



News & Types: Immigration Monthly Updates

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Practices: 移民法

## **EXPANSION OF IMMIGRANT VISA (“GREEN CARD”) BAN**

On January 14, 2026, the U.S. Department of State (DOS) announced that it will pause immigrant visa (aka green card) processing at its consulates overseas for nationals from: Afghanistan, Albania, Algeria, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bosnia and Herzegovina, Brazil, Burma, Cambodia, Cameroon, Cape Verde, Colombia, Cote d'Ivoire, Cuba, Democratic Republic of the Congo, Dominica, Egypt, Eritrea, Ethiopia, Fiji, The Gambia, Georgia, Ghana, Grenada, Guatemala, Guinea, Haiti, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kosovo, Kuwait, Kyrgyz Republic, Laos, Lebanon, Liberia, Libya, Moldova, Mongolia, Montenegro, Morocco, Nepal, Nicaragua, Nigeria, North Macedonia, Pakistan, Republic of the Congo, Russia, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Sierra Leone, Somalia, South Sudan, Sudan, Syria, Tanzania, Thailand, Togo, Tunisia, Uganda, Uruguay, Uzbekistan, and Yemen. Limitations on immigrant visa issuance for some countries on this list began January 1st.

This pause will begin on January 21, 2026 while the DOS assesses its vetting policies. Dual nationals applying for their immigrant visa using a valid passport of a country not listed above are exempt from this pause. The pause does not affect applicants from these countries seeking nonimmigrant visas, though, as discussed in the Masuda Funai December 2025 Business Immigration Monthly, other nonimmigrant visa issuance restrictions may be in place. Additionally, as of January 20, 2026, the U.S. Citizenship and Immigration Services (USCIS) has not announced a hold of adjudications of adjustment of status (green card) applications filed by nationals of these countries.

## **VISA BOND PILOT PROGRAM CONTINUES TO EXPAND**

The October 2025, August 2025 and February 2025 issues of the Masuda Funai Business Immigration Monthly reported that the government will collect a visa bond payment from certain visa applicants who are nationals from countries designated as “high overstay”; countries with deficient screening and vetting processes; or countries offering citizenship without a residency requirement, also known as Citizenship by Investment (“CBI Program”).

Nationals from 38 of the 195 U.N.-recognized counties are subject to the visa bond payment when applying for visa to travel to the United States for business or pleasure (B-1/B-2 visa). These nationalities include:

- Algeria – effective January 21, 2026
- Angola – effective January 21, 2026
- Antigua and Barbuda – effective January 21, 2026
- Bangladesh – effective January 21, 2026
- Benin – effective January 21, 2026
- Bhutan – effective January 1, 2026
- Botswana – effective January 1, 2026
- Burundi – effective January 21, 2026
- Cabo Verde – effective January 21, 2026
- Central Africa Republic – effective January 1, 2026
- Cote D'Ivoire – effective January 21, 2026
- Cuba – effective January 21, 2026
- Djibouti – effective January 21, 2026
- Dominica – effective January 21, 2026
- Fiji - effective January 21, 2026
- Gabon – effective January 21, 2026
- The Gambia – effective October 11, 2025
- Guinea – effective January 1, 2026
- Guinea Bissau – effective January 1, 2026
- Kyrgyzstan – effective January 21, 2026
- Malawi – effective August 20, 2025
- Mauritania – effective October 23, 2025
- Namibia – effective January 1, 2026
- Nepal – effective January 21, 2026
- Nigeria – effective January 21, 2026
- São Tomé and Príncipe – effective October 23, 2025
- Senegal – effective January 21, 2026
- Tajikistan – effective January 21, 2026
- Tanzania – effective October 23, 2025
- Togo – effective January 21, 2026
- Tonga – effective January 21, 2026
- Turkmenistan – effective January 1, 2026
- Tuvalu – January 21, 2026
- Uganda – effective January 21, 2026
- Vanuatu – effective January 21, 2026
- Venezuela – effective January 21, 2026

- Zambia – effective August 20, 2025
- Zimbabwe – effective January 21, 2026

Mali, which required a visa bond effective October 23, 2025, was removed from the list in the December 17, 2025.

The bond amount to be collected is \$5,000, \$10,000 or \$15,000 per applicant.

Once the bond has been posted and the B-1/B-2 visa issued, the traveler may only arrive and depart the United States at a designated airport. The current designated airports are:

- Atlanta - Hartsfield-Jackson Atlanta International Airport (ATL) – effective January 1, 2026
- Boston - Boston Logan International Airport (BOS) – effective August 20, 2025
- Chicago - Chicago O'Hare International Airport (ORD) – effective January 1, 2026
- Los Angeles - Los Angeles International Airport (LAX) – effective January 1, 2026
- Montréal - Montréal-Pierre Elliott Trudeau International Airport (YUL) – effective January 1, 2026
- Newark - Newark Liberty International Airport (EWR) – effective January 1, 2026
- New York - John F. Kennedy International Airport (JFK) – effective August 20, 2025
- Toronto - Toronto Pearson International Airport (YYZ) – effective January 1, 2026
- Washington D.C.- Washington Dulles International Airport (IAD) – effective August 20, 2025

Additionally, the B-1/B-2 visa will be limited to a single-entry and have a 3-month validity. Admission to the United States by U.S. Customs and Border Protection (CBP) will be only for a maximum period of 30 days.

The opportunity to have the bond payment returned is forfeited when:

- The visa holder departs the United States after the date of their authorized stay in the United States.
- The visa holder remains in the United States beyond the date of their authorized stay in the United States. This can occur if USCIS denies the visa holder's request for an extension of stay or change of their immigration status.
- The visa holder applies to adjust out of nonimmigrant status, including claiming asylum or applying for Permanent Resident status.

## **TRACKING VISA AND TRAVEL RESTRICTIONS**

Effective January 21, 2026, nationals from 50.25% of the world will face challenges entering the United States based upon conditions or limitations on nonimmigrant and/or immigrant (Green Card) visa issuance and travel bans.

The chart below lists the counties affected. A lawful permanent resident (Green Card holder) who is a national of a listed country, is still eligible to travel to the United States. A person born in a listed country who holds a passport issued by a country not on this list may be eligible to apply for an immigrant or nonimmigrant visa and travel to the United States.

Country	Effective Date for Travel Ban for all Immigrants	Effective Date for Travel Ban for all Nonimmigrant Visa Holders	Effective Date for Travel Ban for B-1, B-2, F, M, J Visa Holders	Effective Date for Cessation of Immigrant Visa Issuance	Effective Date for Cessation of Nonimmigrant Visa Issuance	Effective Date for Visa Bond
Afghanistan	06/09/2025*	06/09/2025*		01/01/2026**	01/01/2026**	
Albania				01/26/2026***		
Algeria				01/26/2026***		01/21/2026
Angola			01/01/2026**	01/01/2026**		01/21/2026
Antigua and Barbuda			01/01/2026**	01/01/2026**		01/21/2026
Armenia				01/26/2026***		
Azerbaijan				01/26/2026***		
Bahamas				01/26/2026***		
Bangladesh				01/26/2026***		01/21/2026
Barbados				01/26/2026***		
Belarus				01/26/2026***		
Belize				01/26/2026***		
Benin			01/01/2026**	01/01/2026**		01/21/2026
Bhutan				01/26/2026***		01/01/2026
Bosnia and Herzegovina				01/26/2026***		
Botswana						01/01/2026
Brazil				01/26/2026***		
Burma (Myanmar)	06/09/2025*	06/09/2025*		01/01/2026**	01/01/2026**	
Burkina Faso	01/01/2026**	01/01/2026**		01/01/2026**	01/01/2026**	

Country	Effective Date for Travel Ban for all Immigrants	Effective Date for Travel Ban for all Nonimmigrant Visa Holders	Effective Date for Travel Ban for B-1, B-2, F, M, J Visa Holders	Effective Date for Cessation of Immigrant Visa Issuance	Effective Date for Cessation of Nonimmigrant Visa Issuance	Effective Date for Visa Bond
Burundi	06/09/2025*		06/09/2025*	01/01/2026**		01/21/2026
Cambodia				01/26/2026***		
Cameroon				01/26/2026***		
Cape Verde (Republic of Cabo Verde),				01/26/2026***		01/21/2026
Central African Republic						01/01/2026
Chad	06/09/2025*	06/09/2025*		01/01/2026**	01/01/2026**	
Colombia				01/26/2026***		
Cote d'Ivoire			01/01/2026**	01/01/2026**		01/21/2026
Cuba	06/09/2025*		06/09/2025*	01/01/2026**		01/21/2026
Democratic Republic of the Congo				01/26/2026***		
Djibouti						01/21/2026
Dominica			01/01/2026**	01/01/2026**		01/21/2026
Egypt				01/26/2026***		
Equatorial Guinea	06/09/2025*	06/09/2025*		01/01/2026**	01/01/2026**	
Eritrea	06/09/2025*	06/09/2025*		01/01/2026**	01/01/2026**	
Ethiopia				01/26/2026***		
Fiji				01/26/2026***		01/21/2026

Country	Effective Date for Travel Ban for all Immigrants	Effective Date for Travel Ban for all Nonimmigrant Visa Holders	Effective Date for Travel Ban for B-1, B-2, F, M, J Visa Holders	Effective Date for Cessation of Immigrant Visa Issuance	Effective Date for Cessation of Nonimmigrant Visa Issuance	Effective Date for Visa Bond
Gabon			01/01/2026**	01/01/2026**		01/21/2026
The Gambia			01/01/2026**	01/01/2026**		10/11/2025
Georgia				01/26/2026***		
Ghana				01/26/2026***		
Grenada				01/26/2026***		
Guatemala				01/26/2026***		
Guinea				01/26/2026^^^		01/01/2026
Guinea Bissau						01/01/2026
Haiti	06/09/2025*	06/09/2025*		01/01/2026**	01/01/2026**	
Iran	06/09/2025*	06/09/2025*		01/01/2026**	01/01/2026**	
Iraq				01/26/2026***		
Jamaica				01/26/2026***		
Jordan				01/26/2026***		
Kazakhstan				01/26/2026***		
Kosovo				01/26/2026***		
Kuwait				01/26/2026***		
Kyrgyz Republic				01/26/2026***		01/21/2026
Laos	06/09/2025*	01/01/2026**	06/09/2025* to 01/01/2026**	01/01/2026**	01/01/2026**	
Lebanon				01/26/2026***		

Country	Effective Date for Travel Ban for all Immigrants	Effective Date for Travel Ban for all Nonimmigrant Visa Holders	Effective Date for Travel Ban for B-1, B-2, F, M, J Visa Holders	Effective Date for Cessation of Immigrant Visa Issuance	Effective Date for Cessation of Nonimmigrant Visa Issuance	Effective Date for Visa Bond
Liberia				01/26/2026***		
Libya	06/09/2025*	06/09/2025*		01/01/2026**	01/01/2026**	
Malawi			01/01/2026**	01/01/2026**		08/20/2025
Mali	01/01/2026**	01/01/2026**		01/01/2026**	01/01/2026**	
Mauritania			01/01/2026**	01/01/2026**		10/23/2025
Moldova				01/26/2026***		
Mongolia				01/26/2026***		
Montenegro				01/26/2026***		
Morocco				01/26/2026***		
Namibia						01/01/2026
Nepal				01/26/2026***		01/21/2026
Nicaragua				01/26/2026***		
Niger	01/01/2026**	01/01/2026**		01/01/2026**	01/01/2026**	
Nigeria			01/01/2026**	01/01/2026**		01/21/2026
North Macedonia				01/26/2026***		
Pakistan				01/26/2026***		
Palestine Authority	01/01/2026**	01/01/2026**		01/01/2026**	01/01/2026**	
Republic of the Congo	06/09/2025*	06/09/2025*		01/01/2026**	01/01/2026**	
Russia				01/26/2026***		

Country	Effective Date for Travel Ban for all Immigrants	Effective Date for Travel Ban for all Nonimmigrant Visa Holders	Effective Date for Travel Ban for B-1, B-2, F, M, J Visa Holders	Effective Date for Cessation of Immigrant Visa Issuance	Effective Date for Cessation of Nonimmigrant Visa Issuance	Effective Date for Visa Bond
Rwanda				01/26/2026***		
Saint Kitts and Nevis				01/26/2026***		
Saint Lucia				01/26/2026***		
Saint Vincent and the Grenadines				01/26/2026***		
São Tomé and Príncipe						10/23/2025
Senegal			01/01/2026**	01/01/2026**		01/21/2026
Sierra Leone	06/09/2025*	01/01/2026**	06/09/2025* to 01/01/2026**	01/01/2026**	01/01/2026**	
Somalia	06/09/2025*	06/09/2025*		01/01/2026**	01/01/2026**	
South Sudan	01/01/2026**	01/01/2026**		01/01/2026**	01/01/2026**	
Sudan	06/09/2025*	06/09/2025*		01/01/2026**	01/01/2026**	
Syria	01/01/2026**	01/01/2026**		01/01/2026**	01/01/2026**	
Tajikistan						01/21/2026
Tanzania			01/01/2026**	01/01/2026**		10/23/2025
Thailand				01/26/2026***		
Togo	06/09/2025*		06/09/2025*	01/01/2026**		01/21/2026
Tonga			01/01/2026**	01/01/2026**		YES – 01/21/2026
Tunisia				01/26/2026***		



Country	Effective Date for Travel Ban for all Immigrants	Effective Date for Travel Ban for all Nonimmigrant Visa Holders	Effective Date for Travel Ban for B-1, B-2, F, M, J Visa Holders	Effective Date for Cessation of Immigrant Visa Issuance	Effective Date for Cessation of Nonimmigrant Visa Issuance	Effective Date for Visa Bond
Turkmenistan	06/09/2025*		06/09/2025* to 01/01/2026** (now ended)	01/01/2026**		01/01/2026
Uganda				01/26/2026***		01/21/2026
Uruguay				01/26/2026***		
Uzbekistan				01/26/2026***		
Vanuatu						01/21/2026
Venezuela	06/09/2025*		06/09/2025*	01/01/2026**		01/21/2026
Yemen	06/09/2025*	06/09/2025*		01/01/2026**	01/01/2026**	
Zambia			01/01/2026**	01/01/2026**		08/20/2025
Zimbabwe			01/01/2026**	01/01/2026**		01/21/2026

**KEY**

\* Restricting The Entry of Foreign Nationals to Protect the United States from Foreign Terrorists and Other National Security and Public Safety Threats (Proclamation 10949, June 4, 2025)

\*\* Restricting And Limiting The Entry Of Foreign Nationals To Protect The Security Of The United States (Proclamation 10998, December 16, 2025). This Proclamation applies to individuals who were outside the United States and did not hold a valid visa as of January 1, 2026.

\*\*\* Immigrant Visa Processing Updates for Nationalities at High Risk of Public Benefits Usage

**USCIS ADJUDICATIONS HOLD FOR "HIGH RISK COUNTRY" APPLICANTS**

In a January 1, 2026 Policy Memorandum, USCIS announced a “hold and review” of all pending benefit applications (with very limited exceptions) for individuals from 39 travel ban countries as discussed in the December 2025 Masuda Funai Business Immigration Monthly. In a footnote, USCIS clarified that a “hold” “allows a case to proceed through processing, up to final adjudication.” This means that cases may be filed and should be issued receipt notices, but will not receive final decisions, such as approvals.

In addition to holding new applications, USCIS has instructed its personnel comprehensively “re-review” all previously approved benefits approved on or after January 20, 2021 for individuals from any of the 39 countries listed in the Presidential Proclamation (PP) 10998. The Memorandum also extends the hold to the family-based immigrant visa applications, which were previously exempt under the Proclamation.

The following are the limited exceptions to the adjudication hold: 1. Form I-90, Application to Replace Permanent Resident Card (Green Card); 2. Form N-565, Application for Replacement Naturalization/Citizenship Document; 3. Form N-600, Application for Certificate of Citizenship; 4. Form I-765, Application for Employment Authorization filed under the (c)(8), limited (c)(11), and limited (c)(14) categories (not (c)(3) Optional Practical Training EAD cards for F-1 students); 5. Form I-910, Application for Civil Surgeon Designation (only for physicians that are citizens or nationals of the United States); 6. Benefit requests filed by any alien who is an athlete or member of an athletic team, including the coaches, persons performing a necessary support role, and immediate relatives for the purpose of participating in the World Cup, Olympics, or other major sporting event as determined by the Secretary of State; 7. Benefit requests that are a priority for law enforcement and where ICE has requested USCIS take adjudicative action to uphold public safety or national security; 8. Benefit requests filed by aliens whose entry would serve a United States national interest; 9. Benefit requests, as well as the associated underlying benefits, for any programs that are terminated or discontinued as a result of an Executive Order, Proclamation, Federal Register Notice, or Directive issued by the President, the Secretary of the Department of Homeland Security (DHS), or the USCIS Director; and 10. Automatic termination decisions for ancillary or related benefit requests when an alien is granted Legal Permanent Resident status or becomes a naturalized citizen.

The Policy Memorandum did not indicate a timeframe for when the hold will be lifted. Therefore, employers and individuals who are impacted by the adjudications hold should apply for extensions of status, EAD applications, etc. as early as possible in order to avoid a break in employment, especially if the application category is not eligible for an automatic extension of employment authorization, as reported in the Masuda Funai October 29, 2025 Client Alert.

## **NET NEGATIVE MIGRATION TO THE US IN 2025 FOR THE FIRST TIME IN 50 YEARS**

For the first time in nearly 50 years, the United States experienced more immigrants leaving the country than entering. In a report published on January 13, 2026, the Brookings Institution estimated that net migration in 2025 ranged between 10,000 and 295,000. Brookings attributed this shift to a significant decline in new immigrant arrivals, coupled with increased immigration enforcement leading to removals and voluntary departures, sometimes referred to as “self-deportation.” The report’s authors project that negative net migration will continue into 2026, slowing labor market growth and consumer spending and reducing overall U.S. gross domestic product (GDP).

The report’s authors analyzed the macroeconomic implications of immigration in-flows by assessing the decline of Green Cards issued abroad, suspension of admittance for many refugees, and a reduction in the issuance of temporary visas, including H-1B visas. To analyze out-flows, the report’s author’s looked at the normal out-migration based on personal choice, increased removals, and through data on immigration court

cases, stored by the Transaction Records Access Clearinghouse (TRAC), which showed an increase by 30,000 of immigrants requesting voluntary departure from the immigration court.

Upon analysis of these immigration flows, Brookings predicts a decline in employment growth for an average between -20,000 and +20,000 jobs in the U.S. These figures pale in comparison to the growth average of 150,000 to 220,000 in 2023 and 120,000 to 160,000 in 2024.

Regarding United States GDP, Brookings predicts less output created by immigrants, not only due to fewer immigrants being present in the country, but also because those who remain are more uncertain about their futures and less likely to spend for leisure or even go in public. Brookings notes that weak economic activity may be the new normal under the new immigration policies and does not necessarily reflect adverse business cycles overall.

## **DHS      PAUSES      DV      “GREEN      CARD”      LOTTERY      PROGRAM**

On December 18, 2025, the DHS Secretary announced a suspension of the Diversity Immigrant Visa (DV) (Green Card) Program. Each year, the DV Lottery provides 55,000 immigrant visas (green cards) to “winners” of the lottery. Last year, more than 18 million individuals submitted registrations in the lottery. The lottery is normally conducted in October of each year. However, as reported in November 2025 Masuda Funai Business Immigration Monthly, the lottery has been delayed by DOS, which coordinates the lottery (not DHS or USCIS). It remains unclear if the DOS will conduct the DV lottery this year.

DOS submitted a regulation to the Office of Information and Regulatory Affairs (OIRA) titled “Enhancing Vetting and Combatting Fraud in the Diversity Immigrant Visa” which is still pending review. Additional information about how this regulation will change the DV Lottery program in the future (assuming that the administration will proceed with the program in the future) will be contained in future Masuda Funai Business Immigration Monthly updates when it becomes available.

### **FEBRUARY 2026 VISA BULLETIN UPDATE**

The DOS recently issued the Visa Bulletin for February 2026. Most employment-based preference categories saw no change in priority date movement from the prior month. However, the employment-based 3rd preference category (except for individuals who were born in India or China) significantly advanced this month, as shown below.

Who becomes eligible to be **approved** for Permanent Resident status (Green Card) or have their Immigrant Visa interview scheduled at a U.S. Consular Post?

For *employment-based immigration* the following foreign nationals who have applied for AOS and have submitted all the required documentation including the Medical Examination (Form I-693), become eligible to have USCIS complete the processing of their application in February 2026. Also, the following foreign nationals who will complete the Immigrant Visa processing at a U.S. Consular Post and who have submitted all the required documentation become eligible to have their interview scheduled in February 2026.

#### **First Preference**

- Persons eligible for the employment-based 1st preference category (Multinational Managers/Executives, Outstanding Researcher/Professors or workers recognized for their Extraordinary Ability) who were born in any country other than India or China.
- **China-born** persons having an approved Immigrant Petition (Form I-140) in the employment-based 1st preference category (Multinational Managers/Executives, Outstanding Researcher/Professors or workers recognized for their Extraordinary Ability) whose priority date is before **February 1, 2023** - no change from January 2026.
- **India-born** persons having an approved Immigrant Petition (Form I-140) in the employment-based 1st preference category (Multinational Managers/Executives, Outstanding Researcher/Professors or Workers recognized for their Extraordinary Ability) whose priority date is before **February 1, 2023** - no change from January 2026.

#### Second Preference

- Persons born in any country other than India or China having an approved Immigrant Petition (Form I-140) in the employment-based 2nd preference category (Advanced Degree Professionals, workers recognized for their Exceptional Ability, or individuals qualifying for a National Interest Waiver) whose priority date is before **April 1, 2024** - no change from January 2026.
- **China-born** persons having an approved Immigrant Petition (Form I-140) in the employment-based 2nd preference category (Advanced Degree Professionals, workers recognized for their Exceptional Ability, or individuals qualifying for a National Interest Waiver) whose priority date is before **September 1, 2021** - no change from January 2026.
- **India-born** persons having an approved Immigrant Petition (Form I-140) in the employment-based 2nd preference category (Advanced Degree Professionals, workers recognized for their Exceptional Ability, or individuals qualifying for a National Interest Waiver) whose priority date is before **July 15, 2013** - no change from January 2026.

#### Third Preference

- Persons born in any country other than India or China having an approved Immigrant Petition (Form I-140) in the employment-based 3rd preference category (Professionals or Skilled Workers) whose priority date is before **June 1, 2023** - an advancement of 40 days from January 2026.
- **China-born** persons having an approved Immigrant Petition (Form I-140) in the employment-based 3rd preference category (Professionals or Skilled Workers) whose priority date is before **May 1, 2021** – no change from January 2026.
- **India-born** persons having an approved Immigrant Petition (Form I-140) in the employment-based 3rd preference category (Professionals or Skilled Workers) whose priority date is before **November 15, 2013** – no change from January 2026.

#### Who may **apply** for Adjustment of Status ("AOS") during February 2026?

On a positive note, USCIS has agreed to allow individuals eligible in the employment-based categories to apply for adjustment of status ("AOS") under the "Dates of Filing Chart" (instead of the Final Action Date chart).

For *employment-based immigration* this allows the following foreign nationals to apply for AOS in February 2026:

#### First Preference

- Persons eligible for the employment-based 1st preference category (Multinational Managers/Executives, Outstanding Researcher/Professors or workers recognized for their Extraordinary Ability) who were born in any country other than India or China.
- **China-born** persons having an approved Immigrant Petition (Form I-140) in the employment-based 1st preference category (Multinational Managers/Executives, Outstanding Researcher/Professors or workers recognized for their Extraordinary Ability) whose priority date is before **August 1, 2023** – no change from January 2026.
- **India-born** persons having an approved Immigrant Petition (Form I-140) in the employment-based 1st preference category (Multinational Managers/Executives, Outstanding Researcher/Professors or Workers recognized for their Extraordinary Ability) whose priority date is before **August 1, 2023** – no change from January 2026.

#### Second Preference

- Persons born in any country other than India or China having an approved Immigrant Petition (Form I-140) in the employment-based 2nd preference category (Advanced Degree Professionals, workers recognized for their Exceptional Ability, or individuals qualifying for a National Interest Waiver) whose priority date is before **October 15, 2024** – no change from January 2026.
- **China-born** persons having an approved Immigrant Petition (Form I-140) in the employment-based 2nd preference category (Advanced Degree Professionals, workers recognized for their Exceptional Ability, or individuals qualifying for a National Interest Waiver) whose priority date is before **January 1, 2022** – no change from January 2026.
- **India-born** persons having an approved Immigrant Petition (Form I-140) in the employment-based 2nd preference category (Advanced Degree Professionals, workers recognized for their Exceptional Ability, or individuals qualifying for a National Interest Waiver) whose priority date is before **December 1, 2013** – no change from January 2026.

#### Third Preference

- Persons born in any country other than India or China having an approved Immigrant Petition (Form I-140) in the employment-based 3rd preference category (Professionals or Skilled Workers) whose priority date is before **October 1, 2023**. This is an advancement of 92 days since January 2026.
- **China-born** persons having an approved Immigrant Petition (Form I-140) in the employment-based 3rd preference category (Professionals or Skilled Workers) whose priority date is before **January 1, 2022** – no change from January 2026.
- **India-born** persons having an approved Immigrant Petition (Form I-140) in the employment-based 3rd preference category (Professionals or Skilled Workers) whose priority date is before **August 15, 2014** – no change from January 2026.



For additional information, please see our Client Advisory ["Understanding When Your Priority Date is "Current" to File \(and Be Approved\) for a Green Card"](#).

## **RETHINKING PRODUCE—ONE OF CBP'S K-9 UNITS SCORES AGAIN**

In 2025, the CBP canine (K9) unit has been busy sniffing out illegal drugs arriving from Mexico at the Pharr International Bridge spanning the Rio Grande along the U.S.–Mexico border. Reports of their success include discovery:

- 64 packages of alleged methamphetamine (valued at \$10.3 million) concealed in packages of oat flakes discovered on December 10, 2025
- 500 packages of alleged methamphetamine (valued at \$10.3 million) concealed in a shipment of lettuce discovered on November 21, 2025
- 488 packages of alleged methamphetamine (valued at \$13.2 million) concealed in a shipment of broccoli discovered on September 2, 2025
- 154 packages of alleged methamphetamine (valued at \$7.6 million) concealed in a shipment of rose plants discovered on August 12, 2025
- 311 packages of alleged methamphetamine (valued at \$15.6 million) concealed in a shipment of carrots discovered on July 10, 2025
- 384 packages of alleged methamphetamine (valued at \$23.6 million) concealed in a shipment of papayas discovered on July 6, 2025
- 166 packages of alleged methamphetamine (valued at \$6.7 million) concealed in a shipment of tomatillos discovered on June 10, 2025
- 3,770 packages of alleged methamphetamine (valued at \$8.9 million) concealed in a shipment of chayote discovered on April 13, 2025
- 300 packages of alleged methamphetamine (valued at \$14.6 million) concealed in a shipment of fresh bell pepper and cucumber discovered on April 11, 2025
- 960 packages of alleged methamphetamine (valued at \$2.4 million) concealed in a shipment of Persian limes discovered on March 7, 2025
- 26 packages of alleged heroin and 8,206 packages of alleged methamphetamine (valued at \$19.9 million) concealed in a shipment cucumber and jalapeño discovered on February 4, 2025
- 398 packages of alleged methamphetamine (valued at \$21.2 million) concealed in a shipment of tomatillos discovered on January 8, 2025
- 357 packages of alleged methamphetamine (valued at \$7.7 million) concealed in a shipment of Persian limes discovered on January 6, 2025

Breeds in the canine unit which focus on narcotics include Belgian Malinois, Dutch Shepherd, German Shepard, German Shorthaired Pointer, and Labrador.

## **ICYMI - H-1B PROGRAM UPDATES HEADING INTO THE NEW YEAR**

In case you missed the Masuda Funai December 30th Client Alert titled H-1B Program Updates Heading Into the New Year, here are five things to know as we prepare for the upcoming H-1B Cap registration season.

- **Higher wages = more “lottery tickets”** – Employers will be required to indicate the U.S. Department of Labor (DOL) wage level for the occupation in the area of intended employment. A Level I wage is assigned one entry or “lottery ticket,” a Level IV wage is assigned four entries or “lottery tickets.”
- **H-1B Registration is on-line, and the fee remains \$215 per registration.** – Registration for the FY2027 H-1B Quota will be completed at MyUSCIS. The fee remains \$215 per individual registered.
- **Selection will continue to be “beneficiary-centric”** - While an employer and its related entities may only enter an individual once, all employers who registered the individual will be notified of the selection.
- **Up to 85,000 H-1B approvals will be available for FY2027 (October 1, 2026 to September 30, 2027).** - USCIS will continue to complete the H-1B Lottery selection of the regular cap of 65,000 before selecting the additional 20,000 for the U.S. Master's or higher degree Cap, affording beneficiaries with a U.S. Master's or higher degree a slightly stronger chance at selection.
- **The \$100,000 fee for the admission of certain new H-1B workers survived a legal challenge.** – The September 19, 2025 Presidential Proclamation establishing a new \$100,000 fee as a condition of admission for certain H-1B beneficiaries will be charged for new H-1B Cap workers needing a visa to enter the United States to begin their employment.

## **MFEM NEWS**

### **REGISTER FOR THE FEBRUARY 12TH MASUDA FUNAI H-1B QUOTA WEBINAR**

Masuda Funai will host a complimentary Lunch and Learn webinar “Navigating the 2027 H-1B Quota: Will Your Company’s Quota Registrations Make The Cut?” on **Thursday, February 12 at Noon (Central)**. This is the first of Masuda Funai’s 2026 Immigration Webinar Series.

Topics for this webinar include:

- Slicing your way into the H-1B Quota (“the Lottery”) – Who qualifies for an H-1B visa?
- Dicing the wage levels – How many lottery tickets may I receive?
- Weighing in on the H-1B Quota selection processes – What does “weighted selection” and “beneficiary-centric” mean?
- Will the H-1B petition be chopped? – Trends in H-1B adjudications under the current Administration
- Tempering post adjudication concerns – Likelihood of H-1B Investigations and Visa Issuance

Please register to attend this webinar at [link](#).

### **BOB WHITE TO CONDUCT IMMIGRATION WEBINAR FOR NAFSA REGION V**

Mr. Bob White, Co-Chair of the Masuda Funai Immigration Group, will conduct a Lunch and Learn Immigration Webinar for the members of NAFSA Region V on Thursday, February 19 at 12:30pm (Eastern)/11:30am

(Central). The title of the webinar is “**Update on the Immigration Chaos in 2026 Affecting International Students**”.

NAFSA: Association of International Educators is the world's largest nonprofit association dedicated to international education and exchange. NAFSA serves the needs of more than 11,000 members and international educators worldwide at more than 4,300 institutions, in 170+ countries. NAFSA Region V provides additional services to NAFSA members located in the states of Illinois, Wisconsin and Michigan.

Register for the February 19th webinar at <https://register.gotowebinar.com/register/1863696851030137694>

*Masuda Funai is a full-service law firm with offices in Chicago, Detroit, Los Angeles, and Schaumburg.*