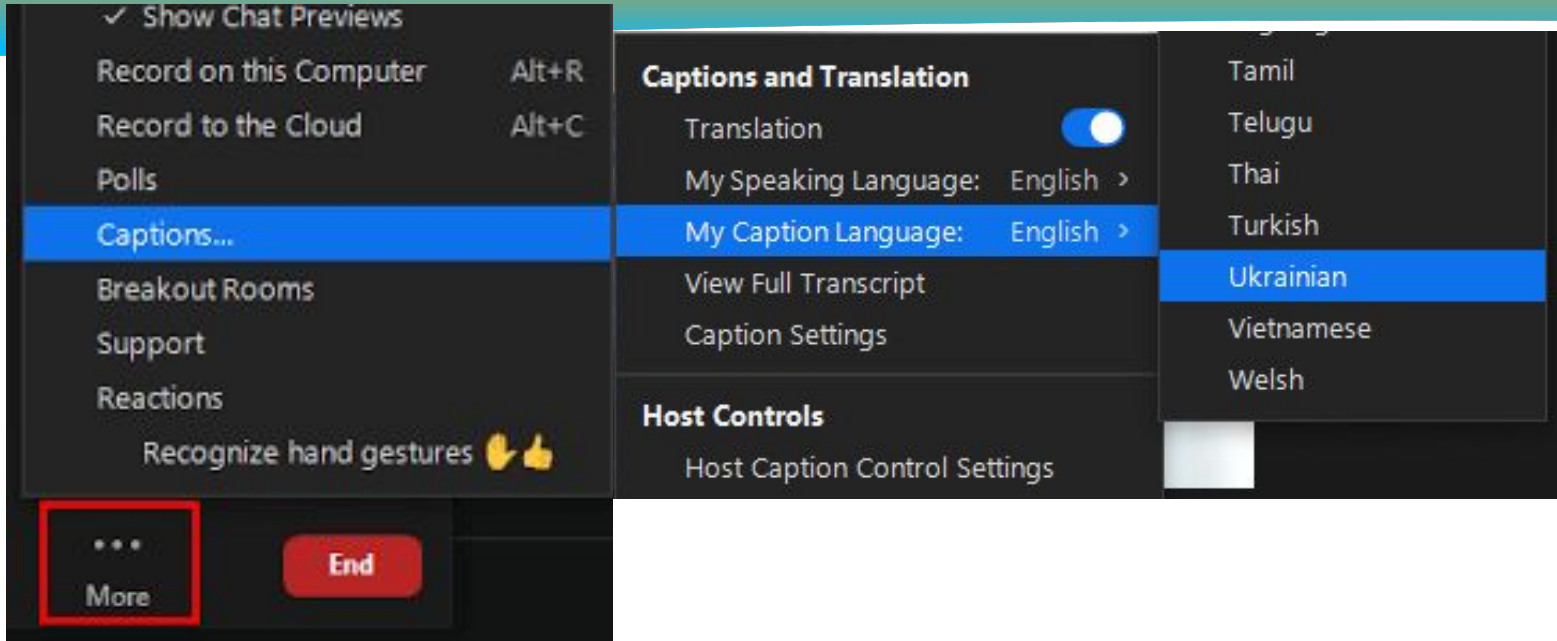
Immigration Updates

December 2025

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Northwest
IMMIGRANT
RIGHTS
Project

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Take a deep breath...

This is difficult content. We want our communities to be prepared with this information, and we also acknowledge how heavy and unjust this is.

Let's take a deep breath and get started.

Please visit our website for more information
on our services across WA: www.nwirp.org

*****Today's information is intended for educational purposes only*****

- Individuals with immigration questions should seek the advice and counsel of a reputable and experienced immigration attorney
- The information provided today is only guaranteed to be updated through today (December 11, 2025)
- To stay on top of immigration law updates, please go to:
 - Immigration Policy Tracking Project:
 - impolicytracking.org
 - Litigation Tracker:
 - justsecurity.org/107087/tracker-litigation-legal-challenges-trump-administration
- Please also join NWIRP's mailing list: www.nwirp.org/join/mailling-list

Today's Presentation: What We Will Cover...

- **Pause on Adjudication of All Asylum Applications**
- **Asylum Application Dismissals**
- **Asylum Cooperative Agreements (ACA)**
- **Pause on Processing Benefits Applications - Travel Ban Countries**
- **Review and Possible Re-Interview of Already Approved Applications**
- **TPS Termination - Haiti**
- **Updates on Family-Based Petitions**
- **Updates to Employment Authorization Document**
- **Updates to Naturalization Oath Ceremony**
- **Ports of Entry Updates**
- **Bond Eligibility and Habeas Cases - Good news!**
- **Updates to Special Immigrant Juvenile Deferred Action - Good news!**
- **WA - Commercial Driver Licenses Update - Good news!**
- **Preventing Notario Fraud**
- **Coordinated Response in WA to Possible Large-Scale Raids**
- **Preventing Notario and Other Fraud**
- **What Can I do?**

Pause on adjudication of all asylum applications

- Dec. 2, 2025 - USCIS Policy Memo
 - Hold issuing decisions on asylum applications (all nationalities)
 - Individuals can and should still submit their asylum applications affirmatively with USCIS (note: one-year filing deadline)
 - During this pause, an interview may still be scheduled
 - Remember that HR-1 imposes a \$100 application fee and a \$100 annual renewal fee

Asylum Application Dismissals

Dismissals prior to a final hearing or adjudication

Subject to “expedited removal” or “circumvention of lawful pathways”

- Expedited removal
 - Strips community members from their due process rights to appear before a judge to present their case
 - Who is currently subject to expedited removal?
 - People who crossed the border without being admitted or paroled and have been in the United States for 14 days or less and are arrested within 100 miles of the border
 - What happens if a community member is subject to expedited removal
 - Community members can still pursue relief by letting USCIS officers or ICE agents know that they fear returning to their home country and wish to be interviewed
- Circumvention of lawful pathways
 - This rule was in effect between May 2023 and May 2025. While it is no longer in effect, it still harms community members who entered within those dates.

Asylum Cooperative Agreements (ACA)

- What is it
 - Administration's way to outsource its international obligation to provide safety for people who are fleeing persecution and torture
 - The administration removes individuals fleeing safety to these third countries
- Who is impacted
 - Mostly community members who arrive through the Southern border
 - Rule implementing ACAs became effective on Nov. 19, 2019 -
- How does it work
 - ACA bars community members from applying for asylum if they entered on or after Nov. 19, 2019 through the Southern border
 - USCIS sends a notice that it intends to dismiss an application, or DHS notifies the court that it intends to remove the community member to an ACA country
 - The community member must be provided with an opportunity to argue they will be subject to persecution based on a protected ground in the ACA country
 - The community member must be provided with an opportunity to argue why ACA does not apply to them

Pause on processing immigration benefits for nationals subject to the travel ban countries

- Community members from 19 countries are impacted
- June 4, 2025 - Proclamation
 - Countries under full travel ban: Afghanistan, Chad, Republic of the Congo, Equatorial Guinea, Eritrea, Haiti, Iran, Libya, Myanmar, Somalia, Sudan, Yemen
 - Ban on all immigrant and non-immigrant visas
 - Countries under partial travel ban: Burundi, Cuba, Laos, Sierra Leone, Togo, Turkmenistan, Venezuela
 - Ban on immigrant visas. possible issuance of certain type of non-immigrant visas, such as employment visas
- Current (Administration's Dec. 2, 2025 policy memo)
 - Adjudication of all types of applications, including but not limited to applications for lawful permanent residency, citizenship, possibly employment authorization and renewal of temporary visas, on hold for nationals of all 19 countries
 - Administration also plans to re-review benefits (such as asylum and lawful permanent residency) previously approved for nationals of the 19 countries

Review and Possible Re-Interview of Already Approved Refugee Applications

- Nov. 27, 2025 - Policy memo makes drastic changes to refugee admission and refugee adjustment of status.
 - **Refugees admitted between Jan. 21, 2021 to Feb. 20, 2025** will have their refugee applications re-examined, and may be re-interviewed, to establish eligibility for refugee status as well as admissibility to the United States
 - Refugees with pending applications for adjustment of status will have their applications paused indefinitely

TPS Termination - Haiti

- Temporary Protected Status (TPS) is a temporary protection granted to people whose country of origin is experiencing civil strife or an environmental disaster
- Haitian born community members were originally granted this protection in 2010 after the country suffered a devastating earthquake
 - Reauthorization and renewals allowed since 2010
- Nov. 28, 2025 - DHS announced that it was terminating this protection, dismissing the fact that the country is in the midst of civil strife
 - Set to expire on February 3, 2026
 - Impacting protection from deportation and work authorization

Updates on Family-Based Petitions

Proposed rule to expand biometrics - published on Nov. 3, 2025

- What is it
 - USCIS has historically obtained fingerprints and pictures
- How will the expansion, if it becomes law, affect community members
 - Will apply to individuals, regardless of age
 - Will include collecting community members DNA
 - Will apply to not only the beneficiaries, but petitioners, sponsors, and derivatives

Proposed rule to public charge ground of inadmissibility - published on Nov. 17, 2025

- What is it
 - Applies to applicants for admission or adjustment who are either likely to become primarily dependent on the government for subsistence (cash assistance or income maintenance), or have been institutionalized for long-term care
 - The new proposed rule directs the agency to interpret the “public charge” ground to include the consideration of any past or future benefit use for any length or duration of time, including the use of “means-tested public benefits,” which have historically never been included in the public charge test

Updates on Family-Based Petitions - Continued

Continued –Proposed rule to public charge ground of inadmissibility

- For community members who hope to consular process, the expansion of public charge rule also means that the applicant's health issues will be considered to determine whether they will become a public charge
- How can it affect community members
 - If the proposed rule becomes law the agency will have a free hand to issue discriminatory and arbitrary decisions

Updates on Employment Authorization Document (EAD)

- **Interim Final Rule** to remove automatic extensions of EADs
 - As of Oct. 30, 2025 - no longer receive an automatic extension; some exceptions
- **Proposed rule** to pause adjudication of EADs for asylum seekers - pending (c)(8) category
- **Proposed rule** to refuse issuing EADs to those granted deferred action, parole, order of supervision
- Dec. 4, 2025 - **Policy Alert** - As of Dec. 5, the length of validity of EADs initial and renewal has been reduced from five years to 18 months for specific categories including pending asylum applications, refugees, adjustment of status, and TPS

Updates on Naturalization Oaths

- As of last month USCIS no longer schedules the oath ceremony on the same day of the applicant's citizenship interview
 - Applicants must also wait for a decision by mail after the interview
- We know anecdotally that community members whose citizenship applications are approved generally get scheduled for an oath ceremony within four to six weeks of their interview
- The pause on immigration benefits from nationals of 19 countries on the travel ban is also impacting naturalization oath ceremony dates even for applicants who met the requirements

Ports of Entry Updates

- **New biometrics rule**
 - On Dec. 26, 2025 CBP will initiate a new biometrics rule, taking photos and fingerprints of all noncitizens at entry and exit
- **Secondary screening**
 - Upon seeking admission, CBP has the authority to send travelers (U.S. citizens, green card holders, and those with temporary visas) to secondary screening. Important: KYRs
- **What triggers secondary screening**
 - Generally, past interactions with law enforcement, prior immigration violations, and social media flags
- **Who does CBP have the authority to detain and for how long**
 - Generally, CBP should do its best to release community members within 72 hours, per CBP standards...TEDS; actual times vary widely due to operational factors
 - May detain noncitizens and transfer to ICE custody
- **Who can CBP remove from the U.S.**
 - Temporary visa holders and travelers under visa waiver program. CBP does not have authority over U.S. citizens. CBP must refer green card holders to the immigration court if it believes they are removable/inadmissible
 - Lawful Permanent Residents: only an immigration judge can revoke your status. Do NOT sign Form I-407, abandonment

Good News!!

Bond Eligibility and Habeas Petitions

July 8, 2025: DHS Memo altered detention and bond eligibility nationwide

- Redefined what it means to be an applicant for admission, to include people arrested inside the U.S. long after they crossed the border
- Effectively eliminated bond hearings before an immigration judge—an unlawful reading of the statute

Sept. 5, 2025: Board of Immigration Appeals (BIA) adopted a similar interpretation in *Matter of Yajure Hurtado*

- NWIRP and partners litigating this issue; multiple courts across the country are finding this practice unlawful
- In Sept. 2025, NWIRP won a class action lawsuit against the government and Tacoma Immigration Judges, for denying bond to a class of individuals who entered without inspection, were not apprehended at the border, and do not have a disqualifying criminal or immigration violation
 - In Nov. 2025, NWIRP and partner organizations in CA won a nationwide class action in Central District of California. The court also held that government's refusal to provide a bond was against the law and that the class members were entitled to a bond hearing
 - The effect of these rulings:
 - While community members should now be able to request a bond hearing, immigration judges are still denying bond pursuant to *Yajure Hurtado*
 - We have had many successes by filing a habeas petition
 - We are also hearing that government is acting in bad faith and removing community members who are bond eligible out of the Tacoma detention center and relocating them to places like Texas

- Special Immigrant Juvenile (SIJ) classification Deferred Action
 - Deferred action allows youth with approved SIJ classification to apply for employment authorization while waiting for a visa number to become current in order to apply for adjustment of status (green card). It is also a temporary protection from arrest, detention, and removal
 - DHS terminated grant of deferred action incident to approval of SIJ in June 2025.
 - However, in Nov. 2025 a federal judge issued a temporary restraining order against termination of deferred action. So, now youth with approved SIJ classification can obtain deferred action and employment authorization

Preventing *Notario* and other Fraud

- Only licensed attorneys or fully DOJ accredited representatives can represent you in immigration court, can provide legal services, and can give legal advice
 - Check credentials: Practicing attorneys have a State-issued bar license; DOJ accredited representatives can be searched here:
<https://share.google/AohylzsM5r2gW6raW>
- Do not sign documents that are blank, that you do not understand, or that have false information
- Do not pay money without understanding the process and obtaining a receipt and a copy of your retainer
- Do get copies of all applications or other documents prepared for you or filed on your behalf
- If the advice seems too good to be true, get a second opinion

Preventing *Notario* and other Fraud

- Be alert to digital scams
 - Be skeptical of social media posts promising new or rapid immigration relief
 - There is no communication from the government via WhatsApp or social media
 - Generally, there is no communication by phone—with limited exceptions
 - Avoid sharing unverified information on social media
- Do report *notario* fraud or other scams to the Attorney General's Office
 - Victims may file a complaint online at www.atg.wa.gov or call 1-800-551-4636 between 10 a.m. and 3 p.m. weekdays. Written complaints can be filed in Spanish at www.atg.wa.gov/en-espanol.

Large-Scale Raid Response Collaboration

- **WAISN Hotline at 1-844-724-3737 and other local hotlines receive reports of potential ICE raids**
 - Plan: Hotline staff receive reports of a potential large scale raid and immediately communicate with NWIRP staff, including via ****largescaleraid@nwirp.org**** to determine potential raid location (before large-scale is confirmed)
 - ****partners communicate directly with NWIRP****
- **Rapid Response Teams**
 - Trained rapid responders gather initial information, usually connected via local hotlines to verify that a large scale raid (immigration enforcement) is actively happening
- **NWIRP Legal Response Team (Staff and Volunteer Attorneys)**
 - NWIRP staff and volunteers are mobilized once large-scale raid is confirmed
 - Once on-site, provide legal assistance and information
 - NWIRP attorneys work with detained community; **free** immigration legal services

What can I do?

For Impacted Community Members:

- Print a “know your rights” flyer to have at your home and/or workplace (<https://nwirp.org/resources/kyr/>)
- Create a safety plan with your family (lcywa.org)
- Create a sample defense plan, in addition to a family safety plan
 - See this resource specific to Colorado as an example:
 - https://coloradoimmigrant.org/wp-content/uploads/2025/01/Family-Preparedness-Packet-2025-ENG_SPA.pdf
- Join community based groups to support each other (e.g. [Mijente](#), [Undocublack Network](#), [My Undocumented Life](#), [United We Dream](#), [NAKASEC](#) and others)

LCYC Family Safety Plan - Virtual Appointments

- **Legal Counsel for Youth and Children (LCYC)**
 - Immigrant Safety Plan
 - Schedule a virtual one-on-one appointment
 - <https://lcyawa.org/isp>

IMMIGRANT SAFETY PLAN



What can I do?

For those who work with and/or care about immigrant community members:

- Listen to and respect community needs
- Offer to help immigrant community members that you know - be humble, ask what they need, let them lead the conversation.
 - Example: help them fill out a family safety plan (lcywa.org)
- Discuss with your workplace how to keep safe from ICE (search nilc.org for guides)
- Order/print Red Cards to have at your workplace, to share at businesses you frequent so they can make available to their customers (ilrc.org/red-cards-tarjetas-rojas)
- Learn about and join efforts of existing community members for accompaniment (waisn.org, [JCIJ NW](http://JCIJNW.org), [The Church Council of Greater Seattle](http://TheChurchCouncil.org)), or other ways to directly help (AIDNW.org, fairfightbondfund.org, [NDLON Adopt a Day Labor Corner](http://NDLON.org))

Next NWIRP Webinar

- Stay tuned!

Watch recorded webinars here:

nwirp.org/webinars/

Thank you!