

## LEGAL UPDATES

# Managing Immigration Changes and Impacts in 2025 and Beyond

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As the landscape of U.S. immigration policy evolves with each change of Presidential Administration, employers and individuals face uncertainty and potential challenges in the areas of compliance and visa sponsorship. Lathrop GPM's immigration team regularly keeps close track of immigration developments and offers actionable steps to better manage your workforce and operations in 2025 and beyond.

## Background on Immigration Laws

The Executive Branch and the Office of the President are charged with administering U.S. immigration laws. U.S. immigration is governed by the U.S. Constitution, statutes, federal regulations and policies administered by multiple agencies under the Executive Branch, including the U.S. Department of Homeland Security (which encompasses U.S. Immigration and Customs Enforcement and U.S. Citizenship and Immigration Services), the U.S. Department of Labor, the U.S. Department of State, among others. Any Administrative action in the area of U.S. immigration must comport with the relevant laws.

## Key Anticipated Changes and Impacts

### 1. Increase in Enforcement of Laws Affecting All Employers

Current laws require every U.S. employer to verify the identity and employment authorization of all new hires who will be working in the U.S., both citizens and non-citizens. Additionally, employers are required to timely complete and document re-verification of employees with temporary work authorization. Employers that utilize the government's secondary verification system, E-Verify, must also timely complete and document that process.

#### Best Practices:

Employers should prepare for increased enforcement actions on immigration compliance. Some immediate steps to consider taking and general best practices include:

## Related People

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- Consulting with legal counsel and reviewing your organization's I-9 Employment Eligibility Verification records and processes, to ensure compliance.
- Conducting or assisting with training programs for those involved in the I-9 and E-Verify processes.
- Identifying records of employees with temporary work authorization, updating those records accordingly, and proactively communicating with these employees well in advance of expiration dates to avoid a gap in employment authorization as well as ensure compliance.
- Evaluating feasible options for employees authorized to work based on programs that could be impacted by administrative action, such as DACA or Temporary Protected Status (TPS).
- Developing and disseminating a policy or process to centralize any immigration-related inquiries to specific contacts within your organization, including for any audits or investigations by U.S. Immigration and Customs Enforcement.

## 2. Procedural Hurdles and Delays Affecting Employment-related Visa Sponsorship

For many employers, being able to bring in foreign talent in certain fields is a critical part of their business. Those employers utilize immigration programs that permit the employment of international talent on both a temporary and permanent basis. These programs include certain compliance requirements **and** give governmental agencies authority to conduct reviews and inspections, sometimes on short notice.

Based upon our experience in prior years, sponsoring employers should expect increased scrutiny and slower processing times. Heightened use of Requests for Evidence, audits, and site visits could become the norm. Additionally, it is likely that some forms of travel restrictions could impact the entry or re-entry of international personnel or business visitors, potentially based upon country of citizenship or by geographic region.

### Action Items:

- Collaborate with legal counsel to complete a review of all employment-related sponsorship matters, including compliance files such as Labor Condition Application Public Access Files.
- Identify all relevant deadlines and prepare and submit petitions, applications, extensions and amendments in a timely manner to prevent delays.
- Review and ensure that sponsored employees are working in roles and locations specified in visa petitions and as needed, prepare and file amended petitions to update the record.
- Evaluate workforce needs for the next 6-12 months and begin immigration processes early.
- If a global company, review staffing plans that could be impacted by any changes to U.S. visa options and possible travel restrictions.
- Designate key personnel in your organization to manage immigration matters and to serve as the main point of contact for any immigration-related inquiries, including site visits.

## 3. Managing Uncertainty and Employee Concerns

There is significant concern and anxiety due to the uncertainty of shifting immigration policies and the rhetoric around immigration. It will take some time to identify and assess the impact of future changes in U.S. immigration policy. Clear and consistent communication will be crucial to reassuring your workforce and maintaining productivity.



#### Best Practices:

- Review and evaluate your organization's visa sponsorship policies and practices for consistency.
- Develop forms of responses to common employee questions about travel and visa status maintenance.

#### 4. Public Engagement

Corporate advocacy remains critical to influence policymakers and mitigate potential damage to business operations.

#### Action Items:

- Collaborate with trade associations and coalitions to amplify your concerns. Trade associations and coalitions have historically engaged with policymakers on immigration-related issues that impact business operations. Employers may elect to use their contacts at those organizations to advocate for beneficial immigration policies.
- Engage directly with congressional representatives to communicate the impact of restrictive immigration policies on your business.

Our firm remains available to guide you through these complexities, ensuring that your business and employees are prepared for the road ahead. For further assistance or to discuss specific cases, contact immigration partner [Gizie Hirsh](#).