ABIL ALLIANCE OF BUSINESS IMMIGRATION LAWYERS

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INSIDE THIS ISSUE

FY 2027 Initial H-1B Registration Selection Process Completed – U.S. Citizenship and Immigration Services has received enough electronic registrations for unique beneficiaries during the initial registration period to reach the fiscal year 2027 H-1B numerical allocations (H-1B cap), including the advanced degree exemption (master's cap).

USCIS Releases Update on Screening/Vetting of Foreign Nationals – U.S. Citizenship and Immigration Services outlined a series of actions it has implemented to screen and vet foreign nationals after issuance of related policy memoranda.

Supreme Court Hears Oral Arguments on Birthright Citizenship – The Supreme Court heard oral arguments on President Trump's bid to eliminate "birthright citizenship" for children of undocumented and temporary foreign nationals in the United States. Under the executive order being challenged, the U.S. government would no longer recognize the U.S. citizenship of children born in the United States to temporary visa holders.

DOL Releases Long-Anticipated Prevailing Wage Proposed Rule – The Department of Labor DOL released a long-anticipated proposed rule that could significantly reshape prevailing wage requirements for H-1B, PERM, and related programs.

DOS Announces Expansion of Social Media Vetting to Additional Nonimmigrant Visa Classifications – Effective March 30, the agency will expand its "online presence review" to include applicants in additional nonimmigrant visa classifications: all A-3, C-3 (if a domestic worker), G-5, H-3, H-4 dependents of H-3, K-1, K-2, K-3, Q, R-1, R-2, S, T, and U classifications. These are in addition to H-1B applicants and their dependents, and the F, M, and J student and exchange visitor visa applicants already subject to social media review.

Texas to Require Proof of Legal Status for Professional Licensing – The new ruling affects not only doctors and lawyers but also barbers, electricians, educational professionals, dog breeders, used car parts recyclers, cosmetologists, accountants, and others who obtain licenses to operate.

USCIS Reaches H-2B Cap for Second Half of FY 2026; Filing Dates Now Available for Supplemental Visa Allocations – U.S. Citizenship and Immigration Services (USCIS) has received enough petitions to meet the H-2B temporary nonagricultural worker statutory cap for the second half of Fiscal Year (FY) 2026. USCIS also announced that filing dates for the second and third allocations of the supplemental H-2B visas for FY 2026 are now available.

'Keep Innovators in America Act' Would Codify OPT Program – A newly introduced bipartisan bill would codify the Optional Practical Training program for international students in the United States. The bill is aimed at attracting and retaining U.S.-trained talent.

DOS Adds 12 More Countries to List Subject to Visa Bonds for B-1/B-2 Visas – A citizen or national traveling on a passport issued by one of the listed countries who is found otherwise eligible for a B-1 or B-2 visa must post a bond for $5,000, $10,000, or $15,000. The amount is determined at the time of the visa interview.

April Visa Bulletin Advances Filing and Final Action Dates for Immigrant Visa Numbers in Various Categories – Immigrant visa issuance rates for people from certain countries have decreased. Consequently, to make visas available to prospective immigrants from other countries, the dates for filing and final action dates have been advanced across various immigrant visa categories.

DOS Final Rule Amends Diversity Visa Program Documentation Requirements – The new amendments require a DV petitioner to provide valid, unexpired passport information and to upload a scan of the biographic and signature page in the electronic entry form or to otherwise indicate that the applicant is exempt.

USCIS Updates Guidance on Automatic Extensions of Work Authorization for TPS Beneficiaries – USCIS said that if a TPS beneficiary presents a TPS-based Employment Authorization Document (EAD) and timely filed a renewal

application that was pending on or filed after July 22, 2025, but before October 30, 2025, their automatic extension is limited to one year or the duration of TPS, whichever is shorter.

SAVE Releases Updates on TPS for Several Countries – In response to recent court orders, U.S. Citizenship and Immigration Services' Systematic Alien Verification for Entitlements (SAVE) program and E-Verify released updates on Temporary Protected Status for Burma, Ethiopia, Haiti, South Sudan, and Syria.

Global Entry Program Restarted Amid Partial DHS Shutdown – The Global Entry Program, which the Trump administration had paused amid a partial Department of Homeland Security shutdown due to a lapse in funding, was reactivated on March 11, 2026.

Middle East: Alert for Employers and Travelers – As instability spreads across the Middle East amid the U.S.-Israel conflict with Iran, the Alliance of Business Immigration Attorneys has provided tips for employers and travelers.

Appeals Court Allows Haitian TPS to Remain Pending Further Litigation – The Trump administration is widely expected to appeal the decision to the Supreme Court.

Yemen TPS to End on May 4, 2026 – The Department of Homeland Security published a notice terminating the Temporary Protected Status designation for Yemen effective May 4, 2026.

U.S. Reportedly Sets Goal of Processing 4,500 South Afrikaner Refugee Applications Per Month – To accomplish this goal, trailers are being set up on U.S. Embassy property in Pretoria.

April 1: Alice in Wonderland Redux—Curiouser and Curiouser – Alice awaited her turn at the border of Wonderland with much patience, after having obtained a temporary VFA (Visitor for Adventure) visa and having dreamed of visiting for most of her life.

ALSO IN THIS ISSUE

New Publications and Items of Interest

ABIL Member/Firm News

Government Agency Links

About ABIL

FY 2027 Initial H-1B Registration Selection Process Completed

On March 31, 2026, U.S. Citizenship and Immigration Services (USCIS) announced that it has received enough electronic registrations for unique beneficiaries during the initial registration period to reach the fiscal year (FY) 2027 H-1B numerical allocations (H-1B cap), including the advanced degree exemption (master's cap).

USCIS has notified all prospective petitioners with selected beneficiaries that they are eligible to file an H-1B cap-subject petition. Registrants' online accounts will display their registration status.

USCIS said that H-1B cap-subject petitions for FY 2027, including petitions eligible for the advanced degree exemption, may be filed with USCIS as of April 1, 2026, if filed for a selected beneficiary and based on a valid registration. Only petitioners with registrations for selected beneficiaries may file H-1B cap-subject petitions for FY 2027.

The period for filing the H-1B cap-subject petition will be at least 90 days, USCIS noted. Petitioners must include a copy of the applicable selection notice with the FY 2027 H-1B cap-subject petition. USCIS will only accept the 02/27/26 edition of the Petition for a Nonimmigrant Worker (Form I-129).

USCIS noted that the Presidential Proclamation, Restriction on Entry of Certain Nonimmigrant Workers, requires certain H-1B petitions filed on or after September 21, 2025, to be accompanied by an additional $100,000 payment as a condition of eligibility.

Back to Top

USCIS Releases Update on Screening/Vetting of Foreign Nationals

On March 30, 2026, U.S. Citizenship and Immigration Services (USCIS) released an update on its "strict screening and vetting of foreign nationals seeking entry or immigration benefits" based on recent executive orders and guidance.

Among other things, USCIS outlined a series of actions it has implemented after issuance of related policy memoranda. USCIS said that over the past several months, it has reviewed and updated screening and vetting practices, including:

- Shortening validity periods for certain Employment Authorization Documents to require more frequent security checks;
- Updating photograph reuse policies to strengthen identity verification, including biometric identity verification when reusing fingerprints;
- Increasing social media and financial vetting and community interviews;
- Launching Operation PARRIS to conduct additional background checks, re-interviews, and merit reviews of refugee claims, led by the USCIS Vetting Center;
- Developing system connectivity for automatic notifications of biometric matches and new criminal information; and
- Requiring final arrest encounter reviews and Department of State Consular Consolidated Database checks before final adjudication.

USCIS also says it has "established an internal process for lifting holds on individual or group cases," requiring multi-office review. USCIS reports that holds have already been lifted for limited categories, including certain employment authorization documents, certain petitions filed by U.S. citizens, certain rescheduled oath ceremonies, and asylum cases from "non high-risk" countries, among others, but USCIS did not define what qualifies as "certain" in each category or publish timelines for broader hold lifting.

Back to Top

Supreme Court Hears Oral Arguments on Birthright Citizenship

On April 1, 2026, the Supreme Court heard oral arguments in *Trump v. Barbara* on President Trump's bid to eliminate "birthright citizenship" for children of undocumented and temporary foreign nationals in the United States. Under the executive order being challenged, the U.S. government would no longer recognize the U.S. citizenship of children born in the United States to temporary visa holders, including F-1 students, J-1 exchange visitors, and H-1B and L-1 nonimmigrant workers.

While the outcome is uncertain, the government attorneys faced tough questions from the justices. A win for the government would fundamentally shift birth in the United States from conferring permanent citizenship to merely granting temporary, contingent immigration status dependent on a parent's status. The 14th Amendment of the Constitution guarantees citizenship to babies born in the United States who are "subject to the jurisdiction of the United States" at the time of their birth. The arguments focused on what the phrase "subject to the jurisdiction of the United States" means.

According to immigration practitioners, a ruling in the government's favor would require that the parents of all children born in the United States establish certain domicile requirements for their children to become U.S. citizens. Because the United States has no central registry of its citizens, one would have to be created, and every U.S. citizen would have to be able to prove not only the location of

their birth but also that their parents were U.S. citizens or green card holders at the time of their birth.

A ruling is expected in late June. One question is whether the Justices will rule on narrower statutory or broader constitutional grounds.

Back to Top

DOL Releases Long-Anticipated Prevailing Wage Proposed Rule

On March 27, 2026, the Department of Labor (DOL) released a long-anticipated proposed rule that could significantly reshape prevailing wage requirements for H-1B, PERM, and related programs.

The proposal would revise how prevailing wages are calculated for PERM labor certifications for green card applications and Labor Condition Applications (LCAs) used in H-1B, H-1B1, and E-3 nonimmigrant filings. The rule would raise the minimum wages that must be offered for employers to sponsor H-1B workers and employment-based green cards. It follows years of litigation and regulatory uncertainty stemming from an October 2020 interim final rule (IFR) and subsequent agency actions. While the proposed rule continues DOL's effort to raise wage levels, some commenters say that it adopts a more moderate approach than the 2020 IFR and note that it is being issued through standard notice-and-comment rulemaking.

The proposed rule would not eliminate the ability of employers to use private wage surveys meeting current DOL standards. For employers who can't use the Occupational Employment and Wage Statistics (OEWS) wage survey due to incompatibility between their job descriptions and the OEWS wage-leveling system, this continuity will be critical to their H-1B and PERM programs.

DOL said that these changes are intended to better reflect wages paid to similarly employed U.S. workers and reduce the potential for wage undercutting. As a practical matter, however, by eliminating the current entry-level wage classification and requiring entry-level workers to be offered wages currently at Level II in the OEWS wage system, many smaller employers and nonprofit employers could be shut out of the H-1B and PERM system.

The rule would not retroactively affect previously issued prevailing wage determinations, LCAs, or PERM applications. The effective date is not yet set; the DOL will receive comments until May 26, 2026.

Back to Top

DOS Announces Expansion of Social Media Vetting to Additional Nonimmigrant Visa Classifications

On March 25, 2026, the Department of State (DOS) announced that effective March 30, the agency will expand its "online presence review" to include applicants in additional nonimmigrant visa classifications: all A-3, C-3 (if a domestic worker), G-5, H-3, H-4 dependents of H-3, K-1, K-2, K-3, Q, R-1, R-2, S, T, and U classifications. These are in addition to H-1B applicants and their dependents, and the F, M, and J student and exchange visitor visa applicants already subject to social media review.

To facilitate this vetting, DOS said, all applicants for these categories are instructed to adjust the privacy settings on all of their social media profiles to "public" or "open."

Reportedly, social media vetting of H-1B applicants has resulted in "immense backlogs at U.S. consulates."

Back to Top

Texas to Require Proof of Legal Status for Professional Licensing

According to reports, on March 24, 2026, Texas' Commission of Licensing and Regulation approved a new rule, effective May 1, 2026, to require applicants for professional licenses to provide proof of legal status in the United States before they can obtain a license. The new ruling affects not only doctors and lawyers but also barbers, electricians, educational professionals, dog breeders, used car parts recyclers, cosmetologists, accountants, and others who obtain licenses to operate.

Caroline Espinosa, a spokesperson for the Texas Department of Licensing and Regulation, which is overseen by the Commission, said that "the department is moving forward with lawful presence verification. This ensures consistent, secure practices across all programs and strengthens our ability to identify and deter fraud, labor exploitation, and human trafficking."

Some raised concerns about the new rule. Democratic state Sen. Sarah Eckhardt of Austin, who is campaigning for comptroller of public accounts, said, "Texas cannot afford to lose qualified and skilled licensees in these high-demand jobs. The impact of TDLR's proposed rule is likely more far-reaching than what was initially assessed by the agency."

Back to Top

USCIS Reaches H-2B Cap for Second Half of FY 2026; Filing Dates Now Available for Supplemental Visa Allocations

On March 20, 2026, U.S. Citizenship and Immigration Services (USCIS) announced that it has received enough petitions to meet the H-2B temporary nonagricultural worker statutory cap for the second half of Fiscal Year (FY) 2026. March 10, 2026, was the final receipt date for new cap-subject H-2B worker petitions requesting an employment start date on or after April 1 and before October 1, 2026.

USCIS also announced that filing dates for the second and third allocations of the supplemental H-2B visas for FY 2026 are now available. The supplemental visas are available only to U.S. businesses that "are suffering irreparable harm or will suffer impending irreparable harm without the ability to employ all the H-2B workers requested in their petition, as attested by the employer on a new attestation form" under a temporary final rule authorizing H-2B supplemental visas for FY 2026, USCIS said. To assist U.S. businesses that need workers to begin work on different start dates, the supplemental visas are being distributed in three allocations, USCIS said:

- The **first allocation** for employment start dates from January 1 through March 31, 2026, included 18,490 visas limited to returning workers who were issued H-2B visas or held H-2B status in fiscal years 2023, 2024, or 2025. As of February 6, 2026, USCIS had received enough petitions to reach the cap for this allocation.

- The **second allocation** for employment start dates from April 1 through April 30, 2026, includes 27,736 visas, plus any unused visas from the first allocation, limited to returning workers who were issued H-2B visas or held H-2B status in fiscal years 2023, 2024, or 2025. Employers must file these petitions between March 25, 2026, and April 23, 2026.

- The **third allocation** for employment start dates from May 1 through September 30, 2026, includes 18,490 visas, plus any unused visas from the first and second allocations. Employers must file these petitions between April 24, 2026, and September 15, 2026.

Back to Top

‘Keep Innovators in America Act’ Would Codify OPT Program

A bipartisan bill, the “Keep Innovators in America Act” (H.R. 8013), would codify the Optional Practical Training (OPT) program for international students in the United States. Introduced on March 19, 2026, by Reps. Sam Liccardo (D-CA), Jay Obernolte (R-CA), and Raja Krishnamoorthi (D-IL), the bill is aimed at attracting and retaining U.S.-trained talent.

Rep. Obernolte said, “At a time of intensifying global competition, it is not in our national interest to educate the world’s most talented students in American institutions only to send them abroad to compete with us. This legislation ensures that we can retain top talent in critical fields on a temporary basis while strengthening American innovation and maintaining strong oversight and respect for our immigration laws.”

Benjamin Johnson, Executive Director of the American Immigration Lawyers Association (AILA), said that international students “contribute more than $40 billion annually to the U.S. economy and support hundreds of thousands of American jobs.” Scott Corley, Executive Director of Compete America, said the OPT program “has played a key role in sustaining America’s global technology leadership. For decades, OPT has helped ensure that the world’s best STEM [science, technology, engineering, and mathematics] students—educated at U.S. universities—can contribute to our economy, strengthen our workforce, and drive innovation here at home rather than abroad. At a time when the United States faces increasing global workforce competition in critical and emerging technology fields, maintaining and strengthening this pathway through statutory codification is an essential step toward keeping top talent in the United States and ensuring our economy, national security, and innovation ecosystem remain the strongest in the world.”

The “U.S. for Success Coalition,” a group of more than 50 organizations, supports the bill. Its endorsement list also includes the Compete America Coalition, Technet, the Information Technology Industry Council (ITI), FWD.us, AILA, the Presidents' Alliance on Higher Education and Immigration, the Council of Graduate Schools, NAFSA: Association of International Educators, AIRC: The Association of International Enrollment Management, AIFS: American Institute for Foreign Study; the American Association of Collegiate Registrars and Admissions Officers, Global Detroit, EnglishUSA, Studyportals, the Alliance for International Exchange, TESOL International Association, and Shorelight, LLC.

Back to Top

DOS Adds 12 More Countries to List Subject to Visa Bonds for B-1/B-2 Visas

On March 18, 2026, the Department of State (DOS) added 12 countries to the list of those subject to visa bonds for persons traveling to the United States on temporary B-1 (business) and B-2 (visitor) visas. The newly added countries include Cambodia, Ethiopia, Georgia, Grenada, Lesotho, Mauritius, Mongolia, Mozambique, Nicaragua, Papua New Guinea, Seychelles, and Tunisia. The list includes the implementation date for each country.

DOS noted that a citizen or national traveling on a passport issued by one of the listed countries who is found otherwise eligible for a B-1 or B-2 visa must post a bond for $5,000, $10,000, or $15,000. The amount is determined at the time of the visa interview. The applicant must also submit Department of Homeland Security Form I-352. Applicants must agree to the terms of the bond through the Department of the Treasury’s online payment platform, Pay.gov. This requirement applies regardless of the place of application, DOS said.

Applicants should submit Form I-352 to post a bond only after a consular officer directs them to do so, DOS advised. Applicants will receive a direct link to pay through Pay.gov. They must not use any third-

party website for posting the bond. If someone pays fees without a consular officer's direction, the fees will not be returned, DOS said. A bond does not guarantee visa issuance.

A temporary final rule, published in the Federal Register on August 5, 2025, established the pilot program.

Back to Top

April Visa Bulletin Advances Filing and Final Action Dates for Immigrant Visa Numbers in Various Categories

The Department of State's Visa Bulletin for April reports, among other things, that immigrant visa issuance rates for people from certain countries have decreased. Consequently, to make visas available to prospective immigrants from other countries, the dates for filing and final action dates have been advanced across various immigrant visa categories.

The bulletin notes that as additional immigrant visa demand materializes, or administration actions are amended, retrogression may be necessary later in the fiscal year to keep issuances within annual limits.

Back to Top

DOS Final Rule Amends Diversity Visa Program Documentation Requirements

On March 11, 2026, the Department of State (DOS) published a final rule amending regulations governing the Diversity Visa (DV) program.

The new amendments require a DV petitioner to provide valid, unexpired passport information and to upload a scan of the biographic and signature page in the electronic entry form or to otherwise indicate that the applicant is exempt from this requirement.

Additionally, the Department is standardizing and amending its regulations to add the word "shall" to simplify guidance for consular officers; ensure the use of the term "sex" in lieu of "gender"; and replace the term "age" in the DV regulations with the phrase "date of birth."

DOS noted that it has historically encountered millions of fraudulent DV program entries, including entries submitted by third parties, some of them criminal enterprises, on behalf of individuals without their knowledge or consent. In DV-2025, for example, DOS discovered 2.5 million fraudulent entries. "Unauthorized third parties often contact these individuals, inform them of the opportunity to apply for a diversity immigrant visa (''DV''), and withhold the entry information unless the individual pays a large fee or agrees to participate in fraudulent activities. Upon submitting an entry, an entrant receives a unique confirmation number, without which it is impossible to confirm whether the entrant was selected to continue the DV process," DOS noted. The agency advises entrants to retain the confirmation number and notes that DOS "will not replace or provide it in the future."

Back to Top

USCIS Updates Guidance on Automatic Extensions of Work Authorization for TPS Beneficiaries

On March 13, 2026, U.S. Citizenship and Immigration Services (USCIS) updated its guidance on automatic extensions of work authorization for Temporary Protected Status (TPS) beneficiaries.

Specifically, USCIS said that if a TPS beneficiary presents a TPS-based Employment Authorization

Document (EAD) and timely filed a renewal application that was pending on or filed after July 22, 2025, but before October 30, 2025, their automatic extension is limited by H.R. 1 (the One Big Beautiful Bill Act) to one year or the duration of TPS, whichever is shorter. They are not eligible for an up-to-540-day extension, even if it is listed on their EAD renewal receipt notice.

USCIS noted that if the Form I-797C receipt notice has a "Received Date" of July 21, 2025, or earlier, the up-to-540-day automatic extension applies; however, any part of this extension that falls after July 22, 2025, cannot last longer than one year from this date or for the duration of the TPS designation period, whichever is shorter.

Back to Top

SAVE Releases Updates on TPS for Several Countries

In response to recent court orders, U.S. Citizenship and Immigration Services' (USCIS) Systematic Alien Verification for Entitlements (SAVE) program and E-Verify released updates on Temporary Protected Status (TPS) for several countries:

- **Burma.** Following a court order in *Aung DOE v. Noem*, the termination of TPS for Burma, which had been set for January 26, 2026, is stayed and beneficiaries' status and work authorization (categories A12 and C19) have been extended, according to a SAVE announcement issued on March 12, 2026. Because this case is in "active litigation," USCIS advised checking the TPS Burma page for any updates.

  E-Verify said that the validity of Employment Authorization Documents (EADs) issued under the TPS designation of Burma with an original expiration date of November 25, 2025, May 25, 2024, or November 25, 2022, is also extended. E-Verify said that when completing the Expiration Date (if any) fields on Form I-9, employers should input "as per court order" in Section 1 and "March 15, 2026" in Section 2 along with a note in the additional information box. Employers may download the Alert and TPS Burma webpages and attach them to Form I-9. When completing a case in E-Verify for these beneficiaries, the employer should enter the expiration date of "March 15, 2026" from the I-9.

- **Ethiopia.** Following a court order in *African Communities Together v. Noem*, the termination of TPS for Ethiopia, which had been set for February 13, 2026, is stayed and beneficiaries' status and work authorization (categories A12 and C19) have been extended, according to a SAVE announcement issued on March 12, 2026. Because this case is in "active litigation," USCIS advised checking the TPS Ethiopia page for any updates.

  E-Verify said that when completing the Expiration Date (if any) fields on Form I-9, employers should input "as per court order" in Section 1 and "April 8, 2026" in Section 2 along with a note in the additional information box. Employers may download the Alert and TPS Ethiopia webpages and attach them to Form I-9. When completing a case in E-Verify for these beneficiaries, the employer should enter the expiration date of "April 8, 2026" from the I-9.

- **Haiti.** Following a court order in *Miot v. Trump*, the termination of TPS for Haiti, which had been set for February 3, 2026, is stayed and beneficiaries' status and work authorization (categories A12 and C19) have been extended. USCIS noted that the new guidance on this extension, released on March 13, 2026, supersedes SAVE's previous message posted on February 14, 2026, regarding termination of Haiti TPS. Because this case is in "active litigation," USCIS advised checking the TPS Haiti page for any updates.

  E-Verify said that when completing the Expiration Date (if any) fields on Form I-9, employers

should input "as per court order" in Section 1 and "March 15, 2026" in Section 2 along with a note in the additional information box. Employers may download the Alert and TPS Haiti webpages and attach them to Form I-9. When completing a case in E-Verify for these beneficiaries, the employer should enter the expiration date of "March 15, 2026" from the I-9.

- **South Sudan.** Following a court order in *African Communities Together v. Noem*, the termination of TPS for South Sudan, which had been set for January 5, 2026, is stayed and beneficiaries' status and work authorization (categories A12 and C19) have been extended, according to a SAVE announcement issued on March 12, 2026. Because this case is in "active litigation," USCIS advised checking the TPS South Sudan page for any updates.

  E-Verify said that when completing the Expiration Date (if any) fields on Form I-9, employers should input "as per court order" in Section 1 and "April 10, 2026" in Section 2 along with a note in the additional information box. Employers may download the Alert and TPS South Sudan webpages and attach them to Form I-9. When completing a case in E-Verify for these beneficiaries, the employer should enter the expiration date of "April 10, 2026" from the I-9.

- **Syria.** Following a court order in *Dahlia Doe v. Noem*, the termination of TPS for Syria, which had been set for November 21, 2025, is stayed and beneficiaries' status and work authorization (categories A12 and C19) have been extended, according to a SAVE announcement issued on March 12, 2026. Because this case is in "active litigation," USCIS advised checking the TPS Syria page for any updates.

  E-Verify said that when completing the Expiration Date (if any) fields on Form I-9, employers should input "as per court order" in Section 1 and "March 13, 2026" in Section 2 along with a note in the additional information box. Employers may download the Alert and TPS South Sudan webpages and attach them to Form I-9. When completing a case in E-Verify for these beneficiaries, the employer should enter the expiration date of "March 13, 2026" from the I-9.

Back to Top

Global Entry Program Restarted Amid Partial DHS Shutdown

The Global Entry Program, which the Trump administration had paused amid a partial Department of Homeland Security (DHS) shutdown due to a lapse in funding, was reactivated on March 11, 2026. The program allows U.S. citizens and permanent residents to expedite their reentry into the United States after traveling abroad.

The reactivation follows reports of lengthy delays in processing travelers at airports. A pause on the T.S.A. PreCheck expedited security program was also quickly restarted. The DHS shutdown continues, although many of the agency's functions are continuing while existing funds remain.

Back to Top

Middle East: Alert for Employers and Travelers

As instability spreads across the Middle East amid the U.S.-Israel conflict with Iran, widespread travel and security disruptions are creating significant uncertainty, with reports of travelers stranded and commercial operations interrupted. Escalating security developments are significantly affecting inbound and outbound travel to Gulf nations, as well as U.S. citizen services and immigrant and nonimmigrant visa processing at U.S. consular posts throughout the region. There are reported widespread appointment cancellations, suspension of routine visa services, and extended processing delays as a result of ongoing military strikes. The Alliance of Business Immigration Attorneys (ABIL) has provided the

following tips for employers and travelers:

- Practitioners are urging against non-essential travel to countries where departure and shelter-in-place notices are in effect for consular staff. If travel is necessary, travelers should anticipate flight cancellations, appointment cancellations, and longer processing timelines. Travelers needing to renew their nonimmigrant visas may not be able to do so until the U.S. consulates reopen, which would leave them unable to return to the United States for an indeterminate period of time.

- Travelers should review country-specific updates and advice, including the Department of State's (DOS) travel advisories. In addition to Iran and Israel, countries in the region that are currently affected by related security issues include Bahrain, Egypt, Jordan, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia, Syria, the United Arab Emirates, the West Bank and Gaza, and Yemen. U.S. citizens in any of the affected nations, as well as other Gulf nations, should consider enrolling in the Smart Traveler Enrollment Program (STEP) to receive alerts and to be easily contacted in an emergency. Travelers also should monitor local media for breaking events and be prepared to adjust travel plans accordingly.

- DOS said that in addition to enrolling in STEP, U.S. citizens can follow the U.S. Department of State - Security Updates for U.S. Citizens channel on WhatsApp and check for any recent alerts.

Given the rapidly evolving conditions across the Middle East, ABIL encourages employers and affected individuals to closely monitor official government guidance and assess mobility plans carefully. Those who have employees affected by these developments or who require immediate assistance, including situation-specific guidance regarding global mobility strategy, consular processing disruptions, or employee safety planning, should contact their ABIL attorney.

Back to Top

Appeals Court Allows Haitian TPS to Remain Pending Further Litigation

On March 6, 2026, in a 2-to-1 ruling, the U.S. Court of Appeals for the D.C. Circuit upheld a lower court ruling in *Miot v. Trump* that an estimated 350,000 Haitians in the United States under Temporary Protected Status (TPS) can remain and work legally while a case challenging their TPS proceeds.

The Trump administration is widely expected to appeal the decision to the Supreme Court.

Back to Top

Yemen TPS to End on May 4, 2026

The Department of Homeland Security (DHS) announced publication of a notice terminating the Temporary Protected Status designation for Yemen effective May 4, 2026. The publication follows DHS's announcement on February 13, 2026, of DHS Secretary Kristi Noem's decision to terminate TPS for Yemen. There are approximately 1,400 Yemenis with TPS in the United States.

E-Verify said that Employment Authorization Documents (EADs) (Form I-766) with a category A12 or C19 and a Card Expires date of March 3, 2023; September 3, 2024; or March 3, 2026, issued under a prior TPS designation of Yemen will expire on May 4, 2026.

The Systematic Alien Verification for Entitlements program noted that "[b]enefit applicants whose TPS has been terminated may have another lawful basis to remain in the U.S. and may also be employment authorized based on another immigration status or a pending application."

Back to Top

U.S. Reportedly Sets Goal of Processing 4,500 South Afrikaner Refugee Applications Per Month

According to reports, the Department of State (DOS) has set a goal of processing 4,500 white South Afrikaner refugee applications per month. To accomplish this goal, trailers are being set up on U.S. Embassy property in Pretoria, a contracting document said. "The inability to safely process about 4,500 applicants per month, an objective communicated to [DOS's refugee division] from the White House, would result in failure to meet a Presidential priority," the document reportedly stated.

As of January 31, 2026, after a program to admit Afrikaners to the United States was announced in May 2025, about 2,000 Afrikaners have entered the United States as refugees. It is unclear whether a recent pause in admitting any refugees will affect the administration's ability to meet its target, along with President Trump's statement last year that the United States would admit only 7,500 refugees in fiscal year 2026.

Back to Top

April 1: Alice in Wonderland Redux—Curiouser and Curiouser

Alice awaited her turn at the border of Wonderland with much patience, after having obtained a temporary VFA (Visitor for Adventure) visa and having dreamed of visiting for most of her life. She had heard about the gleaming buildings paved with gold everywhere and the greatness of the King. When asked why she wished to enter, she replied, "The Cheshire Cat suggested it." She was allowed in but was soon detained by the King's Royal Guard due to terrorism accusations. She was hauled into court, and the King patched in via Zoom to loom over the proceedings. "Off with her head!" he shouted before the trial had begun. The gavel came down; the verdict: guilty. "Guilty of what?" "Six-seven," said the judge. "We're not in Kansas anymore," said the King's prosecutor, cackling with glee. "Bring in the witches!" And they danced around her, setting a fire. "But that's from a different fairy tale! What about the facts? What about my family? I feel betrayed," she cried. "None of that matters anymore!" the prosecutor screamed. "We're all in the King's fairy tale now!"

Just in the nick of time, they yanked her out of her seat and "escorted" her to a place they called the Big Beautiful Detention Center, which the guard jokingly referred to as Jabberwocky Jail, and she found herself trapped in a large, drafty warehouse surrounded by a swamp full of alligators. There were many others also detained there, including Dorothy, Donald Duck, Mickey Mouse, and Baby Yoda. Someone smuggled some disturbing video out of the center, and before they could be whisked off to the Underworld on the King's Dark Plane, one intrepid immigration attorney, a certain Mad Hatter, Esq., of the Alliance of Business Immigration Lawyers, stepped in. "We'll sue!" he proclaimed. "Alice, don't panic. The King is just a man behind a curtain. His hands are very small, and his minions are nothing but a pack of cards. It's just one side or the other." "One side or the other of *what*?" she asked, panicked. "Of the mushroom," he said. "I'll be back! Don't give up! This story isn't over!" And he began to vanish in a puff of smoke while chanting, "Happy April Fool's Day!" Stay tuned.[1]

Back to Top

[1] Any complaints about this article, or anything else, will be sent down the rabbit hole.

New Publications and Items of Interest

Reduced immigration to the United States and an increase in departures is slowing population growth, the Brookings Institution reported in an analysis of the U.S. Census Bureau's annual population estimates. The analysis "examines the sharp population shifts for the nation and states over the past year and shows what recent immigration and domestic migration patterns imply for future demographic shifts across states." National population growth in 2024-25 "was only about half of the previous year's growth, and the drop in immigration accounted for virtually all of that slowdown," the analysis states.

Two stories from Green Card Stories will be featured on April 20, 2026, during a live performance in New York City, Stories from the City of Immigrants, at Symphony Space. The program will be recorded for WNYC as part of the Selected Shorts program.

How to submit an H-1B cap-subject registration. The American Immigration Lawyers Association released a video, How to Fill Out an H-1B Registration.

Know your rights. A number of organizations, including the American Civil Liberties Union (ACLU) (English and Spanish), the Immigrant Legal Resource Center, Catholic Legal Immigration Network, Inc., the National Immigrant Justice Center, the American Immigration Lawyers Association, and the Asian Law Caucus, have published resources highlighting immigrants' and nonimmigrants' rights in the United States and at ports of entry, including "know your rights" information and what documents they may want to carry when traveling inside the United States. ACLU of Northern California also released Know Your Rights: U.S. Airports and Ports of Entry.

E-Verify webinars: E-Verify has updated its calendar of webinars.

SAVE webinars: Systematic Alien Verification for Entitlements (SAVE) has updated its calendar of webinars.

Immigration agency X (formerly Twitter) accounts:

- EOIR: @DOJ_EOIR
- ICE: @ICEgov
- Study in the States: @StudyinStates
- USCIS: @USCIS

Alliance of Business Immigration Lawyers: ABIL is available on X (formerly Twitter): @ABILImmigration

Back to Top

ABIL Member/Firm News

Two stories from Green Card Stories, published by the Alliance of Business Immigration Lawyers, will be featured on April 20, 2026, during a live performance in New York City, Stories from the City of Immigrants, at Symphony Space. The program will be recorded for WNYC as part of the Selected Shorts program.

Catherine Betancourt, of **Flynn Hodkinson, Ltd.,** was a guest on a podcast, U.S. Immigration: The Green Card Myth, hosted by Collyer Bristow, a law firm in the United Kingdom.

Gomberg Dalfen S.E.N.C. received several awards from Best Law Firms Canada 2026 (ranked by Best Lawyers), including a national ranking of Tier 1 in Immigration Law, and a regional ranking of Montréal Tier 1 in Immigration Law.

Klasko Immigration Law Partners, LLP, published a new blog post: Birthright Citizenship at the Supreme Court: Key Takeaways for Immigrants and Employers.

Klasko Immigration Law Partners, LLP, announced the expansion of its nationally recognized litigation practice with the addition of **Ilana Snyder** to the team, further advancing the firm's strategy to

strengthen its capacity for strategic litigation and government advocacy. In this role, Ms. Snyder joins as a Senior Associate on the litigation team, bringing her experience to help the firm to continue delivering inventive and effective solutions for clients navigating complex immigration challenges.

Klasko Immigration Law Partners, LLP, has published a new blog post: Middle East Conflict: Visa & Travel Alert for Employers.

Charles Kuck commented on Secretary of Homeland Security Kristi Noem's termination in a video released by *Atlanta News First*.

Mr. Kuck was quoted by *The Bulwark* in Inside the Plan to Stop/Melt ICE at the Polls. He said, "I don't understand what legal basis [the Trump administration] would have to have ICE at the polls. I think lawsuits would be filed that morning, and ICE would be forced to leave the polls. But the mere threat that it might happen would intimidate people from going to the polls, which is why voting early and absentee is so important."

Cyrus Mehta and **Kaitlyn Box** have co-authored several new blog posts: ICE Presence at Domestic Airports Blurs the Line Between Airport Security and Immigration Enforcement, New Fields in Form I-129 for H-1B Classification Need to Sync With Appropriate Wage Levels in the Lottery and Labor Condition Application, Board of Immigration Appeals Limits Scope of Entry Fraud Waiver under INA 237(a)(1)(H), and Trump Administration Erroneously Freezes Child's Age Under the Child Status Protection Act Upon Approval of Visa Petition Rendering It Virtually Ineffective.

Stephen Yale-Loehr, of **Miller Mayer, LLP,** was quoted by WGRZ in ICE Flights From Buffalo Airport Raise Constitutional Concerns for Detainees. He said, "The due process clause of the Constitution protects everyone who's in the United States, not just U.S. citizens. So, before you can deport someone, you have to make sure that you follow the due process of law by giving them the opportunity for a hearing." Mr. Yale-Loehr said that the rapid transfer of detainees out of state creates a legal problem. "If you send someone to a detention center for what essentially is a civil violation without giving them the right to a hearing, that violates the Constitution." He noted that the "only way they can try to get out from immigration detention is through this habeas corpus action filed in federal court. If you're flown down to Texas, you need to have your family or whoever find a habeas attorney in Texas—and that's very hard to do in a short amount of time."

Mr. Yale-Loehr was quoted by the *New York Times* in What Is Birth Tourism and How Common Is It? He said, "The question is do you want to take a cudgel to fix that problem or a more surgical approach?"

Mr. Yale-Loehr was quoted by the BBC in U.S. Supreme Court Appears Sceptical of U.S. Birthright Citizenship Challenge. He said, "The court does not like to rule on constitutional issues if it doesn't have to. The court could argue that the Trump executive order is invalid on statutory grounds."

Mr. Yale-Loehr was quoted by *Roll Call* in Supreme Court to Hear Oral Arguments on Future of Birthright Citizenship. He said that upholding President Trump's executive order on birthright citizenship would represent a "diminution of congressional power" because Congress is supposed to have authority over changes to immigration and citizenship. He also said, "If Trump's executive order is upheld, this would be the largest expansion of federal red tape in decades, because hospitals and state records agencies would have to become surrogate immigration agents to determine whether the parents of a newborn child have proper immigration or citizenship status."

Mr. Yale-Loehr was quoted by *USA Today* in Trump Wants to Define Who is an American. Will Supreme Court Let Him? He noted that President Trump's executive order on birthright citizenship is one of more than 500 policy changes in his second administration that are among the most sweeping immigration restrictions in modern U.S. history. He said the policies are "both a different magnitude and different quality" than the policies advanced in his first administration. But he noted that while presidents have a lot of latitude over who is allowed into the United States, defining who is an American by birth is different. "Historically, all Supreme Courts have been deferential to presidents on immigration because

immigration touches on sovereignty and foreign affairs. This involves a clause in the Constitution itself," he said.

Mr. Yale-Loehr co-wrote an op-ed, How to Prepare for When ICE Shows Up on Campus, published in the *Chronicle of Higher Education.*

Mr. Yale-Loehr co-authored a blog post: President Trump's Birthright Citizenship Executive Order: Too Much Detail, Too Little Authority.

Mr. Yale-Loehr co-authored an op-ed published in *The Hill*: Trump's Order on Birthright Citizenship Would Harm Millions, Including Citizens.

Mr. Yale-Loehr was quoted by *USA Today* in What History Reveals About Trump's Move to Limit Birthright Citizenship. He noted that Americans have gone back and forth on immigration, depending in part on the strength of the economy and on how many immigrants are coming in. He also noted that President Trump's campaign promise to restrict immigration came after President Biden allowed more than two million migrants into the country under humanitarian programs. "When citizens see that number of immigrants coming to the United States in such a short period of time, they start to worry," he said. "If we had a functioning immigration system, we could better deal with the numbers of people who are trying to come to the United States."

Mr. Yale-Loehr was quoted by *Inside Higher Education* in New Student Visas Dropped 35.6% Last Summer. He said, "I don't think Americans realize how this decline in international students will hurt them both in the short term, in terms of local economies … and in the long term in terms of stifling our innovation. I think we're shooting ourselves in the foot, and, unfortunately, I don't think the Trump administration plans to change its war on immigrants."

Stephen Yale-Loehr, of **Miller Mayer, LLP,** was quoted by the *New York Times* in A Judge's 'Battle Royale' With Trump and the Supreme Court. Mr. Yale Loehr said, "This is a battle royale, both on the merits and on the relationship between lower courts and the Supreme Court."

Government Agency Links

Follow these links to access current processing times of the USCIS Service Centers and the Department of State's latest Visa Bulletin with the most recent cut-off dates for visa numbers:

USCIS case processing times online: https://egov.uscis.gov/processing-times/

Department of State Visa Bulletin: https://travel.state.gov/content/travel/en/legal/visa-law0/visa-bulletin.html

Back to Top

About ABIL

The Alliance of Business Immigration Lawyers (ABIL) offers a single point of contact for customer needs, news alerts, staff training, and other programs that benefit clients through the collaboration of more than 370 member lawyers and their more than 800 staff. Corporate counsel, human resource professionals, in-house immigration managers, and other corporate decision-makers turn to ABIL lawyers for outstanding legal skills and services. ABIL's work also includes advocating for enlightened immigration reform, providing speakers and media sources, presenting at conferences, publishing books, authoring articles on cutting-edge immigration topics, and sharing best practices, all with the ultimate goal of offering value-added services to business immigration clients.

The Alliance of Business Immigration Lawyers' website is at https://www.abil.com/.

Disclaimer/Reminder

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Back to Top