

# Immigration Sentinel

April 2026

Fisher Broyles

## TPS Reprieve

The U.S. Department of Homeland Security (DHS) issued a public notice regarding automatic extensions of Employment Authorization Documents (EAD) for Temporary Protected Status (TPS) holders. For EAD renewals filed on or after July 22, 2025, but before October 30, 2025, the automatic extension is limited to one year or the remainder of the TPS designation, whichever is shorter. Applications with a Form I-797C receipt date of July 21, 2025 or earlier remain eligible for the full 540-day automatic extension. DHS also issued guidance to employers for TPS employees from Syria, South Sudan, Ethiopia, and Burma following separate court orders staying TPS terminations for each country. On its E-Verify website, DHS clarifies how to complete I-9s for individuals with extended EADs. On its SAVE website, DHS confirms that beneficiaries retain TPS status and employment authorization, with A12 and C19 EADs remaining valid and extended.



## Criminal History Records

President Trump issued an Executive Order requiring the U.S. Department of Homeland Security (DHS) access to criminal history record information (CHRI) in the custody of Federal criminal justice agencies to the maximum extent permitted by law. The U.S. Attorney General must provide DHS access to CHRI held by DOJ, and the DHS Secretary may exchange CHRI with border security and immigration authorities from certain countries, including Visa Waiver Program countries, on a reciprocal basis.

## Applicant Screening & Vetting Expanded

The U.S. Department of State (DOS) announced it has expanded its online presence review to A-3, C-3 (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 visa applicants. H-1B, F, M, and J applicants are already subject to this review. DOS instructs applicants to set their social media profiles to “public” or “open” to facilitate DOS’s expanded screening and vetting protocols.

## 50 Countries Subject to Visa Bond

DOS published an updated list of countries subject to a visa bond. With 12 countries added, the list now includes a total of 50 countries that are subject to the visa bond pilot program. For nationals of these countries, U.S. consular officers may require the applicant to post a bond as a condition of issuance of a B-1 (visitor for business) or B-2 (visitor for pleasure) visa. The exact amount of the bond is based upon the applicant's circumstances as determined by the consular officer in an amount of no less than \$5,000 and up to \$15,000. All visa holders who are required to post a visa bond must enter and exit the U.S. through a designated airport. DOS updates this list of airports on a rolling basis so affected travelers are advised to review the current list before planning any travel to the U.S.

## April 2026 Priority Date Advancements

DOS published the April 2026 Visa Bulletin which reflects significant advancement in most preference categories for both employment- and family-based preference categories. Notably, the preference categories for F2A and EB3 professional/skilled workers are current under the Dates for Filing charts for the month of April 2026. DOS included a note explaining the significant advancement in immigrant visa numbers are the result of President Trump’s executive orders restricting the issuance of immigrant visas to nationals of certain countries. DOS expressly warns that retrogression may be necessary later in the fiscal year if additional immigrant visa demand materializes or if the underlying executive orders are amended. U.S. Citizenship & Immigration Services (USCIS) announced that applicants in both family- and employment-based categories must use the Dates for Filing chart for filing adjustment of status application.

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## Applicant Screening & Vetting Expanded

The U.S. Department of Transportation (DOT) has implemented new rules regulating the issuance of commercial driving credentials to foreign-domiciled individuals. News outlets are reporting the new regulations limit eligibility to only a few visa holders, adversely impacting nearly 200,000 immigrants who had previously qualified for commercial driver licenses nationwide. States are now required to verify an applicant's immigration status through a federal portal and can no longer accept work permits as proof of commercial driver license eligibility.

## Immigration Judge Assignments Expanding

The Executive Office for Immigration Review (EOIR) announced 42 new immigration judges to be assigned to courts in California, Colorado, Florida, Georgia, Illinois, Louisiana, Maryland, Missouri, Nebraska, New Jersey, New York, North Carolina, Pennsylvania, Tennessee, Texas, and Virginia.

## H-2B Cap Reached

USCIS announced the H-2B statutory cap for the second half of FY2026 has been met. 3/10/26 was the last receipt date for new cap-subject petitions requesting a start date on or after 4/1/26 and before 10/1/26. Filing dates are available for the second and third allocations of FY2026 supplemental H-2B visas.

## Federal Court Blocks Haiti TPS Termination

The U.S. Court of Appeals for the D.C. Circuit upheld a lower court's ruling that blocks the termination of Haiti's TPS. This results in affected TPS holders retaining employment authorization and protection from detention and deportation while litigation continues. The DOJ filed an emergency request to the U.S. Supreme Court to stay the order and expedite review of whether DHS may revoke Haiti's TPS designation.

## Markwayne Mullin In, Kristi Noem Out

The U.S. Senate confirmed Markwayne Mullin to replace Kristi Noem as the U.S. Secretary of the DHS.

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