ABIL ALLIANCE OF BUSINESS IMMIGRATION LAWYERS

IMMIGRATION INSIDER

Vol. 22, No. 11A ▪ November 1, 2026

INSIDE THIS ISSUE

USCIS Extends L-1 Fee – U.S. Citizenship and Immigration Services issued a policy alert announcing the extension of a fee initially imposed only on certain L-1A and L-1B petitions to "all L-1 petitions filed by covered employers postmarked on or before September 30, 2027, unless the petitioner is filing an amended petition that does not seek an extension" of the worker's currently authorized L-1 status.

Sileiri Doe Class Members May Request Reopening or Reconsideration Without Fee – Under a court order, *Sileiri Doe* class members may file a request with U.S. Citizenship and Immigration Services to reopen or reconsider an adverse decision or action on an immigration benefit request without a fee if the class member believes that the adverse decision or action was made as a result of an April 2025 parole termination.

DOS Orders Non-Emergency U.S. Government Employees to Leave Saudi Arabia – The Department of State ordered non-emergency U.S. government employees and U.S. government employee family members to leave Saudi Arabia due to safety risks, and imposed travel restrictions.

CBP Announces Global Entry Partnership With Saudi Arabia – The Kingdom of Saudi Arabia is now an official Global Entry partner. Saudi Arabian citizens may use the Trusted Traveler mobile application during the Global Entry application process.

CBP Suspends CNMI Travel Authorization Program for PRC Nationals – U.S. Customs and Border Protection has suspended the Northern Mariana Islands (CNMI) Economic Vitality & Security Travel Authorization Program (EVS–TAP). EVS–TAP allowed prescreened nationals of the People's Republic of China to travel to the CNMI without a visa for temporary visits under specified conditions.

Ukrainian and Sudanese TPS Beneficiaries 'Retain Protection' Despite Expiration, For Now – The Department of Homeland Security told media outlets that more than 100,000 Temporary Protected Status (TPS) beneficiaries from Ukraine and Sudan would be able to stay in the United States and "retain protection," despite their TPS expiring on October 19, until a final decision is "made at the appropriate time."

CDC and CBP Announce Ebola-Related Attestation Requirement for Air Passengers Arriving in United States – The Centers for Disease Control and Prevention, and U.S. Customs and Border Protection's Carrier Liaison Program, announced an attestation requirement for air passengers arriving in the United States related to the Ebola outbreak in Africa.

November Visa Bulletin Released – The bulletin includes updated "Final Action Dates" and "Dates for Filing Applications" for employment-based immigrant visas.

'Dismantling Due Process': Procedural Mechanisms Prevent Many Asylum Claims From Reaching Merits Hearings, Study Finds – The report identifies four procedural mechanisms that prevent asylum claims from reaching a merits hearing and makes recommendations.

USCIS Proposes to Eliminate Deference to Prior Approvals Involving Same Facts When Adjudicating Extensions – U.S. Citizenship and Immigration Services published a proposed rule that would eliminate deference to a prior approval involving the same facts when adjudicating a request to extend a petition for employment or stay.

USCIS Publishes Final Rule Ending Automatic EAD Extensions in Certain Work Authorization Categories – On October 14, 2026, U.S. Citizenship and Immigration Services published a final rule, effective the same day, that

ends the practice of automatically extending the validity of Employment Authorization Documents (EADs) for those who have timely filed an application to renew their EADs in certain work authorization categories.

DHS Interim Final Rule Expedites Termination of Refugee Status – The response period to a Notice of Intent to Terminate is reduced from 30 to 10 days.

CBP Proposes to Require Rail Carriers to Transmit Advance Traveler Information When Entering or Leaving the United States – U.S. Customs and Border Protection (CBP) published a proposed rule to require rail carriers to transmit advance electronic traveler information to CBP for any individual (crew or passenger) who is arriving in or departing from the United States on board a train.

DHS Proposes $70,000 Fee for Optional Practical Training – The Department of Homeland Security announced a proposed rule that would require U.S. universities to pay a $70,000 fee for each F-1 student's initial Optional Practical Training (OPT) work authorization and $30,000 for subsequent OPT requests.

Trump Admin Suspends Microsoft and Adobe From PERM Labor Certification Program – The Trump administration announced the suspension of Microsoft and Adobe from the PERM labor certification program, along with Cognizant, Infosys, Tata, Wipro, HCL, and Capgemini**.**

Trump Admin Announces Investigation Into 'Visa Fraud' at Top U.S. Universities – The Trump administration announced investigations into "J-1 visa fraud" at the University of Pittsburgh, Yale, Harvard, Stanford, Brown, the University of California at Davis, Caltech, Arizona State, and the Massachusetts Institute of Technology.

Visa Bulletin for October Notes Retrogressions in Some Employment-Based Visa Categories – With the availability of Fiscal Year 2027 immigrant visa numbers, dates for filing and final action dates have advanced across various immigrant visa categories. However, some employment-based visa categories for "Rest of World" countries have retrogressed.

Federal Judge Temporarily Blocks Trump Admin Policy of Not Collecting Biometric Info From Detainees With Pending Immigration Applications – A federal judge temporarily blocked the Trump administration's policy of not collecting the biometric information required to continue processing the immigration applications of people in immigration detention.

ALSO IN THIS ISSUE

New Publications and Items of Interest

ABIL Member/Firm News

Government Agency Links

About ABIL

USCIS Extends L-1 Fee

On October 27, 2026, U.S. Citizenship and Immigration Services (USCIS) issued a policy alert (PA-2026-16) announcing the extension of a fee initially imposed only on certain L-1A and L-1B petitions to "all L-1 petitions filed by covered employers postmarked on or before September 30, 2027, unless the petitioner is filing an amended petition that does not seek an extension" of the worker's currently authorized L-1 status. "The rule also codifies longstanding practice applying the fee to petitioners with 50 or more employees if 50 percent or more of those employees are in H-1B or L-1 status in the aggregate, including part-time and full-time employees," the memorandum states.

The update removes references to specific fee amounts, referring instead to the Fee Schedule, which lists all of the fees petitioners must pay when filing a Petition for a Nonimmigrant Worker (Form I-129) for an L-1 beneficiary.

Back to Top

Sileiri Doe Class Members May Request Reopening or Reconsideration Without Fee

On October 26, 2026, U.S. Citizenship and Immigration Services (USCIS) released the following update related to a court order in *Sileiri Doe v. DHS* (emphasis in original):

> On Sept. 28, 2026, the U.S. District Court for the District of Massachusetts issued an order requiring DHS to remediate certain adverse consequences for the class of aliens paroled into the United States after scheduling an appointment through the CBP One mobile app, and whose parole was terminated by the federal government via mass email in April 2025. *Sileiri Doe v. DHS*, 1:25-cv-12245-ADB (D. Mass).
>
> Pursuant to the Sept. 28 court order, *Sileiri Doe* class members may file with USCIS a request to reopen or reconsider an adverse decision or action on an immigration benefit request **without a fee**, if the class member believes that the adverse decision or action was made as a result of the April 2025 parole termination.
>
> Class members may request reopening or reconsideration of an adverse decision without a fee, **excluding a request for employment authorization based on parole**, if USCIS issued the original decision or action **between April 1, 2025 and April 21, 2026**. There is no deadline for *Sileiri Doe* class members to file a request to reopen or reconsider such adverse decisions, pursuant to the court order.

USCIS noted that *Sileiri Doe* class members include all individuals who:

- Scheduled their appointments for entry into the United States using the CBP One app;
- Were paroled into the United States between May 16, 2023, and January 19, 2025;
- Had their parole terminated in April 2025 pursuant to an email stating, "It is time for you to leave the United States," or similar language; and
- Remain in the United States.

The announcement includes details about eligibility and how to file a request to reopen or reconsider under this process.

Back to Top

DOS Orders Non-Emergency U.S. Government Employees to Leave Saudi Arabia

On October 23, 2026, the Department of State (DOS) ordered non-emergency U.S. government employees and U.S. government employee family members to leave Saudi Arabia due to safety risks. DOS imposed the following travel restrictions:

- U.S. government employees working in Saudi Arabia require special authorization to use any airport in Saudi Arabia.
- U.S. government employees working in Saudi Arabia are not allowed to travel within 20 miles of the Yemen border due to safety risks.
- U.S. government employees working in Saudi Arabia need special authorization to travel to:
    - The cities of Qatif, Taif, and Yanbu
    - The provinces of Jizan, Asir, and Najran.

DOS said that additional adjustments may be imposed on U.S. personnel due to evolving security issues.

Back to Top

CBP Announces Global Entry Partnership With Saudi Arabia

On October 27, 2026, U.S. Customs and Border Protection (CBP) announced that the Kingdom of Saudi Arabia is now an official Global Entry partner. Saudi Arabian citizens may use the Trusted Traveler mobile application during the Global Entry application process.

Through Global Entry, preapproved, low-risk travelers receive expedited clearance at U.S. airports and access to TSA PreCheck for eligible domestic flights. CBP said that Saudi Arabian applicants "will undergo rigorous vetting by both U.S. and Saudi Arabian authorities, including an in-person interview conducted by CBP before enrollment."

Saudi Arabia joins 22 international partners whose citizens are eligible to apply for Global Entry membership: Argentina, Australia, Bahrain, Brazil, Colombia, Costa Rica, Croatia, Dominican Republic, El Salvador, Germany, India, Japan, Jordan, Mexico, the Netherlands, Panama, Republic of Korea, Singapore, Switzerland, Taiwan, the United Arab Emirates, and the United Kingdom.

Back to Top

CBP Suspends CNMI Travel Authorization Program for PRC Nationals

On October 27, 2026, U.S. Customs and Border Protection (CBP) announced the suspension of the Northern Mariana Islands (CNMI) Economic Vitality & Security Travel Authorization Program (EVS–TAP). EVS–TAP allowed prescreened nationals of the People's Republic of China (PRC) to travel to the CNMI without a visa for temporary visits under specified conditions.

The suspension was effective at 2 p.m. ET on October 30, 2026. The announcement states that the Secretary of Homeland Security "has determined that there is good cause to suspend EVS-TAP, while [the Department of Homeland Security], in consultation with the Secretary of State and the Secretary of the Interior, evaluates the program."

Back to Top

Ukrainian and Sudanese TPS Beneficiaries 'Retain Protection' Despite Expiration, For Now

According to reports, on October 18, 2026, the Department of Homeland Security told media outlets that more than 100,000 Temporary Protected Status (TPS) beneficiaries from Ukraine and Sudan would be able to stay in the United States and "retain protection," despite their TPS expiring on October 19, until a final decision is "made at the appropriate time."

As of press time, no official statement had been posted, and it was unclear how long the protection would be in effect.

Back to Top

CDC and CBP Announce Ebola-Related Attestation Requirement for Air Passengers Arriving in United States

On October 22, 2026, the Centers for Disease Control and Prevention, and U.S. Customs and Border Protection's Carrier Liaison Program, announced an attestation requirement for air passengers arriving in the United States related to the Ebola outbreak in Africa.

The CDC announced:

- After November 3, 2026, at 11:59 p.m. ET, all passengers boarding an international flight to the United States, regardless of location of embarkation, must attest (sign a statement) that they have not been present in the Democratic Republic of the Congo (DRC) during the 21 days before their flight leaves for the United States. If they have been in outbreak-affected provinces in the DRC, they may be subject to additional travel requirements from local authorities before they leave the DRC.

- Travel from South Sudan or Uganda: Non-U.S. citizens and non-U.S. nationals, including U.S. lawful permanent residents, who have been in South Sudan or Uganda within 21 days before departure will not be allowed to enter the United States. U.S. citizens and U.S. nationals who have been present in Uganda or South Sudan (and not present in the DRC) within 21 days before arrival in the United States will have their air travel routed through designated U.S. airports for public health entry screening.

According to CBP, authorized designated arrival airports include Washington Dulles International Airport (IAD), Dulles, Virginia; Hartsfield-Jackson Atlanta International Airport (ATL), Atlanta, Georgia; and John F. Kennedy International Airport (JFK), New York.

Back to Top

November Visa Bulletin Released

The Department of State's Visa Bulletin for November 2026 includes updated "Final Action Dates" and "Dates for Filing Applications" for employment-based immigrant visas, along with a note on Special Immigration Visas.

Back to Top

'Dismantling Due Process': Procedural Mechanisms Prevent Many Asylum Claims From Reaching Merits Hearings, Study Finds

Justice View has released its first report, Dismantling Due Process: The Rise of Procedural Removal in U.S. Immigration Courts. The study, conducted by researchers from Princeton University and California State University, Long Beach, "examines how due process in U.S. Immigration Court is being systematically dismantled as merits adjudication is being replaced by a suite of mechanisms" that amount to what the authors call "procedural removal"—"removal from the United States based on a process determination instead of a full and fair consideration of the facts of a person's claim to relief." "What we see happening now is a kind of hollowing out of the content of immigration court while maintaining the facade of a judicial process," said Princeton professor Amelia Frank-Vitale, a co-author of the report.

The report identifies four procedural mechanisms that prevent asylum claims from reaching a merits hearing: (1) claims are deemed abandoned through *in absentia* removal; (2) claims are foreclosed through pretermission, where immigration judges increasingly dismiss asylum applications before respondents receive a full evidentiary hearing; (3) claims are circumvented through Asylum Cooperative Agreements, through which respondents are required to challenge removal to countries where they have never lived, with little notice and limited time to prepare; and (4) claims are coerced into abandonment through detention.

The report makes four recommendations aimed at strengthening due process and ensuring fair adjudications in U.S. immigration courts: (1) remove the courts from the Department of Justice; (2) guarantee representation for those who cannot afford an attorney; (3) ensure a full and fair consideration of all claims; and (4) establish mechanisms of repair for due process violations.

Justice View is a national court-watching research initiative that combines sustained ethnographic observation with Executive Office for Immigration Review court data. According to the report, from January to August 2026, Justice in View observers conducted 1,300 hours of courtroom observation across 25 immigration courts and 107 courtrooms in 13 states and Puerto Rico, documenting how due process is enacted or denied in everyday practice. They observed 3,585 hearings, which represents 1.7 percent of the 210,569 total number of cases heard nationally over this period.

Under the second Trump administration, more than 25,000 people have been removed to more than 30 countries of which they are not citizens, according to a tracker from Refugees International and Human Rights First.

Back to Top

USCIS Proposes to Eliminate Deference to Prior Approvals Involving Same Facts When Adjudicating Extensions

On October 14, 2026, U.S. Citizenship and Immigration Services (USCIS) published a proposed rule that would eliminate deference to a prior approval involving the same facts when adjudicating a request to extend a petition for employment or stay.

USCIS said that the burden of proving eligibility for all immigration benefits is on the petitioner, applicant, or beneficiary, and that the deletion of the regulation [8 CFR § 214.1(c)(5)] would "strengthen adjudicatory review" and "support agency priorities to improve the integrity of the immigration system and better protect the interests of U.S. workers."

Comments may be submitted by November 13, 2026, at https://www.regulations.gov/.

Back to Top

USCIS Publishes Final Rule Ending Automatic EAD Extensions in Certain Work Authorization Categories

On October 14, 2026, U.S. Citizenship and Immigration Services (USCIS) published a final rule, effective the same day, that ends the practice of automatically extending the validity of Employment Authorization Documents (EADs) (Forms I–766) for those who have timely filed an application to renew their EADs in certain work authorization categories.

The final rule adopts the interim final rule's provisions without changes. Among other things, the final rule:

- Revises the regulations to clearly indicate that the up-to-540-day automatic extension period only applies to renewal EAD applications filed before October 30, 2025.
- Adds a new provision explaining that, unless otherwise provided in the regulations, law, or through a Federal Register notice for Temporary Protected Status (TPS)-related employment documentation, the validity period of an expired or expiring EAD and/or employment authorization will not be automatically extended by a renewal EAD application filed on or after October 30, 2025.
- Does not affect automatic extensions of EADs and/or work authorization otherwise provided by law or Federal Register notice, such as for certain TPS applicants.

Back to Top

DHS Interim Final Rule Expedites Termination of Refugee Status

On October 14, 2026, the Department of Homeland Security (DHS) published an interim final rule to expedite termination of refugee status when DHS determines that a person was not a refugee within the meaning of INA § 101(a)(42) at the time of admission to the United States. The response period to a Notice of Intent to Terminate is reduced from 30 to 10 days.

Comments and related materials may be submitted by November 13, 2026, at https://www.regulations.gov/.

Back to Top

CBP Proposes to Require Rail Carriers to Transmit Advance Traveler Information When Entering or Leaving the United States

On October 13, 2026, U.S. Customs and Border Protection (CBP) published a proposed rule to require rail carriers to transmit advance electronic traveler information to CBP for any individual (crew or passenger) who is arriving in or departing from the United States on board a train. The rail carrier also would be required to transmit an advance notice of arrival or departure, as applicable, for the train.

Among other things, CBP said that by mandating the transmission of this information in advance, CBP would improve its ability to (1) vet all travelers attempting to cross the U.S. border on board a train, and (2) timely respond to any identified risk or non-compliance with U.S. civil or criminal laws that CBP enforces or administers. CBP also said it "expects that the knowledge that all rail travelers will be vetted in advance would deter travelers planning to use rail travel for illicit purposes." If CBP's vetting flags a

traveler as having "potential security, immigration, customs, or other law enforcement issues," the agency "may recommend that the carrier not board the traveler."

Comments must be received by December 14, 2026, at https://www.regulations.gov/.

Back to Top

DHS Proposes $70,000 Fee for Optional Practical Training

On October 7, 2026, the Department of Homeland Security (DHS) announced a proposed rule that would require U.S. universities to pay a $70,000 fee for each F-1 student's initial Optional Practical Training (OPT) work authorization and $30,000 for subsequent OPT requests. The proposed fee would apply only to OPT recommendations made after the rule is effective, not retroactively to OPT already approved and in progress. The fee would not be tied to a specific employer. Instead, it would apply when schools recommend an F-1 nonimmigrant student for any type of OPT.

According to the proposed rule, U.S. Citizenship and Immigration Services (USCIS) will not approve OPT work authorization for a student unless the fee has been paid by the school. As proposed, the school's Designated School Official (DSO) will not be able to recommend OPT authorization in the Student and Exchange Visitor Program system until the OPT fee is paid.

Comments may be submitted through November 9, 2026. Once the rule is finalized, DHS said it would wait 60 days before putting the rule into effect to allow schools, students, and employers to prepare. Legal challenges from higher education groups and business associations are likely. Some practitioners expect a successful court challenge if DHS finalizes this rule. In the meantime, students continue to be eligible to receive up to 12 months of OPT at each education level, and STEM degree holders may be eligible for an additional 24-month extension.

Back to Top

Trump Admin Suspends Microsoft and Adobe From PERM Labor Certification Program

At a press conference on H-1B and J-1 visa fraud held on October 8, 2026, Secretary of Labor Keith Sonderling announced the suspension of Microsoft and Adobe from the PERM labor certification program, along with Cognizant, Infosys, Tata, Wipro, HCL, and Capgemini. He said:

> We will not accept any new or process any pending permanent labor certification applications involving these companies. Since 2009, just these companies alone have requested almost three million foreign workers. They've received over 230,000 H-1B visa approvals and over 100,000 permanent labor certifications.

It was unclear how long the suspension would run. At the same press conference, Vice President J. D. Vance said it "is going to last as long as it needs to." He said that "we have a number of tools to suspend it indefinitely, but we actually want these companies to change their behavior." He claimed that "there has been no company in the United States unfortunately that has abused the system more than Microsoft."

Back to Top

Trump Admin Announces Investigation Into 'Visa Fraud' at Top U.S. Universities

At a press conference on H-1B and J-1 visa fraud held on October 8, 2026, Vice President J. D. Vance and Anthony D'Esposito, Inspector General for the Department of Labor, announced "a historic investigation into the J-1 visa fraud involving nine major American universities," including the University of Pittsburgh, Yale, Harvard, Stanford, Brown, the University of California at Davis, Caltech, Arizona State, and the Massachusetts Institute of Technology (MIT). "Subpoenas have been served, investigations are underway, and nobody will be getting a free pass because their name is carved into an expensive building," Mr. D'Esposito said.

Among other things, he said, "We will investigate whether foreign influence, improper financial relationships, or visa abuse are compromising federally funded research." He said the Trump administration is "establishing a visa fraud strike team, bringing together investigative expertise from across government. We will follow the money, uncover the schemes, and work with Attorney General Todd Blanche to prosecute criminals."

Several of the universities flagged by the Trump administration issued statements after the Trump administration's announcement. For example, a Brown University spokesperson said, "Brown's international scholars, students and employees make essential contributions on our campus, including to teaching and research that advances American innovation, competitiveness and economic vitality. We have received a subpoena from the government for various records pertaining to foreign labor programs administered by the U.S. government, and we will respond promptly and directly to the government." A spokesperson for MIT said the university is reviewing the Labor Department's "very broad" subpoena. "We value international students and scholars on our campus. America's ability to attract top talent from around the world while protecting U.S. economic and security interests is a national strength, and that competitive advantage should be supported," she said.

Back to Top

Visa Bulletin for October Notes Retrogressions in Some Employment-Based Visa Categories

The Department of State's Visa Bulletin for October 2026 notes that with the availability of Fiscal Year (FY) 2027 immigrant visa numbers, dates for filing and final action dates have advanced across various immigrant visa categories. However, some employment-based visa categories for "Rest of World" countries have retrogressed to keep visa issuances within FY 2027 quarterly and annual limits, the bulletin states. "This situation is being continually monitored, and any necessary adjustments will be made accordingly."

The bulletin also notes that H.R. 6500, signed on September 2, 2026, extended the Employment Fourth Preference Certain Religious Workers (SR) category through December 11, 2026. "The SR category is subject to the same dates for filing and final action dates as the other Employment Fourth Preference categories per applicable foreign state of chargeability," the bulletin says.

Back to Top

Federal Judge Temporarily Blocks Trump Admin Policy of Not Collecting Biometric Info From Detainees With Pending Immigration Applications

On October 7, 2026, a federal judge temporarily blocked the Trump administration's policy of not collecting the biometric information required to continue processing the immigration applications of people in immigration detention.

The judge noted, among other things, that "the plaintiffs have shown injury from the policy, which acts as a *de facto* denial of their applications, substantially injuring their ability to obtain the immigration statuses they may be entitled to receive and leading to ongoing detention and the concrete risk of deportation that could not occur under law if their applications are granted. … While it may be true that some plaintiffs could continue to pursue their applications upon deportation, deportation itself is plainly injury in fact. Indeed, in addition to the concrete injury of being removed from the country, the record contains evidence that some plaintiffs face threats to their lives in their home countries." He also noted that the plaintiffs "have proffered credible evidence that the policy changed the status quo, in which [U.S. Immigration and Customs Enforcement] collected biometric information, generally by taking detained people to their biometrics appointments."

The judge ordered the Department of Homeland Security to file a status report by October 21, 2026, apprising the court of compliance with the order.

Back to Top

New Publications and Items of Interest

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

Back to Top

ABIL Member/Firm News

Several members of the Alliance of Business Immigration Lawyers (ABIL) spoke at the American Immigration Lawyers Association's Fall Conference and Webcast in Atlanta, Georgia, on October 15-16, 2026. ABIL member speakers included **Vic Goel**, **Vincent Lau**, and **Marketa Lindt**.

Fakhoury Global Immigration (FGI) announced that **Michael Turansick** has joined the firm as Senior Counsel & Executive Director, Client Relationships. Mr. Turansick is a graduate of Fordham University Law School with over 30 years of experience in U.S. immigration law and global mobility. His experience encompasses both legal counseling and the operational considerations employers face when recruiting and retaining international talent. At FGI, Michael will help clients navigate evolving immigration requirements, strengthen compliance practices, and develop practical mobility strategies aligned with their business objectives.

Klasko Immigration Law Partners, LLP, has released a new podcast in its Statutes of Liberty series: Episode 42: Tracking H-1B Updates: The Latest Changes and Where They Stand.

Kevin Vo has joined **Klasko Immigration Law Partners, LLP,** as a Law Clerk pending admission to the bar in the Commonwealth of Massachusetts. He brings a diverse range of experience in immigration law, including work as a Student-Attorney at George Washington University Law School's Immigration Clinic, where he represented individuals seeking humanitarian benefits such as asylum and U-1 status. At the Department of Justice, Mr. Vo assisted trial attorneys in the Immigrant & Employee Rights Section with PERM recruitment investigations, Form I-9 audits, and immigration-based workplace discrimination complaints. He also served as a Law Clerk with the U.S. Senate Committee on the Judiciary, among other activities.

Maggio Kattar has published several alerts, including New H-1B Executive Actions Increase Scrutiny of Employers and Extend $100,000 Payment Requirement and Court Postpones New Fixed I-94 Expiration Dates for F-1 and J-1 Visa Holders.

Cyrus Mehta has authored a new blog post: *Agarwal v. Miller* Clashes With *Mukherji v. Miller* Over the EB-1 Final Merits Determination.

Mr. Mehta and **Manjeeta Chowdhary** have co-authored a new blog post: When Dual Intent Meets the Duty to Depart: L-1 Owners Pursuing EB-1C Permanent Residence.

Mr. Mehta and **Stephen Yale-Loehr**, of **Miller Mayer**, **LLP**, were quoted by the *Times of India* in PERM Freeze: Indian IT Stocks Rally, But Talent Exodus Looms. Mr. Mehta called the suspension a "warped approach." "Immigration is not a zero-sum game," he said. Responding to Vice-President JD Vance's criticism of Microsoft over its 2025 layoffs, Mr. Mehta said that layoffs at Microsoft, criticized by J. D. Vance, did not prevent companies from recruiting foreign workers with specialized skills. Mr. Yale-Loehr said, "I am sure the companies will sue. But litigation takes time, and in the meantime these companies can't use the PERM green card system. This is another attack on legal immigration by the Trump administration."

Mr. Yale-Loehr was quoted by *Firstpost* in Tariffs, AI Policy & More: Issues Making Republicans Nervous Ahead of Midterms. He noted how Trump initially pledged to go after undocumented immigrants but is now being harsh on legal immigrants as well. "Well, he was always saying and trying to go after illegal immigration, but he didn't really say anything about legal immigration, number one. And he had made some comments about, you know, wanting to keep people who are very bright in the United States, so people thought maybe he would not touch legal immigration or at least some aspects of legal immigration." He also said that President Trump's enforcement actions have gone too far in the eyes of many Americans. "Instead of going after the worst of the worst, meaning criminals, you know, there are regular people who have applied for asylum and not committed any crimes who have been picked up when they go to their immigration court hearings. So people are upset that the enforcement efforts have gone too far. You may have read, for example, that even some U.S. citizens have been killed protesting those immigration enforcement actions. So I think that he's gone too far, and we'll see what happens in the midterm elections."

Mr. Yale-Loehr was quoted by the *South China Morning Post* in U.S. Can Choose to Deport Hongkongers Under Deferred Enforced Departure Scheme. He said, "Termination of DED can be challenged in court. But the Trump administration is likely to argue that it has wide discretion both to grant and terminate DED." Mr. Yale-Loehr noted that since courts have previously upheld the U.S. government's termination of Temporary Protected Status (TPS) for some countries, and given that the Trump administration terminated TPS for almost all destinations, it would likely refuse to extend DED protection for Hongkongers.

Back to Top

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

This email does not constitute direct legal advice and is for informational purposes only. The information provided should never replace informed counsel when specific immigration-related guidance is needed.

Copyright © 2026 Alliance of Business Immigration Lawyers. All rights reserved.

Back to Top