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2025 IMMIGRATION EXECUTIVE ORDERS: ENFORCEMENT & EMPLOYER IMPACT



UNDERSTANDING NEW POLICIES AFFECTING ENFORCEMENT AND WORKPLACES

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IMMIGRATION & COMPLIANCE CO-CHAIR

Kate Kalmykov

Co-Chair, Global Immigration
& Compliance Practice

+1 973.443.3276
Kate.Kalmykov@gtlaw.com

Based in our New York and New Jersey offices, Kate has over two decades of experience in business immigration matters. Kate currently Co-Chairs the Global Immigration & Compliance Practice at Greenberg Traurig. In this role, she works with employers of all sizes across a variety of industries in understanding and complying with the immigration laws relating to the hiring and retention of foreign talent.

She has been instrumental in developing employer compliance programs for DOL related filings including H-1Bs and PERMs, as well as for I-9 employment eligibility verification. To this end, she develops and conducts nationwide I-9 compliance trainings and policy manuals for human resources personnel, advises on best practices for E-Verify employers, provides guidance on avoiding immigration-related unfair employment practices claims and has defended and minimized penalties in immigration-related government audits.

INTRODUCTION



OVERVIEW OF 2025 IMMIGRATION LANDSCAPE

Enforcement and Compliance

The administration intensified immigration enforcement with expanded expedited removals and increased ICE raids.

Visa Program Reforms

New priorities include cracking down on H-1B visa abuses through Project Firewall and stricter employer scrutiny.

Impact on Employers

Employers face heightened compliance demands, especially with I-9 verification and visa sponsorship practices.

Humanitarian Program Changes

Termination of programs like TPS and parole reflect a shift away from humanitarian immigration policies.

ENFORCEMENT



EXECUTIVE ORDERS DRIVING ENFORCEMENT

Expanded Removal and Registration

Executive Order 14159 broadened expedited removal and mandated registration for all unregistered aliens in the U.S.

Homeland Security Taskforces

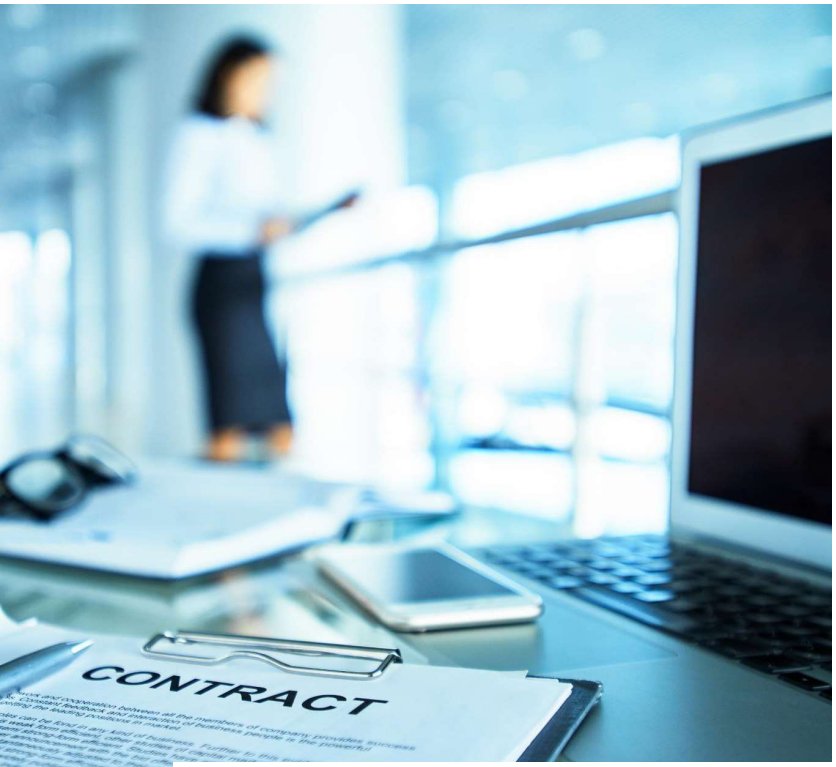
New taskforces were authorized to combat criminal networks and human trafficking across the country.

Border Security Enhancements

Orders terminated humanitarian parole programs and improved detention capabilities to secure U.S. borders more effectively.

State Law Enforcement Deputization

State officers were deputized under 287(g) agreements to act as federal immigration agents, increasing enforcement reach.



EMPLOYER IMPACT

Increased Enforcement Actions

ICE plans 12,000–15,000 I-9 audits and over 100 workplace raids, increasing scrutiny on employers.

Revocation of Sensitive Location Policies

Raids now allowed in schools, hospitals, and courthouses, raising disruption risks for employers.

Employer Compliance Responsibilities

Employers must train staff, prepare for raids, and implement compliance to avoid fines and penalties.

Managing Foreign Employee Policies

Reassessing travel and documentation policies is critical to mitigate legal and reputational risks.



COMPLIANCE FOCUS

I-9 Verification Importance

Employers must verify identity and work authorization of new hires using Form I-9 to ensure legal compliance.

Audit Preparedness

Regular internal audits and mock compliance checks help organizations maintain readiness for ICE enforcement actions.

HR Training and Response

HR teams should be trained to verify warrants and contact legal counsel during ICE visits to protect the company. Develop Rapid Response Plans to know how to han

Policy Updates and Record Keeping

Updating compliance policies and maintaining detailed employment authorization records are vital to avoid penalties.

TPS & PAROLE PROGRAMS

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CHANGES TO TPS & PAROLE PROGRAMS

Termination of CHNV Parole Program

The CHNV Parole Program ended in March 2025, affecting nationals from Cuba, Haiti, Nicaragua, and Venezuela facing possible deportation.

TPS Designation Changes

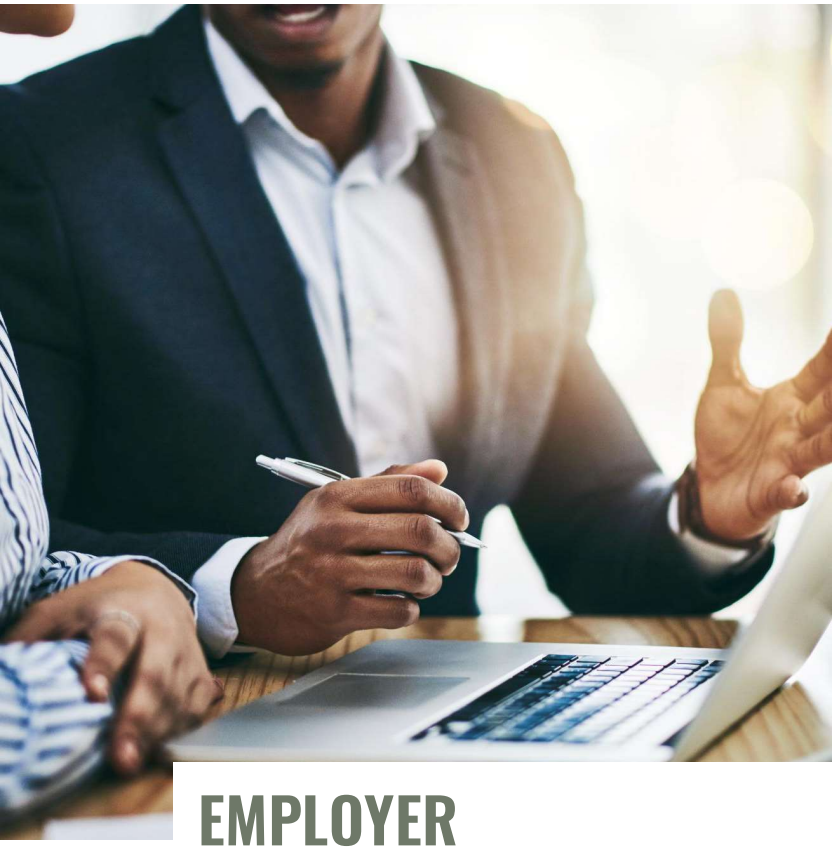
TPS was terminated for Afghanistan, Cameroon, Nepal, Venezuela and Haiti. Litigation has ensued and is being closely monitored.

Impact on Employers and Workforce

Employers must verify work authorization validity and prepare for workforce disruptions due to program terminations.

Policy Shift Focus

Policy changes aim to limit humanitarian immigration benefits while prioritizing national security concerns.



EMPLOYER CONSIDERATIONS

Verify Work Authorization

Employers must check the work authorization status and documentation of employees affected by TPS and parole changes.

Prepare for Workforce Changes

Organizations should anticipate workforce disruptions and plan accordingly, especially in sectors with many TPS beneficiaries.

Legal and HR Collaboration

HR teams should coordinate with legal counsel to ensure smooth visa transitions and compliance with immigration laws.

Clear Employee Communication

Employers need to communicate transparently with affected employees, offering support and guidance during transitions.

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H-1B COMPLIANCE & PROJECT FIREWALL

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MAJOR H-1B CHANGES

Supplemental Fee Introduction

A $100,000 supplemental fee applies to new H-1B petitions filed after September 21, 2025, for beneficiaries outside the U.S.

- Limited to one year
- -Explore alternative work visa and training visa options
- -Consider international transfers
- -National Interest exceptions will be considered

Policy Reforms

Reforms include raising prevailing wage levels and prioritizing higher-paid, highly skilled workers in the H-1B lottery.

Employer Impact

Employers must assess financial implications and may face reduced participation, especially among smaller businesses.

Legal Challenges and Compliance

Ongoing legal challenges exist, but employers should prepare for compliance under the current H-1B framework. It is unclear if the Proclamation will be extended



PROJECT FIREWALL

Enhanced H-1B Enforcement

Project Firewall will result in an increase in DOL H-1B audits and may reach beyond Hs

Focus Areas of Investigation

Investigations target wage underpayment, failure to file amended petitions where required, lack of proper documentation related to Public Access Files, misrepresented worksites, and displacement of U.S. workers under H-1B programs.

Interagency Collaboration

Project Firewall involves cooperation between Department of Labor, USCIS, DOJ, and EEOC to enforce anti-discrimination laws.

Employer Compliance and Risks

Employers must review applications, wages, and remote work to avoid fines and debarment, keeping thorough records is critical.

TRUMP GOLD CARD & OTHER CHANGES



TRUMP GOLD CARD PROGRAM

Program Overview

The Gold Card program aims to offer fast-track permanent residency through significant financial contributions to the U.S. Treasury. Not in effect yet- no mechanism to apply.

Financial Contribution Details

Individuals contribute $1 million, corporations $2 million, and Platinum Card requires $5 million for extended residency benefits.

Adversely Impacts Employment Based Immigration

Seeks to take green card numbers from the EB-1 and EB-2 categories which are already backlogged particularly for China and India. May result in litigation.

Considerations for Participants

Employers and investors must weigh risks and benefits carefully before engaging with the program due to legal uncertainties as it is not an act of Congress.

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OTHER KEY CHANGES



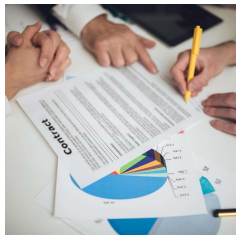
Travel Ban

Bans nationals of certain countries from entering the U.S. Full ban on IV and NIV visas applies to 12 countries includes Afghanistan, Chad, Iran, Myanmar, Sudan, Somalia and Yemen. Partial ban applies to nationals of 7 countries (doesn't include work visas) Cuba, Turkmenistan, Venezuela, Laos and 36 additional countries are also under consideration pending a review- includes African and Caribbean countries.



Changes to Consular Processing

In consideration of national interest and security priorities the Administration is requiring all visa applicants – IV or NIV to process and have an in person interview in their country of citizenship or residence for visas which will cause travel delays and impact international assignments.



Employers Must Carefully Assess Proper Visa Classifications

Overseas employees traveling to the US on B-1 Business Visitor Visas or ESTAs for certain activities may become target for government scrutiny. It will be important to review all available options.

ACTION PLAN FOR EMPLOYERS

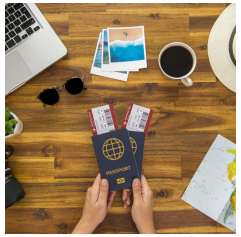
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STRATEGIC COMPLIANCE AND RISK MITIGATION



Compliance Actions

Conduct regular I-9 audits, train HR on ICE protocols, and implement E-Verify for accurate employment verification.



Budget and Policy Updates

Review visa sponsorship budgets for the new H-1B fee and update travel policies for increased consular scrutiny.



Monitoring and Legal Guidance

Monitor TPS and parole status, explore alternative visas, and consult legal counsel for long-term immigration planning.

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THANK YOU!

Contact:

Kate Kalmykov

Co-Chair, Global Immigration & Compliance Practice

+1 973.443.3276
Kate.Kalmykov@gtlaw.com



View Bio:



