



**Ann Lee**

Partner  
303.295.8025  
Denver  
ahlee@hollandhart.com

# Three Immigration Wins for Employers...and Why Caution Still Applies

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Several recent noteworthy immigration developments emerged over the past week that may impact employers, visa applicants, and foreign nationals navigating the U.S. immigration system.

## **Key Takeaways:**

- Court blocks H-1B fee but caution around international travel still applies.
- Expedited B visa interview appointments available July 1 at select posts for \$750 — faster interview only, not faster outcome.
- Travel-ban adjudication holds vacated — USCIS must resume standard processing.

## **1. Federal Court Blocks \$100,000 H-1B Fee — But Travel Risks Remain**

On June 8, 2026, a California federal district court ruled that the Administration's \$100,000 fee on certain new H-1B visa petitions was unlawful, finding that the fee constituted an unauthorized tax that had not been approved by Congress. The decision blocks implementation of the fee nationwide, although further appeals are expected. While this ruling is welcome news for employers and H-1B beneficiaries, international travel continues to carry heightened risks. We continue to recommend caution before traveling abroad while an H-1B petition is being prepared, filed, or remains pending, given ongoing policy changes, increased visa scrutiny, and potential delays in visa issuance and reentry processing. (For background information on the \$100,000 fee, H-1B Program Overhaul: New \$100K Fee and Increased Enforcement)

## **2. Expedited B Visa Appointments Coming July 1 — For a \$750 Fee**

Beginning July 1, 2026, selected U.S. consular posts may begin offering B-1/B-2 visa applicants a temporary, optional expedited interview appointment for an additional \$750 fee, subject to availability. The Department of State has not yet identified which posts will participate. The fee provides only faster access to an interview appointment—potentially within 10 business days—and **does not guarantee visa issuance or expedite adjudication**, administrative processing, or security clearances. Applicants should continue to plan travel and visa appointments well in advance, as delays may still occur even if an earlier interview is obtained.

### 3. Court Orders USCIS to Resume Processing Applications from Travel-Ban Countries

In a separate decision issued on June 5, 2026, a Rhode Island federal district court vacated USCIS policies that had placed immigration benefit applications on hold for individuals from countries subject to the current travel restrictions. The court also struck down related policies that directed adjudicators to treat an applicant's nationality from a travel-ban country as a negative discretionary factor. As a result, USCIS should resume adjudicating affected applications under standard procedures while litigation continues. (For background information on the immigration benefits hold, Ongoing Adjudication Delays from USCIS "Benefits Pause" and USCIS issued Policy Memorandum PM-602-0194, *Hold and Review of USCIS Benefit Applications Filed by Aliens From Additional High-Risk Countries*)

#### Looking Ahead

Although these developments provide some positive news for employers and foreign nationals, the immigration landscape remains highly fluid. As litigation continues and appeals are expected, employers and individuals should continue monitoring developments closely and consult immigration counsel before making travel or workforce planning decisions.

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