

IMMIGRATION INSIDER

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[DHS Is Assessing Daily Fines for Failure to Leave the United States After Removal Order](#) – The Trump administration has begun issuing letters assessing fines of \$998 per day for an individual's failure to leave the United States after receiving an order of removal, regardless of whether the person is pursuing an alternate form of immigration relief or has a work permit or other permission to remain in the United States.

[DOS Announces 'B' Visa Expedited Appointment Pilot Program, Starting With Mission Mexico](#) – The Department of State is testing a voluntary, optional nonimmigrant visa expedited appointment program for B visas at select U.S. embassies and consulates through December 31, 2026, starting with Mission Mexico (embassy and all consulates).

[USCIS Updates TPS Guidance for Haiti](#) – On July 24, 2026, U.S. Citizenship and Immigration Services (USCIS) posted an update regarding the status of employment authorization documents (EADs) for temporary protected status (TPS)-holders from Haiti. TPS and associated EADs remain valid and extended per a court order.

[DHS Finalizes Rule Eliminating Duration of Status for F, J, and I Nonimmigrants](#) – The Department of Homeland Security released its long-anticipated final rule changing the admission period in the F, J, and I classifications from duration of status to admission for a fixed time period tied to the nonimmigrant's program.

[USCIS Reaches FY 2027 H-1B Cap](#) – U.S. Citizenship and Immigration Services has received enough petitions to reach the congressionally mandated 65,000 H-1B visa regular cap and the 20,000 H-1B visa U.S. advanced degree exemption for fiscal year 2027.

[DHS Rescinds Public Charge Regulation](#) – The rule applies to applications for admission made on or after September 18, 2026, or applications for adjustment of status postmarked or electronically submitted on or after that date.

[USCIS Again Moves Work Authorization Expiration Date for Certain TPS Recipients, Issues Guidance for Employers](#) – The new guidance, which moved the expiration date for work authorization to July 17, 2026, for Burma (Myanmar), Ethiopia, Somalia, South Sudan, Syria, and Yemen, and to July 24, 2026, for Haiti, superseded recent previous guidance.

[E-Verify Announces TPS-Related Revisions to Handbook for Employers](#) – Sections 5.0 through 5.3 have been revised due to developments that have reduced or eliminated the automatic extension periods for qualifying Temporary Protected Status applicants and beneficiaries.

[No Immediate Changes to TN Visa; USMCA Review Process Begins](#) – The Trump administration will not renew the United States-Mexico-Canada Agreement, triggering the agreement’s built-in six-year review process and beginning a potential 10-year path toward expiration. There is no immediate impact to Trade NAFTA (TN) nonimmigrant status or the ability of Canadian and Mexican professionals to obtain TN classification.

[OFLC Announces List of Randomized H-2B Applications With Work Start Date of October 1](#) – The Department of Labor’s Office of Foreign Labor Certification announced the Assignment Groups for 2,625 H-2B applications covering 51,158 worker positions with a work start date of October 1, 2026, received during the July 3-5, 2026, filing period.

[Fifth Circuit’s Mandatory Detention Policy Remains in Effect Pending En Banc Review](#) – In *Sosnava Rodriguez v. Ortega* (5th Cir., No. 26-50183), the Fifth Circuit vacated its July 2, 2026, panel decision that granted noncitizens a constitutional right to an individualized bond hearing after 90 days.

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Trump Administration Considers \$100,000 Fee for International Students to Work in United States

According to [reports](#), the Trump administration is considering charging a \$100,000 fee for international students who want to work in the United States after graduation, likely via the Optional Training Program (OPT). As of last fall, there were an [estimated](#) 300,000 international students on OPT in the United States, about a quarter of the total international student population.

If implemented, the fee [could reduce](#) the ability of the United States to attract and retain top talent. It also could harm universities, tech companies, and Wall Street firms that benefit from the international student pipeline.

The Department of Homeland Security is reportedly [considering](#) the fee as part of a larger package of changes to OPT regulations.

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DHS Detentions Increase at Airports

Practitioners are [warning](#) that a growing number of foreign nationals have been detained by the Department of Homeland Security (DHS) at U.S. airports while traveling between states, even if they had pending applications and were in a period of authorized stay, including [spouses of U.S. citizens, tech workers, and others](#).

Incidents have been reported so far in California, Colorado, Florida, Illinois, Kansas, Michigan, New Jersey, Texas, and Virginia. The individuals affected share a common profile: their underlying nonimmigrant status has expired, but they may have timely filed an application for adjustment of status or asylum, or an extension of status request. Some of those detained had no criminal history and held valid work authorization or advance parole documents at the time. No single triggering policy or rule change has been identified behind this emerging pattern.

Employers and affected employees should not assume that a pending immigration filing eliminates travel risk simply because the employee is otherwise maintaining a period of authorized stay. An individual may be placed in removal proceedings even if they are authorized to remain in the United States by filing an adjustment of status application if the underlying nonimmigrant status has expired. Practitioners recommend that employers review their workforce records and alert their sponsored employees who may be at risk even during routine, in-country travel. It may be advisable for such employees to avoid air travel if possible. If air travel is unavoidable, affected employees should carry immigration evidence including USCIS approval/receipt notices, I-94 printouts, Employment Authorization Documents, and AP/travel documents. It is not sufficient to have evidence on a phone or laptop; any documentation should be either original or printed.

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DOS Proposes Changes to Exchange Visitor Program Rules

On July 30, 2026, the Department of State (DOS) published a [proposed rule](#) that clarifies the conditions under which a sponsor must terminate a J-1 exchange visitor's program and authorizes DOS, in its discretion, to terminate an exchange visitor's program in limited circumstances; modifies extension of program status and reinstatement to valid program status by eliminating certain requirements and introducing updated procedures that make use of current Student and Exchange Visitor Information System functionality; includes definitions for "Unauthorized Employment" and "Valid Program Status"; and rescinds the separate extension-of-program provision for au pairs.

Comments are due by September 28, 2026.

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DHS Announces Rule Change, Effective Immediately, to Allow USCIS to Refer Asylum Applications to Immigration Judges Without Interviewing the Applicant

On July 27, 2026, the Department of Homeland Security (DHS) [announced](#) an [interim final rule](#), effective July 28, that allows U.S. Citizenship and Immigration Services (USCIS) to refer asylum applications to Immigration Judges (IJs) without first interviewing the applicant. DHS said the rule will shorten the total time that it takes asylum officers and IJs to adjudicate asylum applications and thus reduce the asylum backlog.

Previously, the agency explained, both USCIS and Department of Justice (DOJ) IJs adjudicate applications for asylum: USCIS adjudicates "affirmative" asylum applications for those who are not in removal proceedings, while IJs adjudicate "defensive" asylum applications for those who are in removal proceedings. Depending on the individual's immigration status, USCIS usually either adjudicates the application or refers it to an IJ, who conducts a new review of the application.

DHS noted that USCIS still offers an interview before a grant or denial of asylum. DHS said it is also removing the requirement that a letter communicating the basis for referral of asylum include an assessment of credibility.

Comments are due by September 28, 2026.

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First Circuit Denies Stay in \$100,000 H-1B Fee Case

On July 24, 2026, the U.S. Court of Appeals for the First Circuit [denied](#) a motion to continue a stay in *State of California v. Mullin*. In that case, plaintiffs (a group of 20 states¹) challenged a proclamation by President Trump requiring that \$100,000 be paid with each H-1B petition. The plaintiffs argued that the actions taken by several federal agencies to implement the proclamation were illegal and unconstitutional. They also claimed that the policy would harm their states and lead to staffing shortages in public universities, K-12 schools, and healthcare systems.

A district court previously vacated the policy as unlikely to succeed on the merits but granted a temporary administrative stay. The First Circuit agreed with the lower court and noted that the plaintiff states were likely to be substantially injured by the stay. The First Circuit's order means that the \$100,000 H-1B application fee remains vacated pending a decision on the merits in the underlying appeal.

It is widely expected that the Trump administration will petition the Supreme Court if it loses on the merits in the First Circuit. A final First Circuit decision is not expected until some time in 2027.

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Court Issues Administrative Stay of Certain USCIS Policies Related to TPS-Based EAD Expiration and Asylum Fees

U.S. Citizenship and Immigration Services (USCIS) recently [announced](#) that on July 21, 2026, a U.S. district court issued an order in *Venezuelan Association of Massachusetts v. USCIS* granting, in part, plaintiffs' emergency motion for an administrative stay of certain USCIS policies based on H.R. 1 (the "One Big Beautiful Bill Act"). Plaintiffs are membership-based organizations representing individuals holding Temporary Protected Status (TPS) and pending asylum applicants.

USCIS said it will comply with the court's order pending further judicial proceedings. The court's order stays the following portions of USCIS's policies:

- Application of H.R. 1 to TPS-based employment authorization document (EAD) expiration deadlines, meaning that any previously extended TPS-based EAD will maintain its prior expiration date;
- Rejection of asylum applications for failure to pay the annual asylum fee (AAF);
- Termination of work authorization as a result of failing to pay the AAF; and
- Initiation of removal procedures based solely on a person's failure to pay the AAF.

The court said that the administrative stay will remain in effect until an order to be issued by August 5, 2026. USCIS noted that the court's order "expressly allows USCIS to continue collecting the AAF. Therefore, any alien to whom USCIS sent or sends a notice regarding the AAF must pay the fee according to the instructions in that notice. All other fees and requirements of H.R. 1 continue in effect."

¹ The plaintiff states are Arizona, California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New York, North Carolina, Oregon, Rhode Island, Vermont, Washington, and Wisconsin.

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DHS Is Assessing Daily Fines for Failure to Leave the United States After Removal Order

The Trump administration has begun issuing letters [assessing fines of \\$998 per day](#) for an individual's failure to leave the United States after receiving an order of removal, regardless of whether the person is pursuing an alternate form of immigration relief or has a work permit or other permission to remain in the United States. On July 23, 2026, the Department of Homeland Security (DHS) [announced](#) that under a [streamlined process](#), it has issued more than \$84 billion in civil fines for failure to leave.

DHS has sent more than 100,000 such letters, which are accompanied by fliers explaining how to self-deport. The fines can add up to more than \$1 million. In one case, the letter gave the recipient 15 days to contest the decision. But after filing an appeal, the letter recipient received a second letter threatening her credit and referral for collection litigation, and stating that her debt would be considered in any future immigration proceedings. Many such appeals have been [denied](#), according to lawyers interviewed by the *New York Times*, including a 68-year-old man whose U.S. citizen wife has cancer and who had received DHS's permission to remain in the United States after receiving an order of removal in 2012. His letter said he owed \$579,838.

Advocates and attorneys for individual clients have filed several federal lawsuits to block the policy on due process and constitutional grounds.

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DOS Announces 'B' Visa Expedited Appointment Pilot Program, Starting With Mission Mexico

On July 22, 2026, the Department of State (DOS) [announced](#) that it is testing a voluntary, optional nonimmigrant visa expedited appointment program for B visas at select U.S. embassies and consulates through December 31, 2026, starting with Mission Mexico (embassy and all consulates).

Under the pilot program, eligible applicants for B visas—those making new appointments or holding existing appointments with unexpired machine-readable visa (MRV) fee receipts—may pay a \$750 fee per appointment to schedule a visa interview within 10 business days (subject to availability). Applicants must first follow the usual process to pay the \$185 MRV fee and schedule an interview appointment. If expedited appointments are available, these appointments will be visible for applicants to select when scheduling their appointments, DOS said. After an applicant selects an expedited appointment date and time, the \$750 fee payment must be completed within 10 minutes to secure the appointment.

DOS noted that additional pilot locations may be announced throughout the pilot period.

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USCIS Updates TPS Guidance for Haiti

On July 24, 2026, U.S. Citizenship and Immigration Services (USCIS) posted an [update](#) regarding the status of employment authorization documents (EADs) for temporary protected status (TPS)-holders from Haiti. TPS and associated EADs remain valid and extended per a court order.

According to USCIS, when completing the expiration date (if any) fields on Form I-9, employers should input "as per court order" in Section 1 and "July 27, 2026" in Section 2 along with a note in the additional information box. Employers may download the Alert and [TPS Haiti webpage](#) and attach them to Form I-9. When completing a case in E-Verify, employers should enter the expiration date of "July 27, 2026" from the Form I-9.

USCIS recommends checking the [USCIS TPS Haiti](#) webpage regularly for updates.

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DHS Finalizes Rule Eliminating Duration of Status for F, J, and I Nonimmigrants

On July 16, 2026, the Department of Homeland Security (DHS) released its long-anticipated [final rule](#) changing the admission period in the F, J, and I classifications from duration of status (D/S) to admission for a fixed time period tied to the nonimmigrant's program, along with making additional changes to admission and extension requirements. The rule is effective September 15, 2026, although Congress could act to change or void the rule during the implementation window.

The new rule also introduces new restrictions on academic flexibility. Undergraduate F-1 students would be barred from changing their study program, major, or education level during their first year, except in rare cases. Graduate F-1 students would face even stricter limits, with no ability to change their program or field of study. Moreover, once an international student completes a program at a certain level, they would no longer be permitted to pursue another program at the same or a lower level under F-1 status.

The grace period for F-1 students has been halved from 60 days to 30 days. F-1 students enrolled in English language training programs will have a limited aggregate 24-month period of stay.

The final rule provides for transition measures for students already present in the United States. Those who are currently covered by D/S may continue to benefit from it through their current study program period or up to four additional years. However, if they travel abroad and return within the four years, they will be admitted under the fixed period of the academic program and be subject to the new 30-day grace period.

Under the rule, F, J, and I nonimmigrants will need to track fixed admission periods and timely file extension-of-stay (EOS) applications with U.S. Citizenship and Immigration Services (USCIS) to maintain status. Those who travel internationally and return to the United States will need to carefully monitor their I-94 admission dates, and understand that the I-94 date, not the visa stamp date or any other indicator, controls their authorized stay in the United States.

For employers, universities, teaching hospitals, exchange programs, and media organizations, the rule introduces new compliance considerations and a formal extension process that did not previously exist under D/S. Employers with F, J, and I workers will need to adjust compliance and I-9 reverification procedures to account for fixed admission periods. Practitioners [recommend](#) doing this in several ways:

- Identify the population of employees working pursuant to F, J, or I status and track their status and I-94 expiration.
- Develop resources regarding employees' obligation to monitor their I-94 expiration dates, explaining the nuances and common issues that arise with I-94 admission records. This should include noting that:
 - I-94 expiration dates can be truncated, or shortened, to the date of a foreign national's passport expiration. U.S. Customs and Border Protection does not consider this an error in admission that can be corrected. Foreign nationals must closely monitor their passport expiration dates and renew them as early as possible also.
 - Truncated I-94 expiration dates are one of the easiest ways for a foreign national to fall out of status, lose work without authorization, and accrue unlawful presence in the United States.

- Determine what level of support the employer will provide, such as covering EOS or Employment Authorization Document filing costs and whether to extend support to dependents.
- Train I-9 professionals regarding these rule changes and how they will affect the I-9 reverification process and considering supplementing their I-9 support.
- Educate campus recruiting and talent acquisition teams on the roles of the organization, the employee, and the F/J sponsoring organization in maintaining immigration status and work authorization.

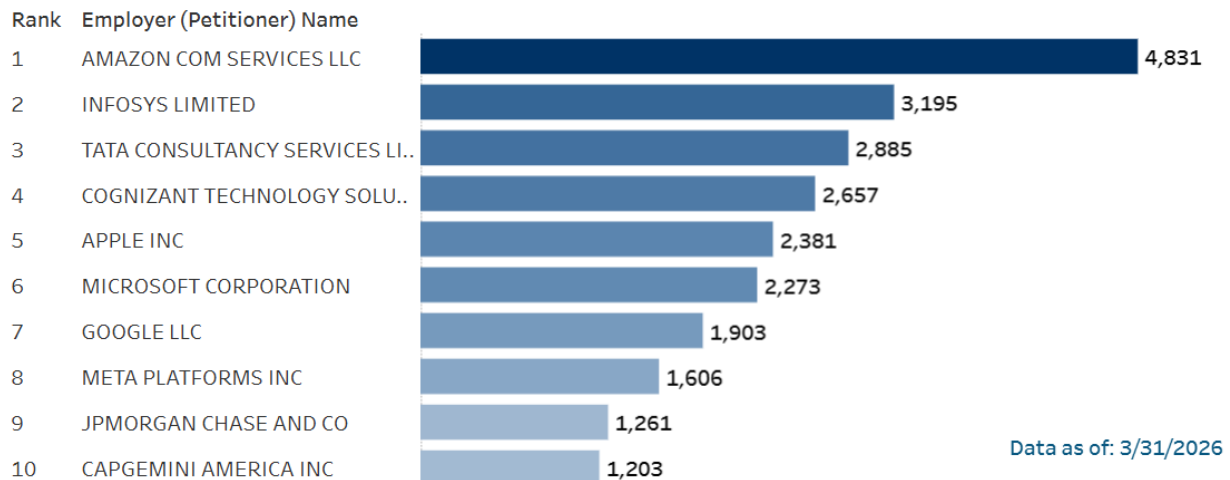
It is critical for individuals in F, J, or I status to understand that the I-94 expiration date controls authorized stay in the United States, even if a visa stamp remains valid for a longer period. Individuals considering program changes, transfers, new educational levels, Curricular Practical Training, Optional Practical Training strategy, extensions, or travel should consult with counsel or their Designated School Official before acting.

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USCIS Reaches FY 2027 H-1B Cap

On July 17, 2026, U.S. Citizenship and Immigration Services (USCIS) [announced](#) that it has received enough petitions to reach the congressionally mandated 65,000 H-1B visa regular cap and the 20,000 H-1B visa U.S. advanced degree exemption for fiscal year 2027.

USCIS also [released](#) data showing the numbers of H-1B workers approved by companies as of March 31, 2026. Below are the top 10 companies hiring H-1B workers:



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DHS Rescinds Public Charge Regulation

On July 16, 2026, the Department of Homeland Security (DHS) [announced](#) that it has issued a [final rule](#) rescinding a 2022 regulation regarding public charge determinations. DHS said the rule “ensures that officers can make highly individualized, fact-specific, case-by-case public charge inadmissibility decisions based on the totality” of each person’s individual circumstances. “This approach will prevent the application of overly restrictive criteria that straitjackets DHS officers’ ability to make public charge inadmissibility determinations.”

DHS said that the rule applies to applications for admission made on or after September 18, 2026, or applications for adjustment of status postmarked or electronically submitted on or after that date. Receipt of means-tested public benefits before September 18, 2026, will be considered consistent with the 2022 final rule, DHS said.

The agency plans to publish a revised [Form I-485, Application to Register Permanent Residence or Adjust Status](#). Older versions of Form I-485 postmarked or submitted electronically on or after the effective date will not be accepted, DHS noted.

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USCIS Again Moves Work Authorization Expiration Date for Certain TPS Recipients, Issues Guidance for Employers

On July 10, 2026, U.S. Citizenship and Immigration Services (USCIS)' E-Verify program issued new guidance on work authorization for eligible Temporary Protected Status (TPS) recipients affected by a court order in *Mullin v. Doe*, a recent Supreme Court decision. The new guidance, which moved the expiration date for work authorization to July 17, 2026, for six countries and to July 24, 2026, for Haiti, superseded USCIS' guidance released on July 1 that extended work authorization for those seven countries to July 10, 2026.

The new guidance for employers of affected TPS beneficiaries from [Burma](#) (Myanmar), [Ethiopia](#), [Somalia](#), [South Sudan](#), [Syria](#), and [Yemen](#) included the following instructions:

When completing the Expiration Date (if any) fields on Form I-9, input "as per court order" in Section 1 and "July 17, 2026" in Section 2 along with a note in the additional information box. Employers may download the Alert and TPS [country] webpages and attach them to Form I-9. Check USCIS websites regularly for updated information.

When completing a case in E-Verify, enter the expiration date of "July 17, 2026" from the Form I-9.

The new guidance told employers of affected [Haiti](#) TPS beneficiaries to use July 24, 2026, for the expiration date in the fields noted above.

[Confusion](#) about the shifting dates and their impact has affected both employers and TPS recipients. A commenter [noted](#) that the new EAD expiration dates "are placeholder dates that [the Department of Homeland Security] may update as the remaining litigation and implementation efforts proceed." In a [July 7, 2026, press release](#), Massachusetts Attorney General Cambell stated, "While the Supreme Court's decision allows the federal government to terminate TPS protections for Haiti and Syria, the current TPS designations and related work authorizations remain in effect until the Supreme Court sends a certified copy of its judgment to the lower court and the federal administration issues implementation guidance."

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E-Verify Announces TPS-Related Revisions to Handbook for Employers

On July 7, 2026, U.S. Citizenship and Immigration Services' (USCIS) E-Verify program [announced](#) revisions to its [M-274 Handbook for Employers](#) related to Temporary Protected Status (TPS) changes.

Specifically, sections 5.0 through 5.3 have been revised due to developments that "have reduced or eliminated the automatic extension periods for qualifying TPS applicants and beneficiaries with TPS-based [Employment Authorization Documents (EADs)]." A DHS interim final rule, USCIS implementation

of H.R. 1 (the “One Big Beautiful Bill Act”), and “Federal Register notices unique to specific countries” have affected various EAD categories, USCIS noted.

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No Immediate Changes to TN Visa; USMCA Review Process Begins

On July 1, 2026, the Trump administration [announced](#) that it will not renew the United States-Mexico-Canada Agreement (USMCA), triggering the agreement’s built-in six-year review process and beginning a potential 10-year path toward expiration.

Although this development has generated significant attention, there is [no immediate impact](#) to Trade NAFTA (TN) nonimmigrant status or the ability of Canadian and Mexican professionals to obtain TN classification. U.S. Customs and Border Protection and U.S. Citizenship and Immigration Services continue to adjudicate TN applications under existing eligibility standards. Employers should therefore continue regular workforce planning practices for current and prospective TN employees.

Under the treaty’s “sunset” provisions, the United States, Canada, and Mexico will engage in annual review discussions. If the parties do not agree to extend or replace it, USMCA would expire on July 1, 2036. This review process is separate from the treaty’s withdrawal provision, which would permit a member country to withdraw upon six months’ notice. No such withdrawal has been announced.

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OFLC Announces List of Randomized H-2B Applications With Work Start Date of October 1

On July 8, 2026, the Department of Labor’s Office of Foreign Labor Certification (OFLC) [announced](#) the Assignment Groups for 2,625 H-2B applications covering 51,158 worker positions with a work start date of October 1, 2026, received during the July 3-5, 2026, filing period. OFLC completed the randomization process on July 6, 2026.

Due to the number of applications filed and the number of worker positions requested, cases were randomized into two groups, assignment group A (1,881 cases) and assignment group B (744 cases), OFLC said. Cases in Group A are being assigned to National Processing Center analysts for issuance of Notices of Acceptance or Deficiency. Group A includes enough worker positions to reach the H-2B semi-annual visa allotment of 33,000. One additional Assignment Group was created for the remaining applications and associated worker positions. Each filing was randomly given a unique number in accordance with OFLC’s [randomization process](#) and placed into a group for assignment to analysts for review and processing, OFLC explained.

On July 6, 2026, OFLC provided written notice to each employer (and the employer’s authorized attorney or agent) informing them about the Assignment Group for their application(s).

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Fifth Circuit’s Mandatory Detention Policy Remains in Effect Pending En Banc Review

In *Sosnava Rodriguez v. Ortega* (5th Cir., No. 26-50183), the Fifth Circuit vacated its [July 2, 2026, panel decision](#) that granted noncitizens a constitutional right to an individualized bond hearing after 90 days.

The full court has decided to rehear the case *en banc*, meaning the mandatory detention policy remains in effect pending the new review. As such, the panel decision is no longer precedential or binding on district courts in the Fifth Circuit or on other panels. However, under circuit law, its reasoning can still be

cited as persuasive. *See, e.g., Cheejati v. Blinken*, 106 F.4th 388, 395 (5th Cir. 2024) (noting that while a prior panel decision was vacated, "we find its reasoning persuasive"); *Munn v. City of Ocean Springs, Miss.*, 763 F.3d 437, 441 (5th Cir. 2014) (finding persuasive a prior decision vacated *en banc*).

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New Publications and Items of Interest

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](#) (AILA), 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](#). In addition to a client flyer for permanent residents detained at ports of entry, linked above, AILA also released [Know Your Rights: If ICE Visits Your Home](#).

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](#)

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ABIL Member/Firm News

Klasko Immigration Law Partners, LLP, has published several new client alerts: [Domestic Travel Advisory: Increased Risk of Airport Detentions](#) and [USMCA Review Process Begins; No Immediate Changes to TN Visa](#).

Klasko Immigration Law Partners, LLP, has published several new podcast episodes in its Statutes of Liberty series: [Episode 39: Becoming a U.S. Citizen \(Part 1\): The Basics of Naturalization](#) and [Episode 38: AOS or Consular Processing? What USCIS's Policy Shift Means for You](#).

Charles Kuck, of **Kuck Baxter**, was quoted by the *New York Times* in [ICE Arrests Surge at Airports, Opening New Front in Deportation Drive](#). He said, "In 38 years practicing immigration law, I had never seen this. And I know it's happening to lots of people."

Mr. Kuck was quoted by *Newsweek* in [\\$100,000 Green Card Applicant Bond Could Spark Lawsuits](#). He said, "There's daylight between 'bond tied to an individualized public-charge determination' and 'bond imposed categorically based on nationality or country-of-origin risk factors.' "

Mr. Kuck and **Stephen Yale-Loehr**, of **Miller Mayer, LLP**, were quoted by *Newsweek* in [How Trump Admin Has Changed Green Card Enforcement for US Citizens' Spouses](#). Mr. Kuck said that "we have not seen a dramatically different approach to spouse-based permanent resident applications" under the Trump administration. "USCIS has historically been a 'profiling'-based adjudicator. If the couple 'looks' like they can be together, USCIS has generally more easily approved them, while other couples who are "racially or societally different have always faced stricter scrutiny." Mr. Yale-Loehr noted that for many spouses of U.S. citizens, the process to obtain a marriage-based green card is "technically" the same as it

always was, but families where the spouse is not in the United States are being separated for a longer period of time while the petition is reviewed under the Trump administration's heightened scrutiny.

Cyrus Mehta was quoted by *Forbes* in [Trump Immigration Policies Make It Harder To Get And Keep Citizenship](#). He said, "If you get convicted of a crime after you have naturalized, and the facts supporting the indictment or charges go back before you naturalized, that would be grounds to denaturalize the person for either failure to maintain good moral character within the relevant five-year period or for not truthfully answering the question on the N-400 on whether you committed a crime for which you were not charged or arrested." Mr. Mehta also noted that "I still have not seen the Trump administration try to denaturalize citizens for what they may perceive as irregularities in the labor certification process such as not conducting a good faith test of the labor market or where the business necessity justification may not have been present. This is because the government has a heavy burden. In *Maslenjak v. United States*, the U.S. Supreme Court ruled unanimously that the federal government cannot strip a naturalized citizen of their U.S. citizenship for making a false statement unless the lie directly influenced the procurement of that citizenship."

Mr. Mehta and **Kaitlyn Box** co-authored [Justices' Parole Ruling Degrades Green Card Holders' Rights](#), published by *Law360*.

Mr. Mehta and **Kaitlyn Box** co-authored several new blog posts: [Beyond Loper Bright: Rodriguez v. Ortega and the Fifth Amendment Limit on Mandatory Immigration Detention](#), [Trump v. Barbara: How the Supreme Court Dodged a Bullet on Birthright Citizenship](#), and [ICE Targets Noncitizens at Domestic Airports Even When They Are Authorized to Remain](#).

Mr. Mehta and **Damira Zhanatova** co-authored several new blog posts: [H-1B for Entrepreneurs: Can You Transfer Your H-1B to Your Own Startup?](#) and [DHS Ends Duration of Status for F, J, and I Nonimmigrants: What the Final Rule Means](#).

Mr. Mehta, **William Stock**, and **Mr. Yale-Loehr** were quoted by *Bloomberg Law* in [High Court Rulings Back Broad Executive Authority on Immigration](#). Mr. Mehta said that with the court largely backing the government's reading of its statutory authority, invoking constitutional arguments would be a "sound litigation strategy" for grounds challenging Trump immigration policies. "Most courts didn't feel the need to get into constitutional issues at all before. The statute was clear." Mr. Stock said the justices largely showed that they are "not in the business of second-guessing the administration's choices." Mr. Yale-Loehr said that the Supreme Court's ruling upholding birthright citizenship was the "exception to the general rule of giving the executive branch more power over immigration."

Mr. Mehta was quoted by the *Times of India* in [Trump Administration Limits Visa Tenure of Students to a Fixed Period of Four Years and Limits Academic Flexibility](#). He warned that the elimination of Duration of Status (D/S) would have severe consequences. "Students could unknowingly accumulate unlawful presence due to technical status violations, potentially leading to re-entry bans." Mr. Mehta noted that the "reduction of grace periods from 60 to 30 days would further impact students' flexibility, hindering their ability to transition to other visa statuses, such as employment-based visas."

Mr. Yale-Loehr co-authored [What Does the New Duration of Status Rule Mean for International Students and Workers?](#)

Mr. Yale-Loehr was quoted by the *Los Angeles Times* in [Even Without Birthright Citizenship, Supreme Court Co-Signs Much of Trump's Immigration Agenda](#). He said, "Despite this seemingly historic loss, the Trump administration is winning its war on immigrants."

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/>

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