


Laid-off H-1B visa holders receive deportation notices during grace period

 newsbytesapp.com/news/world/us-laid-off-h-1b-workers-getting-deportation-notices-violating-immigration-policies/story

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Summarize

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US Citizenship and Immigration Services mandates a 60-day grace period after job termination

What's the story

Several laid-off H-1B visa holders in the [United States](#) are receiving Notices to Appear (NTAs), which initiate deportation proceedings. This is happening even before the end of their legally mandated 60-day grace period after job termination. Immigration lawyers say this practice violates existing policies of the US Citizenship and Immigration Services (USCIS) and is causing confusion among those affected.

Policy breach

60-day grace period allows workers to apply for status change

Immigration attorney Sameer Khedekar, founder of Vanguard Visa Law, said the 60-day grace period allows H-1B workers to transfer their status or apply for a change of status. However, he noted that the Department of Homeland Security (DHS) is increasingly sending NTAs to immigration courts even when a change of status application is pending.

Policy guidance

USCIS guidance vs. current practices

USCIS policy guidance issued on February 28 states that NTAs should only be issued after a denial decision and when the individual is out of lawful status. Immigration attorney Rajiv S. Khanna highlighted recent cases where NTAs were issued prematurely, even to those in authorized periods of stay with pending change of status applications.

Legal uncertainty

Around 1,840 NTAs have been issued each week since February

A recent USCIS disclosure revealed that around 1,840 NTAs have been issued each week since February 2025. Legal experts say many of these involve individuals who are in compliance with USCIS rules. Earlier guidance from the [Biden](#) administration had advised H-1B workers to explore status change options within the 60-day period. However, no new updates have been issued recently, contradicting earlier advice.

Deportation risks

Deportation proceedings begin once NTA is filed in court

Once an NTA is issued and filed in immigration court, deportation proceedings begin. The individual is then considered unlawfully present in the US which can lead to long-term consequences such as visa ineligibility or bans on re-entering the country. Immigration attorneys are now calling for USCIS to clarify its position and stop the improper issuance of NTAs during authorized stay periods.