



MELTZER HELLRUNG
IMMIGRATION SOLUTIONS

The First Month of Trump

What We Know and How Employers
Can Stay Prepared

February 25, 2025



INTRODUCTION



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INTRODUCTION

- **Meltzer Hellrung combines an innovative service model, proprietary technology, and a creative immigration team**
- **200+ corporate clients: Global 200, Fortune 500, Venture-backed unicorns**
- **Recognized in 2023 by Crain Magazine as a top 100 best places to work in Chicago**
- **Meltzer Hellrung has been ranked in the Illinois Chambers Spotlight 2025 Guide and recognized as a top law firm handling high-quality work.**





Responsive

Average Email Response Time:
4.5 hours

Efficient

Transfer case turnaround: 10
business days

Client-focused

90+ NPS Scores

Program Management

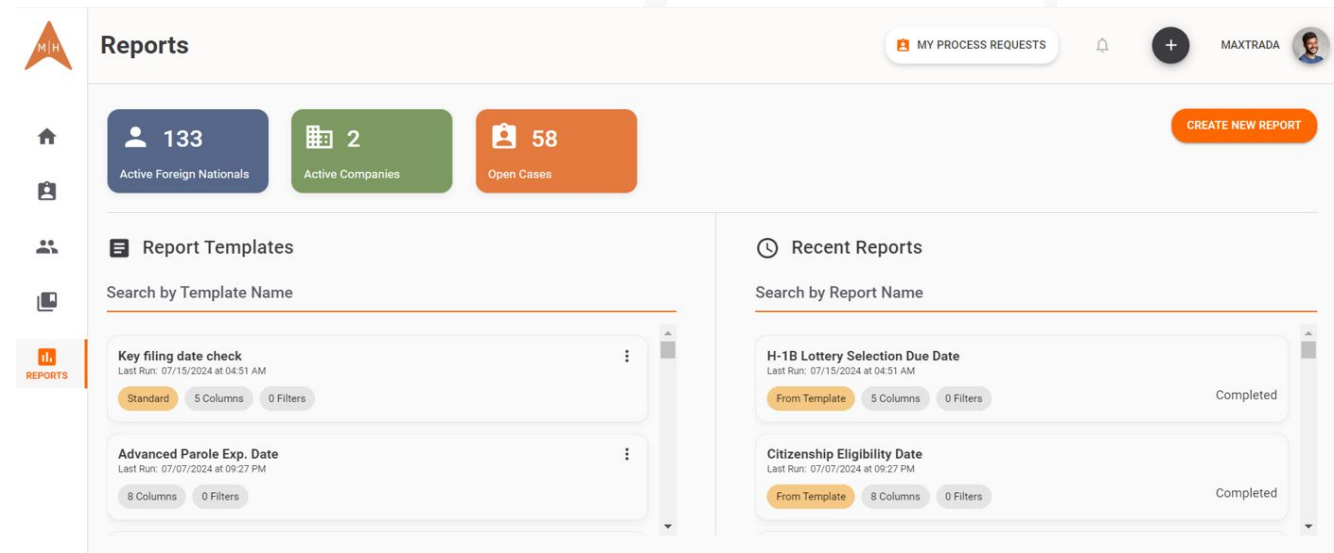
Account team, regular
touchpoints

VOYAGER®



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- Our proprietary immigration program management platform
- Drives process efficiency, transparency, and centralization of all immigration information
- Core Features:
 - Dashboards that drive transparency
 - Efficient workflow automations that save time
 - Extensive immigration reporting capabilities
 - Comprehensive knowledge center



PRESENTERS



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 **PRESENTERS**

MATTHEW HELLRUNG

Co-Founder and Managing Partner

Specializes in scaling immigration programs for high-growth clients via immigration policy creation and stakeholder training.



MATTHEW MELTZER

Co-Founder and Managing Partner

Specializes in assisting foreign companies to enter the U.S. market and building custom solutions for entrepreneurial and high net-worth clients. Most recently recognized as one of Crain's Chicago Business Notable Leaders in Accounting, Consulting & Law!

AGENDA



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AGENDA

- **State of Immigration**
- **Actions Affecting Lawful Immigrant Pathways**
- **Actions Affecting Undocumented Immigrants**
- **What to Expect Next**
- **How to Stay Prepared**

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State of Immigration



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STATE OF IMMIGRATION

➤ **U.S. Citizenship and Immigration Services (USCIS)**

- ~10% Request for Evidence (RFE) at end of 2024
- ~4% Denial rate
- ~1.5x Processing delays across most employment and family-based filings

➤ **U.S. Department of State (DOS)**

- ~20% overall visa denial rate (mostly F-1s and B-2s)
- Employment-based visa denial rate under 10%
- Visa interview waiver program expanded, In-country H-1B visa stamp pilot

➤ **Immigration and Customs Enforcement (ICE)**

- Largely focused on arresting undocumented immigrants with criminal convictions or pending charges
- Under 40 noncriminal arrests per day nationally
- I-9 enforcement largely complaint-based with emphasis on using E-Verify



STATE OF IMMIGRATION

➤ **U.S. Department of Labor (DOL)**

- Approves H-1B LCAs, Labor Certifications (PERM)
- Largely complaint-based Wage and Hour investigations
- ~4% PERM denial rate in 2024

➤ **U.S. Customs and Border Patrol (CBP)**

- January 2024 10,000+ arrests per day
- January 2025 ~500 arrests per day (Mexico helped)
- Used CBP One app for asylum applicants
- ~40,000 asylum admissions per month

➤ **Office of Refugee Resettlement (ORR)**

- Settled over 60,000 refugees in 2023 (goal was 125,000)
- Process takes 18-24 months



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Actions Affecting Lawful Immigrant Pathways



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ACTIONS AFFECTING LAWFUL IMMIGRANT PATHWAYS

➤ **Refugees**

- Suspended indefinitely all refugee entry, including pending applications, pending a 90-day review and report, stranding 22,000 previously approved refugees
- Directive heightening identification standards (already very high) such that current unsettled approvals may be denied

➤ **Asylum**

- Reports of CBP no longer honoring asylum claims at any U.S. border
- Terminated CBP One app asylum interview system, cancelling 30,000 appointments

➤ **Humanitarian Programs and Parole**

- No longer available for Cuban, Haitian, Ukrainian, Venezuelan, Nicaraguan nationals seeking entry to U.S.
- Ended green card program reuniting families separated from children
- ICE allowed to invalidate anyone's parole immediately



ACTIONS AFFECTING LAWFUL IMMIGRANT PATHWAYS

➤ **Temporary Protected Status (TPS)**

- Partially rescinded Venezuelan and Haitian TPS (over 800,000 affected)
- Likely to rescind most or all TPS designations in the next 18 months
 - Afghanistan, Burma (Myanmar), Cameroon, El Salvador, Honduras, Lebanon, Nepal, Nicaragua, Somalia South Sudan, Sudan, Syria, Ukraine, Venezuela, Yemen

➤ **DOS reduction in dropbox visa application availability**

➤ **Political Threats**

- Cancelling hundreds of U.S. visa appointments for Colombians after spat over taking deportees
- Threat to cancel F-1 student visas of all Hamas sympathizers in U.S.

➤ **Executive order attempting to end birthright citizenship**

- Highly unlikely

➤ **ICE harassment and arrests of green card holders and U.S. citizens**

Actions Affecting Undocumented Immigrants



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ACTIONS AFFECTING UNDOCUMENTED IMMIGRANTS

- **Eliminated Biden enforcement priority of pursuing undocumented immigrants with pending charges or criminal record**
 - 10x increase in ICE noncriminal arrests (45/day to 450/day)
 - Current deportation rate of 7,500/week lower than Biden's 12,000/week
- **Created ICE arrest quotas and increased access**
 - Increasing likelihood of arrest even where not warranted (U.S. citizens)
 - Permitting arrests at schools, churches, courthouses
- **Expanding expedited removal to include entries up to 2 years prior**
 - Allows ICE agents to order and remove someone immediately without due process
- **Ordered DOS to create a registration process for all non-U.S. citizens**
 - Failure to register would be a criminal offense



ACTIONS AFFECTING UNDOCUMENTED IMMIGRANTS

- **Ordered Department of Justice to prioritize illegal entry cases**
 - Over criminal prosecutions
- **Ordered ICE-Homeland Security Investigations (HSI) to prioritize immigration enforcement over criminal trafficking**
 - Trump did this in his first term as well
- **Reassigning FBI, DEA, and other law enforcement agencies from criminal to immigration enforcement**
 - Organized Crime Drug Enforcement Task Forces told to prioritize prosecution of immigration offenses over drug crimes
- **Threat of restricting federal transportation funding to sanctuary cities**
 - May restrict law enforcement grants in future



ACTIONS AFFECTING UNDOCUMENTED IMMIGRANT

- **State police allowed to act as immigration agents during “mass influx”**
 - Actual agreements needed, however, which could takes weeks/months
- **Suspension of all asylum relief at U.S. border**
 - Largely already in place under Biden since 2024
- **Diversion of military funding/resources to border and deportation**
 - Greater use of military resources for deportation holding (Guantanamo)
 - 1,500 military personnel order to have standing mission on border
 - Greater use of military planes for deportation transportation
- **Leveraging tariffs on Mexico/Canada to increase border enforcement**
 - Mexico actually making more arrests than CBP in 2024

What to Expect Next



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WHAT TO EXPECT NEXT

➤ **Travel bans**

- Order requiring Secretary of State new vetting requirements by February 19th
- Burma, Iran, North Korea, Kyrgyzstan, Libya, Nigeria, Somalia, Sudan, Syria, Tanzania, Venezuela, Yemen, Palestinian Authority

➤ **Delayed consular processing**

- Reduced visa interview waiver process availability
- Expected reduction in DOS consular staff coming
- Expect increased 221g, denials, and visa stamp processing as new Secretary of State Marco Rubio takes over

➤ **Larger ideological shift in adjudications at DOS, CBP, USCIS, DOL**

- Person's country of birth, place of residence, physical appearance, and/or religious affiliations may be more heavily considered going forward

➤ **Increased barriers to immigration benefits**

- More “public charge” type regulations, increasing income requirements for permanent residency

MELTZER ANGLER & SCHEINER INCREASE in filing fees for humanitarian, family, and employment-based visas



WHAT TO EXPECT NEXT

- **Termination of work authorizations**
 - Asylum applicants, parolees
 - H-4, L-2, E-3D, J-2 dependent authorizations
- **Termination of TPS designations and all humanitarian parole**
 - Affects ~1.5 million immigrants in the U.S. with work authorization
- **Rise in RFEs/inquiries/audits and denials across all family-based and employment-based filings**
 - DOS, CBP, USCIS, DOL
- **Substantive change in H-1B lottery selection criteria for 2026**
 - Mentioned during Trump's first term, could move to more of a merit-based system
- **Increase in prevailing wages for H-1B, E-3, H-1B1, and green card cases**
 - Wage data is traditionally updated annually on July 1st
 - New regulations are needed to change wage review process



WHAT TO EXPECT NEXT

- **Increased site visits from USCIS Fraud Detection and National Security (FDNS) Unit**
 - Applies primarily to H-1B and L-1 visa employees
- **Increased immigration coordination and enforcement by federal, state, and local law enforcement**
 - “mass influx” designation allows agreements to be executed, deputizing state and local immigration agents
 - Increased worksite enforcement activities by ICE, HSI, FBI, DEA, ATF, state and local law enforcement

How to Stay Prepared



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HOW TO STAY PREPARED

- **Centralize your company's I-9 and immigration data**
 - Adopt a system that allows for safe storage and quick reporting
 - Adopt E-Verify or E-Verify+, if appropriate
- **Review your I-9 completion, storage, and audit procedures**
 - A spot audit might be useful to understand your overall financial risk
- **File now!**
 - File work authorization extensions and early as possible before current expiration
 - Initiate green card cases as long-term solutions and ask vendor to prioritize the fastest options (EB-1, EB-2 NIW, EB-2 EA)
 - Sponsor for the H-1B lottery if you can
- **Create a site visit protocol plan**
 - Who will receive a government agent? Where will you put them? Do you know your employer rights?



HOW TO STAY PREPARED

- **Create an immigration policy for employment-based sponsorships**
 - Who will the company sponsor for what, when? How much will the company pay for?
- **Communicate with your employees!**
 - Partner with your counsel to review your immigration program and create a plan to communicate the company's stance on immigration to worried employees
 - Provide your employees with good information via counsel
 - Give your employees access to immigration counsel to ask questions when needed
- **Ask employees to refrain from unnecessary international and local travel**
 - With imminent travel bans, international travel should be on an as-needed basis
- **Build contingency plans for at-risk employees with your counsel**
 - Be it a green card, H-1B sponsorship, marriage, or nomad visa
- **Make sure your employees know their rights!**



HOW TO STAY PREPARED

➤ **Review your immigration counsel**

- Does your counsel have all the skills/tools needed to help support your immigration program over the next 4 years?
- Can your counsel support visas in other countries if necessary?
- Can your counsel litigate against the government?
- Does your counsel have staffing and account plans to make sure your employees are prioritized?

M/H

QUESTIONS?



MATTHEW HELLRUNG

Co-Founder and Managing Partner

mhellrung@meltzerhellrung.com

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Co-Founder and Managing Partner

mmeltzer@meltzerhellrung.com

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