



## IMMIGRATION UPDATE - JUNE 15, 2026

*Posted on June 15, 2026 by Cyrus Mehta*

Headlines:

**[Federal Court Pauses Decision to Declare \\$100,000 H-1B Fee an Unlawful Tax](#)** – On June 12, 2026, a U.S. district court partially stayed its decision on June 8, 2026, that vacated a Department of Homeland Security policy imposing a \$100,000 fee on certain new H-1B petitions.

**[USCIS Follows Compliance Order to Resume Processing of Applications for Nationals From 39 Countries, But Files Appeal](#)** – U.S. Citizenship and Immigration Services (USCIS) issued an alert under a court order and subsequent compliance order. The court vacated policy guidance based on several presidential proclamations that resulted in a freeze on the processing of hundreds of thousands of green card, work permit, and asylum applications for nationals of 39 countries. USCIS has filed an appeal of the decision vacating the policies.

**[USCIS 'Quietly' Lifts Processing Holds for Physicians](#)** – According to reports, U.S. Citizenship and Immigration Services has “quietly” lifted processing holds in the United States on pending immigration benefit applications for physicians. This includes H-1B petitions filed by U.S. employers for physician employees and J-1 waiver-related adjustment of status applications.

**[India Per-Country Limit Reached in EB-5 Unreserved Category](#)** – The Department of State has issued all available immigrant visas in the employment-based fifth preference unreserved category for applicants chargeable to India for fiscal year 2026.

**[DOS Plans Drastic Cuts to Visa-Processing Posts in Africa](#)** – According to reports, the Department of State plans to reduce visa-processing capabilities at U.S. posts in Africa from almost 50 posts to 20 regional hubs. The change is

expected in June, although no specific effective date has been publicly announced.

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

Details:

#### **Federal Court Pauses Decision to Declare \$100,000 H-1B Fee an Unlawful Tax**

On June 12, 2026, a U.S. district court [partially stayed](#) its [decision](#) on June 8, 2026, that vacated a Department of Homeland Security (DHS) policy implementing [Presidential Proclamation 10973](#) by imposing a \$100,000 fee on certain new H-1B petitions. The court [allowed an alternative request for an administrative stay](#) pending a decision by the U.S. Court of Appeals for the First Circuit on an anticipated motion to stay pending appeal from the defendants, provided the defendants file such a motion by Thursday, June 18, 2026.

In the June 8 decision, the court said that the \$100,000 fee constituted an unauthorized supplemental tax. The court ruled in favor of the plaintiffs (20 state attorneys general), finding the Proclamation and the policy implementing it to be arbitrary and capricious, unconstitutional, and contrary to law.

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#### **USCIS Follows Compliance Order to Resume Processing of Applications for Nationals From 39 Countries, But Files Appeal**

On June 12, 2026, U.S. Citizenship and Immigration Services (USCIS) issued an [alert](#) under a court order, and subsequent compliance order, in *Dorcas v. USCIS*. The court had [vacated policy guidance](#) ([PM 602-0192](#), [PM 602-0194](#), and [PA 2025-26](#)) based on several presidential proclamations that [resulted in a freeze](#) on the processing of hundreds of thousands of green card, work permit, and asylum applications for nationals of 39 countries. On June 12, USCIS filed an appeal of the decision vacating the policies.

The court has required processing of the applications, but not approval; applicants must still meet eligibility requirements. Travel bans on certain countries are also still in place, as is the USCIS [adjustment-of-status memorandum](#). Due to the complexities involved, the Alliance of Business Immigration Lawyers (ABIL) recommends contacting an attorney in specific cases, especially before international travel. ABIL also recommends that foreign

nationals carry proof of their immigration status while in the United States.

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### **USCIS 'Quietly' Lifts Processing Holds for Physicians**

According to reports, U.S. Citizenship and Immigration Services has "[quietly](#)" [lifted processing holds](#) in the United States on pending immigration benefit applications for physicians. This includes H-1B petitions filed by U.S. employers for physician employees and J-1 waiver-related adjustment of status applications.

Physicians were added on June 12, 2026, to the USCIS list, which includes individual or group cases with an established internal process for lifting holds that requires "comprehensive review by multiple offices." The list is included in [Update on USCIS' Strengthened Screening and Vetting](#).

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### **India Per-Country Limit Reached in EB-5 Unreserved Category**

On June 10, 2026, the Department of State (DOS) [announced](#) that as of June 5, it had issued all available immigrant visas in the employment-based fifth preference (EB-5) unreserved category for applicants chargeable to India for fiscal year 2026.

The annual limits will reset with the start of the new fiscal year on October 1, 2026. At that point, embassies and consulates may resume issuing immigrant visas in this category to qualified applicants, DOS said.

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### **DOS Plans Drastic Cuts to Visa-Processing Posts in Africa**

According to [reports](#), the Department of State (DOS) plans to cut most visa-processing capabilities at its posts in Africa from almost 50 down to 20 in June.

Based on an internal memo obtained by the Associated Press, the 20 hubs to remain open for processing include Abidjan, Ivory Coast; Accra, Ghana; Addis Ababa, Ethiopia; Cape Town, South Africa; Dakar, Senegal; Dar-Es-Salaam, Tanzania; Djibouti, Djibouti; Johannesburg, South Africa; Kampala, Uganda; Kigali, Rwanda; Kinshasa, Congo; Lagos, Nigeria; Lome, Togo; Luanda, Angola; Malabo, Equatorial Guinea; Monrovia, Liberia; Nairobi, Kenya; Port Louis,

Mauritius; Praia, Cape Verde; and Yaounde, Cameroon.

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## Firm in the News

**Cyrus Mehta** was quoted by the *Times of India* in [USCIS Drops Appeal in EB-1A Case, Lower Court Ruling Will Have Persuasive Value for Green Card Applicants](#).

He said, “By withdrawing the appeal, USCIS avoided the risk of an adverse appellate ruling while leaving the district court judgment intact.”

**Mr. Mehta** was quoted by *Times Now* in [‘Trump’s Power Has Limits’: U.S. Immigration Experts on Why H-1B Fee Was Struck Down and What Next](#). He said, “This district court decision is a major victory for H-1B employers and a sharp reminder that presidential power under INA § 212(f) has real limits.” He also noted that the court “rejected the Trump administration’s attempt to use § 212(f) to impose a flat \$100,000 ‘supplemental payment’ on every new H-1B petition.” Mr. Mehta pointed out that “agencies may not condition H-1B approval on payment of the vacated \$100,000 charge. H-1B costs are again limited to the statutory charges Congress has enacted.” He said that at present, “this ruling will only impact those who have already been selected in the H-1B lottery either this year or in previous years and are outside the U.S. An employer who files an H-1B petition for a prospective H-1B worker who is outside the U.S. will no longer have to pay the \$100,000 fee. Also, one who may have fallen out of status in the U.S. and has to leave the U.S. to obtain an H-1B visa stamp at a U.S. consulate, their employer who files the H-1B petition also does not need to pay the \$100,000 fee.” The article includes additional quotes from Mr. Mehta.

**Mr. Mehta** was quoted by *Bloomberg Law* in [Congress’ Taxing Power Key to Trump Loss on \\$100,000 H-1B Fee](#). He said that several court decisions show that INA § 212(f) cannot be wielded as broadly as the Trump administration would like, and that “here’s more power to that argument since *Learning Resources*. It’s moved the needle in favor of plaintiffs challenging the \$100,000 fee now.”

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