



Lincoln-Goldfinch Law

AN IMMIGRATION LAW FIRM



Immigration Update *for Professionals*

with **Kate Lincoln-Goldfinch**



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ourselves and our clients

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matters so much

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Discussion

Policy Changes Under 2.0



- DHS Secretary vacates extension of--and then terminates--2023 designation of TPS for Venezuela
- ICE eliminates requirement that personnel look for evidence an encountered person is a crime victim that could merit enforcement discretion or immigration relief
- Report: ICE adopts new policies which make it harder for Congress to stay deportations through private immigration bills
- EOIR's Office of Legal Access Programs Condemned as "Wasteful"
- EOIR Acting Director Reinstates Trump Memo on Child Advocates
- EOIR Acting Director Orders "Fair Treatment" for OCA/ICO
- Reporting that DHS plans to terminate CHNV parole processes and revoke parole by placing certain beneficiaries in removal proceedings
- Reported: ICE aims to lower detention standards to increase the use of state jails
- EOIR Acting Director reinstates guidance to restrict continuances
- EOIR Acting Director reinstates restrictive rules on asylum processing and clock
- EOIR Acting Director reinstates policy directing IJs to adjudicate asylum claims within 180 days
- EOIR Acting Director axes Friends of the Court
- EOIR Acting Director directs employees "to cooperate fully" with Anti-Fraud Program
- EO 14(c): POTUS Orders DOS and DHS to Review Entry of Transgender Athletes
- Reported: ICE Limits Release of Immigrant Detainees, Requiring Sign-off by ICE Director
- §4 of EO ["Imposing Sanctions on the International Criminal Court"] imposes entry restrictions on ICC-affiliated individuals
- EOIR Acting Director rescinds guidance on language access in immigration court
- President Trump orders review of federal funding for NGOs
- EO 14204: "Addressing Egregious Actions of the Republic of South Africa" § 2(b) declares U.S. policy to promote resettlement of Afrikaner refugees
- Reported: ICE utilizing federal prisons for immigration detention
- Reported: DHS asks Treasury to deputize IRS criminal investigators to assist in immigration enforcement.
- CBP Orders Collection of Biometric Data of Noncitizen Children Under 14 Encountered Between Ports of Entry
- DHS Revokes \$80 Million in FEMA Funds Allocated to NYC to House Migrants and Fires FEMA Officials Involved in Transfer
- EOIR Acting Director reinstates 30-day filing deadline for non-detained cases
- Reported: DHS fires nearly 50 USCIS employees
- Reported: ICE granted access to Office of Refugee Resettlement unaccompanied minors database
- Office of Refugee Resettlement requires fingerprints/background checks of sponsors, household members, and caregivers of unaccompanied children
- DOS proposes changes to Form DS-II (Application for a U.S. Passport), and will no longer issue passports with "X" sex markers
- Reported: Justice Department Fired 20 Immigration Judges
- Reported: CBP orders Border Patrol agents to stop wearing body cameras in response to "security risk"
- Reported: Chief of DOJ's Immigrant Employee Rights Division Replaced
- DHS announces domestic and international advertising campaign encouraging self-deportation and discouraging potential migrants from coming to the U.S.
- ICE directs review on non-detained docket for redetention and removal
- ICE directs ERO officers to consider expedited removal for large categories of noncitizens
- DOS proposes changes to DS-82 (U.S. Passport Renewal Application) to eliminate "X" gender marker from application
- DOS proposes changes to Form DS-5504 (Application for a U.S. Passport for Eligible Individuals: Correction, Name Change to Passport) to no longer allow "X" gender marker
- DOS updates nonimmigrant visa interview waiver categories
- USCIS Issues Revised Guidance on DED for Certain Hong Kong Residents
- Trump administration issues stop-work order for legal service providers representing unaccompanied minors
- EO 14218: "Ending Taxpayer Subsidization of Open Borders"
- Reported: Trump administration to issue public health order to restrict immigration at southern border
- Reported: DHS will use polygraphs after ICE raid location leaks
- Acting Director of EOIR issues Policy Memo limiting the Access EOIR Initiative
- DHS Deputizes State Department Diplomatic Security Service Special Agents as Immigration Officers
- Reported: Trump administration plans to build immigration detention facilities on military sites across U.S.
- EOIR announces removal restrictions may not apply to judges and agency leaders
- Reported: ICE releases the "Unaccompanied Alien Children Joint Initiative Field Implementation" Memo
- USCIS announces new form edition for several forms with no grace period for prior editions
- DOJ drops lawsuit against SpaceX for discriminatory hiring practices against immigrants
- USCIS changes Form I-914 (Application for T Nonimmigrant Status) to no longer allow "X" gender marker
- DHS Secretary reduces duration of recent extension and redesignation of TPS for Haiti
- Reported: Trump presents Gold Card program to replace the EB-5 visa
- DHS announces that it will enforce laws that penalize undocumented immigrants
- DOS expands visa restriction policy for individuals linked to Cuban labor export program
- ICE signs contracts with private prisons to expand immigrant detention capacity
- Reported: CBP is holding families in tent facilities for extended periods of time
- USCIS releases policy memo on issuance of NTAs in cases involving inadmissible and removable noncitizens
- Reported: DHS asks IRS for information about undocumented immigrants
- EOIR Acting Director issues PM 25-24 to "reset adjudicator personnel hiring and discipline policies"
- EO 14224 "Designating English as the Official Language of the United States"
- USCIS changes Form I-918 (Petition for U Nonimmigrant Status) and supplements to no longer allow "X" gender marker
- USCIS changes Form I-485 (Application to Register Permanent Residence or Adjust Status) to no longer allow "X" gender marker
- USCIS changes Form G-325A (Biographic Information (for Deferred Action)) to no longer allow "X" gender marker
- USCIS changes Form I-134 (Declaration of Financial Support) to no longer allow "X" gender marker
- USCIS changes Form I-192 (Application for Advance Permission to Enter as a Nonimmigrant) to no longer allow "X" gender marker
- USCIS proposes to collect new information on certain forms to enhance screening and vetting of applicants
- USCIS changes Form N-400 (Application for Naturalization) to no longer allow "X" gender marker
- USCIS changes Form I-131 (Application for Travel Documents, Parole Documents, and Arrival/Departure Records) to no longer allow "X" gender marker
- State Department Announces Visa Restrictions for Foreign Officials and Others "Facilitating Illegal Migration"
- USCIS proposes to collect social media identifiers on certain forms to enhance screening and vetting of applicants
- DOJ establishes "Operation Take Back America" to implement President and AG's "core policy objectives"
- Reported: State Department launches "Catch and Revoke" initiative to revoke visas of students engaged in "pro-Hamas" activity
- EO 14235: "Restoring Public Service Loan Forgiveness"
- Reported: ICE plans to revive family detention at Karnas and Dilley facilities
- Reported: DOJ drops Biden-era lawsuit relating to sexual abuse of migrant children
- Policy Changes Under 2.0
- Additions After June 28, 2025
- FR 7/1/25: DHS terminates Haiti TPS (new termination schedule issued)
- FR 7/8/25: DHS terminates Honduras TPS
- FR 7/8/25: DHS terminates Nicaragua TPS
- FR 11/6/25: DHS terminates South Sudan TPS
- FR 11/25/25: DHS terminates Burma (Myanmar) TPS
- FR 11/28/25: DHS re-issues Haiti TPS termination notice (superseding prior notice)
- FR 7/22/25: USCIS implements new immigration fees required by HR-1 reconciliation bill
- FR 9/8/25: DHS begins assessing new immigration enforcement-related fees under HR-1
- FR 1/21/26: EOIR inflation adjustment to immigration court filing fees (effective 2/1/26)
- FR 8/21/25: EOIR Final -- designation and expansion of Temporary Immigration Judges
- FR 9/19/25: EOIR updates appeal and appearance forms (EOIR-26, 27, 28, 41)
- FR 9/19/25: EOIR updates attorney discipline complaint process (EOIR-44)
- FR 12/30/25: DOJ confirms effective date + partial withdrawal of "Security Bars and Processing" rule
- FR 2/6/26: DOJ Interim Final Rule -- major BIA appellate procedure overhaul (briefing/timing changes)
- 7/8/25: ICE interim guidance re detention authority for "applicants for admission"
- 9/6/25: Reported BIA decision limiting bond eligibility for certain entrants
- 9/18/25: CBP publishes FOIA records on detention of applicants for admission
- 9/19/25: Presidential Proclamation restricting entry of certain nonimmigrant workers
- 10/20/25: USCIS alert implementing nonimmigrant worker entry restrictions
- FR 12/29/25: DHS Final Rule -- weighted H-1B cap selection process replaces random lottery
- V30/26: USCIS announces FY2027 H-1B registration cycle under new weighted selection framework
- FR 2/3/26: DHS/DOL exercise authority to increase FY2026 H-2B numerical cap
- 8/1/25: USCIS Policy Alert -- refugee & asylee adjustment interview criteria updated
- 9/19/25: USCIS announces U-visa statutory cap reached for FY2025
- 11/3/25: USCIS Policy Alert -- admission framework for adjustment under INA 245(a) revised
- 11/27/25: USCIS Policy Alert -- discretionary factors updated
- 12/4/25: USCIS Policy Alert -- employment authorization validity periods modified
- 12/12/25: USCIS Policy Alert -- photograph reuse permitted for identity documents
- 12/19/25: USCIS rescinds expedited naturalization processing for certain SSI recipients
- 12/22/25: USCIS Policy Alert -- VAWA self-petitioner guidance updated
- 2/3/26: USCIS Policy Alert -- applicability of 8 USC 1367 confidentiality provisions clarified
- 12/16/25: Presidential Proclamation further restricting and limiting entry of foreign nationals on national security grounds
- 12/4/25: USCIS announces expanded screening and vetting of individuals working in U.S.
- 8/19/25: USCIS announces consideration of "anti-Americanism" in adjudications

Federal changes

1. Acceleration + Volume as Strategy

- The “worst of the worst” to ~14% no criminal record
- Administrative instability
- Judicial overwhelm
- Deterrent effect – self deportations

2. Interior Enforcement

- Roving Patrols
- Masked agents
- Safe Places memo rescinded
- Expanded detention
- Greatly narrowed bond eligibility
- Family separation and family detention

3. Procedural Tightening in EOIR

- BIA appellate overhaul
- Fee increases
- Removing judges
- Courthouse arrests

4. TPS + DACA

- Legal status remains uncertain
- Renewals allowed; no new applications
- Work permits at risk
- TPS revoked from Honduras, Nicaragua, Nepal, Somalia, Burma, South Sudan, Ethiopia, Haiti, Venezuela, Afghanistan

Court hearings & ICE Check-ins

- In several jurisdictions, **ICE has made arrests outside immigration courthouses**
- Missed court hearings or ICE check-ins can carry severe immigration consequences, including detention or removal.
- **Civil courts in Travis County:** limited enforcement so far, seek virtual hearings where possible
 - **“Multilingua/International”**
 - **“Language Access”**
 - **“Concerns for Safety”**



TEXAS

The Parallel Immigration System

- SB 4 (2017) anti-sanctuary framework
- State-funded border wall
- Operation Lone Star
- State-funded migrant busing program
- Criminal trespass prosecutions tied to migration

SB 4 2017

Also known as the **Anti Sanctuary** law.

2017 Senate Bill 4 of Texas, requires local and state law enforcement to collaborate with federal immigration authorities (ICE) in detaining undocumented individuals. This law has been controversial due to its impact on immigrant rights and the relationship between local and federal authorities.

- **Ban on "Sanctuary" Cities:** SB4 prevents cities or counties in Texas from declaring themselves "sanctuaries," requiring local agencies to cooperate with ICE.
- **Penalties for Non-Compliance:** The law imposes fines and other penalties on officials who refuse to cooperate with ICE, and allows police officers to act as immigration agents in certain situations.



SB 4 2023

(Enjoined)

The State-Level Removal Attempt

**TEXAS
ATTEMPTED TO**

- **Criminalize** unlawful entry at the state level
- **Empower** state judges to order removal
- **Create** state deportation authority

SB 8 2025

- Requires sheriffs in counties >100,000 population to request 287(g) **agreements with ICE**
- **287(g) allows local jail officers** to perform certain federal immigration **enforcement functions**
 - ◆ **3 levels:**
 - Warrant Service,
 - Jail Enforcement,
 - Task Force
- Applies **primarily in county jail setting**
- Expands **local-federal enforcement** integration
- Implementation dependent on **ICE approval and training**

DPS Enforcement – Task Force Model

Texas DPS + Highway Patrol

Immigration + Related Enforcement

- DPS Highway Patrol surge in border regions under **Operation Lone Star**
- Traffic stops used as primary enforcement entry point
- All over Texas, including in Austin: formally delegated federal immigration authority
- DPS can engage in **immigration questioning and enforcement during patrol activity urge**



Top 3 Pieces of Advice

-  **Consult with an Immigration Attorney**
-  **Know your rights**
-  **Develop a Family Plan**

Safety Planning Resources

Bilingual materials to support our clients and community at abogadakate.com/safety

The goal is empowering immigrants with knowledge of their legal rights to handle interactions confidently.

- **Legal Protections:** Offering pathways like U/T visas and asylum to ensure safety and stability.
- **Stay Informed:** Preparing for policy changes with updated documents and proactive legal guidance.
- **Access to Resources:** Ensuring immigrants receive tools like legal aid, preparedness plans, and community programs to navigate their journey successfully.



*Available in
English & Spanish!*

UNITED STATES DISTRICT COURT

for the

United States of America
v.

)
)
)
)
)
)

Case No.

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested)

who is accused of an offense or violation based on the following document filed with the court:

- Indictment
 Superseding Indictment
 Information
 Superseding Information
 Complaint
 Probation Violation Petition
 Supervised Release Violation Petition
 Violation Notice
 Order of the Court

This offense is briefly described as follows:

Date:

Issuing officer's signature

City and state:

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____

Date:

Arresting officer's signature

Printed name and title

Warrant of Removal/Deportation

File No: _____

Date: _____

To any officer of the United States Immigration and Naturalization Service:

(Full name of alien)

who entered the United States at _____ on _____
(Place of entry) (Date of entry)

is subject to removal/deportation from the United States, based upon a final order by:

- an immigration judge in exclusion, deportation, or removal proceedings
 a district director or a district director's designated official
 the Board of Immigration Appeals
 a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act:
Section 241(a)(5) of the Immigration and Nationality Act(Act), as amended.

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Attorney General under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of the appropriation. "Salaries and Expenses Immigration and Naturalization Service 2002," including the expense of an attendant if necessary.

(Signature of INS official)

(Print name of official)

(Date and office location)

Rights As An Immigrant

Right to Remain Silent

You do not have to discuss your immigration status with the police or immigration agents. Anything you say can be used against you.

Right to Review Documents

Do not sign anything until you have reviewed it with your attorney.

Right to Refuse a Search

You can say "no" if an agent wants to search your belongings. They need consent or probable cause to do so.

If You Are a Business Owner



What You Should Do *Right Now*

- Make an emergency plan: designate a lead, mark private areas, train staff
- Organize records
- Make permissible updates to employee records.



When a **Government Agent Knocks**

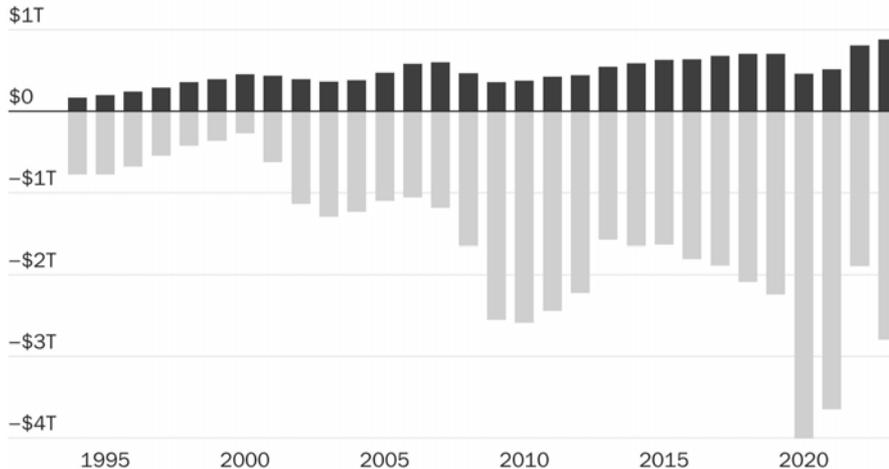
- Trigger your plan
- Schedule the agency to come back within 3 days for paper raid
- Do not lie or mislead.

Immigrants Strengthened U.S. Finances

A new Cato Institute study analyzing government budgets from 1994–2023 found that **immigrants—both documented and undocumented—paid more in taxes than they received in public benefits every single year.**

Immigrants reduced U.S. deficits by \$14.5 trillion over 30 years.

-  *Immigrant surplus*
-  *Deficits, without immigrants*



Immigrants in Texas

→ Immigrant Population:

- ◆ 17.2% of Texas residents are foreign-born
- ◆ 12.0% of U.S.-born residents have at least one immigrant parent

→ Economic Impact

- ◆ Immigrants make up 21.4% of the labor force
- ◆ 29.4% of entrepreneurs in Texas are immigrants
- ◆ 28.4% of STEM workers are immigrants
- ◆ 20.3% of nurses in the state are immigrants

→ Community Contributions

- ◆ Immigrants are neighbors, business owners, taxpayers, and workers
- ◆ They play a vital role in Texas's diverse and thriving communities

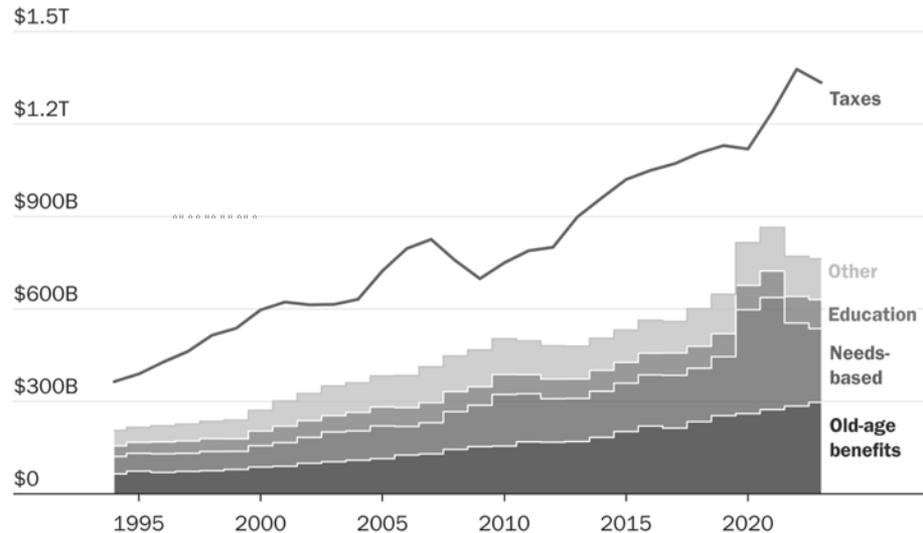
Population Growth Led by Immigration

Between the years 2022 and 2023, **immigration became the main contributor to population growth in the United States.** This is the first time this has happened since at least the year 1850.

- The natural increase (births minus deaths) was significantly lower, contributing only about 500,000 people.
- This shift reflects long-term trends of lower birth rates and an aging population in the United States.
- **Immigration is helping sustain economic growth by providing a younger workforce and filling essential jobs.** Experts suggest immigration is becoming vital for population stability.

Immigrants Pay More Taxes, Receive Fewer Benefits...

because they work at higher rates, even with lower wages. They do not impose higher government costs and save public funds—especially in education and retirement benefits—since many arrive as working-age adults and are less likely or eligible to receive pensions, Social Security, or Medicare.



**From 1994–2023,
immigrants paid more**
in taxes than they
received in benefits
every single year.



Thank You!

Do you have any questions?

Kate Lincoln-Goldfinch

Founding Attorney & CEO



kate@lincolngoldfinch.com



(512) 599-8500

abogadakate.com

@lincolngoldfinchlaw



Lincoln-Goldfinch Law (Abogada Kate)



@Klgfortexas



@Lincolngoldfinchlawatx



@Lincolngoldfinchlawatx

