



## IMMIGRATION UPDATE - DECEMBER 29, 2025

*Posted on December 29, 2025 by Cyrus Mehta*

### Headlines:

[DHS Finalizes H-1B 'Weighted Selection' Rule Without Changes](#) – Under the new process, instead of a random lottery, registrations for unique beneficiaries or petitions will be assigned to the relevant Occupational Employment and Wage Statistics wage level and entered into the selection pool on a weighted basis according to those levels.

[Multiple States Support Plaintiffs in Amicus Brief Against New \\$100,000 H-1B Fee](#) – The brief asks the judge to temporarily block a new Trump administration policy to charge new H-1B immigrant visa applicants a \$100,000 fee. Among other things, the states and other plaintiffs argue that the fee would exclude nonprofits and schools that are unable to afford hiring qualified H-1B workers.

[Trump Administration Plans to Build Seven Large Deportation Facilities Across United States](#) – The Trump administration plans to seek contractors to build seven large detention centers, including converted warehouses, to hold 5,000 to 10,000 detainees each, for a total of more than 80,000 detainees across the United States. Sixteen smaller processing facilities will hold up to 1,500 people each.

[European Leaders Denounce U.S. Travel Sanctions Attributed to 'Censorship'](#) – European leaders were quick to denounce the Trump administration's imposition of visa bans on five officials and activists who Secretary of State Marco Rubio said "have led organized efforts to coerce American platforms to censor, demonetize, and suppress American viewpoints they oppose."

### [Firm in the News](#)

### Details:

## DHS Finalizes H-1B 'Weighted Selection' Rule Without Changes

On December 23, 2025, the Department of Homeland Security (DHS) [announced](#) a [final rule](#) implementing a weighted selection process that generally favors the allocation of H-1B visas to those who are, in the administration's view, "higher-skilled and higher-paid." The rule governs the process by which U.S. Citizenship and Immigration Services (USCIS) selects H-1B registrations for unique beneficiaries for filing of H-1B cap-subject petitions (or H-1B petitions for any year in which the registration requirement is suspended). DHS received 17,000 comments and made no changes from the proposed rule. Court challenges are [expected to follow](#).

Under the new process, instead of a random lottery, registrations for unique beneficiaries or petitions will be assigned to the relevant Occupational Employment and Wage Statistics wage level and entered into the selection pool as follows: (1) registrations for unique beneficiaries or petitions assigned wage level IV will be entered into the selection pool four times; (2) those assigned wage level III will be entered into the selection pool three times; (3) those assigned wage level II would be entered into the selection pool two times; and (4) those assigned wage level I will be entered into the selection pool one time. Each unique beneficiary will only be counted once toward the numerical allocation projections regardless of how many registrations were submitted for that beneficiary or how many times the beneficiary is entered in the selection pool, DHS said. The new final rule is expected to make it [significantly less likely](#) that companies will hire international students when they graduate from U.S. universities.

The final rule, to be published on December 29, 2025, is effective February 27, 2026, and will be in place for the Fiscal Year 2027 H-1B cap registration season.

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## Multiple States Support Plaintiffs in Amicus Brief Against New \$100,000 H-1B Fee

According to [reports](#), multiple states joined an amicus brief supporting plaintiffs in [Global Nurse Force v. Trump](#), filed in the Northern District of California. The brief asks the judge to temporarily block a new Trump administration policy to charge new H-1B immigrant visa applicants a \$100,000 fee. Among other things, the states and other plaintiffs argue that the fee would exclude from hiring qualified H-1B workers nonprofits and schools that

are unable to afford it.

The amicus brief includes the attorneys general of Arizona, California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Rhode Island, Vermont, Washington, and Wisconsin.

Another court has [upheld the fee](#).

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### **Trump Administration Plans to Build Seven Large Deportation Facilities Across United States**

According to [reports](#), the Trump administration plans to seek contractors to build seven large detention centers, including converted warehouses, to hold 5,000 to 10,000 detainees each, for a total of more than 80,000 detainees across the United States. Sixteen smaller processing facilities will hold up to 1,500 people each.

The larger facilities will be in Arizona, Georgia, Louisiana, Missouri, Texas, and Virginia. The smaller facilities will be in Georgia, Florida, Indiana, Louisiana, Maryland, Michigan, Minnesota, New Hampshire, New Jersey, New York, Oklahoma, Pennsylvania, Texas, and Utah.

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### **European Leaders Denounce U.S. Travel Sanctions Attributed to 'Censorship'**

According to [reports](#), European leaders were quick to denounce the Trump administration's imposition of visa bans on [five officials and activists](#) who Secretary of State Marco Rubio said "have led organized efforts to coerce American platforms to censor, demonetize, and suppress American viewpoints they oppose."

French president Emmanuel Macron said the ban was "intimidation and coercion aimed at undermining European digital sovereignty." European Council President António Costa said that "such measures are unacceptable between allies, partners, and friends," and the European Commission said that "if needed, we will respond swiftly and decisively to defend our regulatory autonomy against unjustified measures."

One of the targeted officials, former European Union (EU) commissioner Thierry Breton, is considered a [mastermind](#) of the EU's landmark [Digital Services Act](#) (DSA). "Is McCarthy's witch hunt back? As a reminder: 90% of the European Parliament—our democratically elected body—and all 27 Member States unanimously voted the DSA. To our American friends: 'Censorship isn't where you think it is,' " Mr. Breton [said on X](#).

Another target is Imran Ahmed, founder and chief executive officer of the [Center for Countering Digital Hate](#). Mr. Ahmed, a U.S. permanent resident and British national, filed a lawsuit against Trump administration officials, resulting in a restraining order from a federal judge temporarily forbidding the administration from arresting or detaining Mr. Ahmed before his case can be heard. "I will not be bullied away from my life's work of fighting to keep children safe from social media's harm and stopping antisemitism online," he [said](#).

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### **Firm in the News**

[Cyrus Mehta](#) appeared on a [CNBC program](#) about the new H-1B wage prioritization rule and the \$100,000 fee. The program was broadcast in India nationally and released on YouTube.

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