



IMMIGRATION UPDATE - APRIL 13, 2026

Posted on April 13, 2026 by Cyrus Mehta

Headlines:

[SAVE and E-Verify Release Updates on EADs Under TPS, Superseding Earlier Notices](#)

– The Systematic Alien Verification for Entitlements and E-Verify programs recently updated guidance on Employment Authorization Document validity in light of court orders affecting Temporary Protected Status for South Sudan, Ethiopia, Burma, Somalia, Haiti, and Syria, superseding earlier notices on the terminations of TPS for those countries.

[DOL's Proposed 2027 Budget Would Make OFLC a Separate DOL Agency](#)

– The Department of Labor's (DOL) proposed budget for Fiscal Year 2027 would make the Office of Foreign Labor Certification (OFLC), currently under the Employment and Training Administration, a separate and independent DOL agency reporting directly to the Deputy Secretary.

Firm in the News

Details:

SAVE and E-Verify Release Updates on EADs Under TPS, Superseding Earlier Notices

The Systematic Alien Verification for Entitlements (SAVE) and E-Verify programs, under U.S. Citizenship and Immigration Services (USCIS), recently updated guidance on Employment Authorization Document (EAD) validity in light of court orders affecting Temporary Protected Status (TPS) for several countries, superseding earlier notices on the terminations of TPS for those countries.

- **SAVE guidance** was updated for [South Sudan](#) (April 10, 2026), [Ethiopia](#) (April 7, 2026), [Burma](#) (March 27, 2026), [Somalia](#) (March 27, 2026), [Haiti](#) (March 25, 2026), and [Syria](#) (March 24, 2026).

- **E-Verify guidance** was updated for [South Sudan](#) (April 10, 2026), [Ethiopia](#) (April 7, 2026), [Burma](#) (March 27, 2026), [Somalia](#) (March 27, 2026), [Haiti](#) (March 25, 2026), and [Syria](#) (March 24, 2026).

Affected TPS beneficiaries generally remain in valid status, and their EADs remain valid, subject to the applicable court orders and the country-specific guidance on the relevant USCIS TPS pages.

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DOL's Proposed 2027 Budget Would Make OFLC a Separate DOL Agency

The Department of Labor's (DOL) [proposed budget for Fiscal Year \(FY\) 2027](#) would make the Office of Foreign Labor Certification (OFLC), currently under the Employment and Training Administration, a separate and independent DOL agency reporting directly to the Deputy Secretary. "This new structure will enable OFLC to administer immigration and migration policies, regulations, and programs in a manner that optimizes performance, minimizes unnecessary use of resources, and ensures resiliency and continuity of operations that are customer centered," the proposed budget states.

The proposed DOL FY 2027 budget requests \$86,810,000 for OFLC:

This includes \$63,528,000 and 220 FTE for Federal Administration—with additional FTE funded from H-1B fees—to support the operation, management, and oversight of foreign labor certification programs. The Budget includes an increase of \$2,000,000 and 10 FTE compared to the FY 2026 amounts shown within ETA. These additional resources will enhance OFLC's case processing capacity, helping meet statutory and regulatory processing deadlines and reduce average adjudication times amid rising workload demands. Additionally, requests \$23,282,000 to support State Workforce Agencies' (SWA) foreign labor certification activities, such as reviewing employer job orders and conducting inspections of housing for agricultural workers. Through the State Grants appropriation, the Department provides annual grants to SWAs in the 50 states and U.S. territories to fund employment-based immigration activities that are required components of the various foreign labor certification programs.

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Firm in the News

[Cyrus Mehta](#) was quoted by *Fox News* in [Child Born During International Flight](#)

[to U.S. Sparks Heated Debate About Citizenship, Legal Identity](#). Mr. Mehta said that “it’s very clear. If you’re born in the territory of the United States, even if it’s on an airplane, you are a citizen,” he continued. But he noted that “ometimes, when a child is not born in a hospital and there’s no birth record, that can create problems,” and that the government requires a log from an airline or ship “reflecting the latitude and longitude when the birth occurred.” Mr. Mehta pointed out that “he parent is responsible for reporting the birth to authorities” and that parents need to provide a birth certificate if they want to obtain a passport for the child.

Mr. Mehta was quoted by the *Times of India* in [H-1B ‘Bridge’ Route Under Scanner: Spike in RFEs, NOIDs Hits Laid-Off Workers Seeking to Stay in U.S.](#) He said, “Changing from H-1B to B-2 status has always been tricky even before the recent trend of increased RFEs—when shifting to B-2 status or later, when shifting back to H-1B status.” He noted that “lthough it is not impermissible for one to seek a new job while in B-2 status, it often leads to an interference on the part of that such activity is impermissible as the B-2 requires the applicant to have a residence abroad which has not been abandoned.” Mr. Mehta said, “The best approach is to try to get the current employer to keep the H-1B worker employed as long as possible and then take advantage of the 60-day grace period while finding a new job. One can change or extend status during the 60-day grace period. This would enable the terminated work to move from the current H-1B status to the new H-1B status without needing to switch to a B-2 status.” He noted, however, that “if the H-1B who is being terminated is forced to move to B-2, then the reasons to be given for the change of status should be honest and candid. One can be in B-2 status while looking for a job. The worker does not know definitively that they will find an employer who will sponsor them back to an H-1B at the time of applying for a change to B-2 status. If an employer does indeed subsequently employ the terminated worker and files for a change of status to H-1B, it can be credibly argued that this was not planned and one event led to another one. As both the B-2 and H-1B are nonimmigrant visa statuses, it can also be argued that the worker always maintained a residence abroad which has never been abandoned as well as an intention to seek career prospects outside the U.S.”

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