

# PUBLICATION

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## Holiday Season 2025: Important Immigration and Travel Reminders

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As we approach the 2025 holiday season, many foreign nationals and their families are preparing for travel, reunions, and family gatherings. Even during this joyous time of year, it is crucial to stay on top of important immigration-related travel guidance, deadlines, and updates that may have an impact on your travel plans. After a year filled with immigration policy changes, the end of the year presents unique challenges for foreign nationals navigating the shifting immigration landscape. To ensure a smooth holiday season, Baker Donelson's Immigration Team has summarized the *nine most critical policy changes* affecting foreign nationals in the U.S., including new restrictions on status and work authorization, international travel, and visa applications.

### 1. Alien Registration Requirement

Perhaps one of the most sweeping policy changes has been the administration's implementation and enforcement of the Alien Registration Requirement (ARR). This requirement applies to all foreign nationals who remain in the United States for 30 days or longer. Many foreign nationals are deemed "registered" if granted certain immigration documents (e.g., visa, Form I-94, green card, EAD, etc.). The most common situations requiring registration within the U.S. involve Canadian citizens who entered the U.S. by land, who must apply for registration by their 30th continuous day in the U.S., as outlined at <https://www.uscis.gov/alienregistration>; and all foreign national children who reach their 14th birthday in the U.S., even if previously registered by their parents or granted a U.S. visa abroad.

The ARR also requires all registered foreign nationals to carry proof of registration on their person at all times, even those the rule deems registered. Additionally, longstanding United States Citizenship and Immigration Services (USCIS) policy requires all foreign nationals physically present in the United States to notify the U.S. Department of Homeland Security (DHS) within ten days of any change to their residential address in the U.S. Detailed instructions for changing your address with USCIS are available at <https://www.uscis.gov/addresschange>.

Willful failure to comply with the ARR or address change notification requirement can carry both civil and criminal penalties. For more information, see the Baker Donelson Immigration Team's April 2025 alert – [The New Alien Registration Requirement Starts April 11, 2025: What Now?](#)

### 2. The \$100,000 H-1B Fee That May Not Be

USCIS caused a stir after announcing a new \$100,000 fee for H-1B visa applicants on September 19, 2025. Since then, additional USCIS guidance has substantially narrowed the scope of affected H-1B holders. Additionally, a federal lawsuit filed by the U.S. Chamber of Commerce may succeed in pausing or even eliminating the fee altogether. See the end of this section for an update on this pending litigation.

New guidance issued by USCIS clarifies that the proposed \$100,000 H-1B fee does not apply to (1) beneficiaries of H-1B petitions filed or approved prior to September 21, 2025; (2) beneficiaries of H-1B extension or change of status petitions, even if filed after September 21, as long as the extension or change of status is approved; (3) any of the preceding beneficiaries who depart the U.S. to apply for an H-1B visa abroad, subsequent to the approval of their petition.

The \$100,000 fee currently applies to any new H-1B petitions filed on or after September 21, 2025, (1) requesting consular notification, port of entry notification, or pre-flight inspection for a beneficiary physically present in the U.S.; or (2) filed on behalf of beneficiaries who are physically present outside the U.S. and do not hold an H-1B visa. The fee will also apply to H-1B petitions requesting a change or extension of status, where the change or extension of status is denied or the beneficiary departs the U.S. prior to adjudication.

For more information, see the Baker Donelson Immigration Team's October 2025 alert – [Sign of Relief for Many H-1B Workers and Petitioning Employers: USCIS Issues Clarification on \\$100,000 H-1B Fee](#) – to review the complete list of individuals who are and are not subject to the Proclamation along with other information related to exceptions to the fee and fee payment instructions.

Note on pending litigation: The U.S. Chamber of Commerce filed a lawsuit on October 16, 2025 ([Chamber of Commerce v. DHS](#)) motion for preliminary injunction to block USCIS from implementing the \$100,000 fee while the case is pending in court. The parties are currently briefing the court on the issue and a ruling on the preliminary injunction is expected sometime after December 8, 2025. Our team is actively monitoring the status of this case and any changes to the Proclamation.

### **3. Entry Bans and Restrictions for Nationals of Certain Countries**

Effective June 9, 2025, the Trump Administration's [Proclamation](#) restricts entry into the U.S. by nationals of 19 countries. A nearly total ban applies to Afghanistan, Burma, Chad, the Republic of Congo, Equatorial Guinea, Eritrea, Haiti, Iran, Libya, Somalia, Sudan, and Yemen. Certain temporary visas with time restrictions remain allowed for Burundi, Cuba, Laos, Sierra Leone, Togo, Turkmenistan, and Venezuela.

The Proclamation applies to nationals of the above-listed countries who, as of June 9, 2025, (1) were physically present outside the U.S.; and (2) did not already hold a valid U.S. visa. Importantly, the Proclamation does not apply to U.S. green card holders (lawful permanent residents); certain immediate relatives granted immigrant visas; dual nationals of designated and non-designated countries; and certain diplomatic visa holders. The Proclamation also provides for either the Attorney General or Secretary of State, in his or her discretion, to exempt certain individuals whose entry would advance a critical national interest of the U.S.

For more information, see the Baker Donelson Immigration Team's June 2025 alert – [The June 9 Travel Ban: Who Is Impacted and What You Need to Know](#).

### **4. Termination of Automatic Extensions for Employment Authorization Documents**

As of October 30, 2025, DHS issued a policy alert – [DHS Ends Automatic Extension of Employment Authorization](#) – eliminating the automatic extension of work authorization for certain foreign nationals who timely apply to renew an employment authorization document (EAD). This policy change applies to applications filed on or after October 30, 2025. Therefore, it is critical that affected foreign nationals file their renewal applications as early as possible – up to 180 days before the expiration of their current EADs. There are limited exceptions to this rule, including extension provided by law or through a Federal Register notice for Temporary Protected Status (TPS)-related employment documentation.

For more information, see the Baker Donelson Immigration Team's October 2025 alert – [Critical Policy Change Alert: DHS Ends Automatic Extension of Employment Authorization Documents](#) – which outlines which employment authorization categories are affected and provides crucial Form I-9 information for employers.

### **5. Suspension of Pending Applications by Nationals of Certain Countries**

On December 2, 2025, USCIS issued a policy memorandum confirming that the agency will suspend the review of (1) all affirmative asylum applications currently pending at the agency, regardless of the applicant's country of nationality; and (2) all immigration benefits requests filed by nationals of any of the 19 countries

subject to visa and entry bans under P.P. 10949 (June 4, 2025): Afghanistan, Burma, Chad, Republic of the Congo, Equatorial Guinea, Eritrea, Haiti, Iran, Libya, Somalia, Sudan, Yemen, Burundi, Cuba, Laos, Sierra Leone, Togo, Turkmenistan, and Venezuela.

The agency will also re-review all immigration benefits requests approved for nationals of the P.P. 10949 countries who entered the U.S. on or after January 20, 2021.

This policy announcement was quite recent and, as a result, details and information regarding its implementation are currently limited. We are monitoring the situation surrounding this policy change for any updates.

## **6. Expanded Social Media Vetting for F, M, and J Visa Applicants \*and soon for H-1B/H-4 Applicants**

The [U.S. Department of State's \(DOS\) announcement](#) on June 18, 2025 confirms that U.S. Embassies and Consulates abroad may resume scheduling F, M, and J nonimmigrant visa appointments, including visas for students, scholars, and dependents from most countries. All visa applicants are required to identify their personal social media accounts in the DS-160 nonimmigrant visa application form. Applicants for F, M, and J visas must also **update the privacy settings on their social media accounts to "public"** prior to the interview appointment, as part of strict vetting and screening processes. DOS announced that this same expanded screening will be extended to H-1B applicants and their dependents effective December 15, so H applicants will soon need to update their privacy settings as well.

This new policy requires Consular Officers to review each applicant's social media presence and to place application under **Administrative Processing** to complete an online background check prior to issuing the visa. This additional step is likely to cause significant processing delays, so students should plan accordingly and be flexible with their travel plans.

For more information, see the Baker Donelson Immigration Team's June 2025 alert – [U.S. State Department Announcement: Expanded Screening and Vetting for Visa Applicants](#) – and the State Department's Announcement re H-1B/H-4 applicants – [Announcement of Expanded Screening and Vetting for H-1B and Dependent H-4 Visa Applicants](#).

## **7. Changes to Visa Interview Policies**

As of October 1, 2025, the DOS changed its visa interview waiver policy to require all nonimmigrant applicants, including those under the age of 14 and over the age of 79, to attend an in-person interview with a Consular Officer. Exceptions to this new interview waiver policy are extremely limited, especially in contrast to the expanded interview waiver criteria adopted during the COVID-19 pandemic. Visa applicants, including those who previously qualified for an interview waiver, should plan to attend an in-person visa interview even when applying to renew an existing visa. Please see the [official announcement](#) from the DOS.

As of October 10, 2025, the DOS requires all visa applicants to apply in their country of nationality or residence abroad. With third-country national visa processing suspended, visa applicants should plan to apply for any U.S. visa at a U.S. consulate in their country of citizenship or residence abroad and plan their international travel accordingly. Please see the official announcement from the DOS [here](#).

## **8. New Immigration Parole Fee**

Effective October 16, 2025, the DHS implemented a new fee for non-citizens paroled into the U.S. to address concerns related to the parole program. The new fee is \$1,000 for most non-citizens paroled into the U.S. and is paid at the time of parole approval, even if the application was submitted earlier and applies to initial parole, re-parole, and parole in place under INA Section 212(d)(5)(A), with limited exceptions available. Possible

exceptions include those applying for green cards who are returning from temporary travel abroad or those facing medical emergencies. Please see the recent DHS news alert [here](#).

## **9. Facial Recognition and Biometric Checks**

Effective December 26, 2025, all non-citizens, including green card holders (Lawful Permanent Residents), will be required to undergo facial and biometric checks at all U.S. air, land, and sea entry and exit points. The new system aims to address visa overstays and identify fraud. The rule also applies to children under 14 and people over 79 years of age, meaning they will also be subject to the checks.

Be prepared for longer wait times at U.S. entry and exit points as the new system may cause delays. Ensure you have all your necessary documents, including your passport and proof of lawful nonimmigrant or immigrant status in the U.S. You should also be prepared to have your photo taken, and other biometric data such as fingerprints may be requested.

**Given the frequency of changes, it is essential for all nonimmigrants and immigrants to stay current with travel guidance and policy. Please be sure to contact your [Baker Donelson immigration attorney](#) with any upcoming international travel plans and/or questions regarding your upcoming trip.**

Happy holidays from your Baker Donelson Immigration Team!