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[Home](#) > [News](#) > [Alerts](#) > U.S. District Court for the Northern District of California Vacates the Strengthening the H-1B Program Interim Final Rule

U.S. District Court for the Northern District of California Vacates the Strengthening the H-1B Program Interim Final Rule

Release Date : 12/04/2020

A Dec. 1, 2020, order issued by the U.S. District Court for the Northern District of California vacated the [Strengthening the H-1B Nonimmigrant Visa Classification Program Interim Final Rule \(PDF\)](#) (IFR). The Dec. 1 order prevents the IFR from taking effect, and the Department of Homeland Security, U.S. Citizenship and Immigration Services from implementing the IFR. USCIS will fully comply with the court's decision.

DHS published the H-1B Strengthening IFR in the Federal Register on Oct. 8, 2020, with a 60-day effective date; the IFR was scheduled to go into effect on Monday, Dec. 7, 2020. The IFR was intended to better protect U.S. workers, improve the integrity of the H-1B program, and better ensure that H-1B petitions are approved only for qualified beneficiaries and petitioners.

For the full text of the order, see *JSW Chamber of Commerce of the United State of America et al. v. United States Department of Homeland Security, et al.*, 4:20-cv-07331 (N.D. Cal. Dec. 1, 2020).

Last Reviewed/Updated: 12/04/2020