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US IMMIGRATION & NATIONALITY LAW

IMMIGRATION UPDATE - MARCH 30, 2026

Posted on March 30, 2026 by Cyrus Mehta

Headlines:

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.

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.

Details:

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.

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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."

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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."

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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.

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