

MELTZER HELLRUNG

IMMIGRATION SOLUTIONS

Finding Stability in Uncertainty

Bright Spots in Employment-based Immigration Under Trump

June 25, 2025



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 in SaaS, Al, EdTech, Insurance
- Meltzer Hellrung has been ranked in the Illinois Chambers Spotlight 2025 Guide and recognized as a top law firm handling high-quality work.





Responsiveness

Average Email Response Time: 4.5 hours

Efficiency

Transfer case turnaround: 10 business days

Feedback Focused

90+ NPS Scores

Program Management

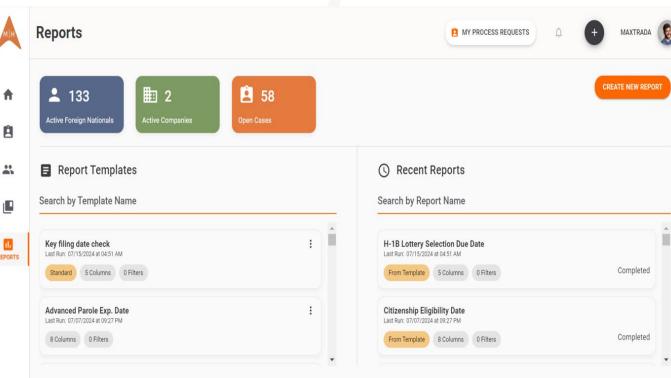
Dedicated account team, regular program management touchpoints, immigration reporting and budgeting

VOYAGER®





- Our proprietary immigration program management platform
- Drives process efficiency, transparency, and centralization of all immigration information
- Core Features:
- Dashboards drive transparency for employees and HR
- Efficient workflow automations cut case preparation timelines
- o Immigration reporting to predict extensions, green cards, issues
- Comprehensive knowledge center to teach employees and new HR members



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!







- > Processing Times
- Requests for Evidence, PERM Audits, NOIRs
- > FDNS Site Visits and I-9 Audits
- > Prevailing Wages for Work Visas and Green Cards

Processing Times





Non-immigrant visa processing times have stayed consistent

- Average regular processed H-1B extension taking 4-6 months
 - Still under automatic 240-day extension period
- H-4 EADs taking, on average, 2-4 months
- F-1 OPT EADs taking ~90 days
- EB-2 and EB-3 I-140s 7-9 months
- Employment-based I-485 AOS processed in 8-12 months
- N-400 naturalization applications processed in 5-7 months
 - Fastest since 2016
- Premium processing across non-immigrant categories averaging 12-14 days



Labor certification or PERM processing times have increased

- Step 1: Prevailing wage requests taking ~6 months to process
- Step 2: Recruitment takes 2-4 months to complete (depends on immigration vendor)
- Step 3: PERMs taking ~16 months to be processed
 - Significant increase since pandemic (6-8 months)

> Advice

- Employers need to revisit green card sponsorship policies to account for 24+ month PERM approval timelines
- Employers should consider alternative pathways for employees such as National Interest Waiver or EB-2 Exceptional Ability where applicable

Requests for Evidence, PERM Audits, and NOIRs





REQUESTS FOR EVIDENCE, PERM AUDITS, AND NOIRS

Requests for Evidence (RFE) are challenges after a visa application has been filed

- ~10% rate of RFE for H-1Bs in 2024
- Anecdotally, MH has not seen a significant increase in rate of RFE since Trump taking office in January 2025
- FY 2025 Q2 data (January March 2025) will likely be available around August 1st.

Notices of Intent to Revoke

- Issued after a visa application has been approved
- Anecdotally, NOIRs have been somewhat rising do to increase FDNS site visits



REQUESTS FOR EVIDENCE, PERM AUDITS, AND NOIRS

Labor Certifications or PERM Audits

- Q4 and Q1: about 1.5% denial rate
- Roughly 1 in 4 filed PERMs receive an audit
- MH PERM audit it rate has been closer to 1 in 10 historically
- Anecdotally, MH has not seen PERM audit rates rise since Trump took office
 - Likely due to DOL being understaffed on PERMs in general and focused on getting PERM adjudication timelines downs from current peak of ~16 months

FDNS Site Visits and ICE I-9 Audits





FDNS SITE VISITS AND ICE I-9 AUDITS

> Fraud Detection and National Security (FDNS) Unit

- Quasi-enforcement arm of USCIS
- Funded by Fraud fee submitted with H and L visa applications
- Anecdotally, FDNS visits are on the rise based on MH and other law firm data
 - Visits can be conducted via email, phone or in person
 - MH has seen visits rise for IT consulting companies specifically
 - Due to the recent recent H-1B rule published by Biden administration in January 2025 that places additional restrictions on IT consulting companies staffing resources at client sites

> MH Advice

 Have a site visit point person, plan, and run all FDNS requests by outside counsel before responding, if possible.



FDNS SITE VISITS AND ICE I-9 AUDITS

Immigration and Customs Enforcement (ICE)

- Immigration enforcement arm of Department of Homeland Security (DHS)
- Responsible for deportation enforcement as well as the I-9 enforcement and supervising the SEVIS database used to enroll international students at U.S. universities
- ICE I-9 audits are on the rise
 - Rumors that inspectors have been given an I-9 audit per week quota

> MH Advice

- Review your I-9 completion, reverification, and purging procedures
- If you're in a vulnerable industry such as food processing, restaurants, retail, landscaping, or construction, think about have outside counsel conduct an I-9 audit to understand your workforce exposure

Prevailing Wages and Fees for Work Visas and Green Cards





PREVAILING WAGES AND FEES FOR WORK VISAS AND GREEN CARDS

- Prevailing wages for PERM-based green cards, H-1B, E-3 and H-1B1 work visas are set by a survey-based wage system updated each year in on July 1
- Talk of updating the wage calculation methodology this year, but seems the current methodology will remain for the 2025-2026 wage year
- There could be a wage methodology update for the 2026-2027 year

MH Advice

- While there will likely be an small increase in wages across all categories as wages rise due to inflation and market forces, wages will remain relatively the same for the next year
- Additionally, the extended processing length of the PERM-based green card process allows employers more time to meet prevailing green card wages requirements, which aren't paid until the employee receives their green card in hand (3-4 years with current processing timelines)

QUESTIONS?



MATTHEW HELLRUNG

Co-Founder and Managing Partner mhellrung@meltzerhellrung.com

MATTHEW MELTZER

Co-Founder and Managing Partner

mmeltzer@meltzerhellrung.com

Follow us on:











