

**CLIENT ALERT**

THE UNITED STATES GOVERNMENT  
INTRODUCES REVISED FEES FOR  
NEW H-1B VISA APPLICANTS



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## INTRODUCTION

The United States (“U.S.”) has introduced revised fees for new H-1B Visa Applicants seeking to work and stay in the U.S. The Proclamation, effective from 21<sup>st</sup> September 2025, is a response to the perceived systemic abuse of the H-1B program, which has been used to replace American workers with lower-paid labour, undermining economic and national security.<sup>1</sup>

## WHAT THIS MEANS FOR APPLICANTS

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Under the new directive, petitions for H-1B Visas must now be accompanied by a \$100,000 payment and employers must obtain and retain documentation of the payment before filing a petition. The Department of State and Department of Homeland Security will coordinate to verify the payment and deny entry to H-1B workers for whom the payment has not been made. This payment requirement does not apply if the U.S. Secretary of Homeland Security determines that hiring the foreigner is in the national interest and does not pose a threat to U.S. security or welfare. This exemption can be applied to an individual alien, all foreigners working for a company, or in an industry. The Proclamation also directs the Secretary of Labour to initiate a rulemaking to revise the prevailing wage levels to levels consistent with the policy goals of the Proclamation and the Secretary of Homeland Security to prioritise the admission of high-skilled and high-paid foreigners.

## IMPLICATIONS ON WORKERS OUTSIDE THE U.S.

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The most direct impact of this directive on workers outside the U.S. is the new financial burden for their employers, as the new requirement now makes it economically unfeasible for companies to hire foreign workers for lower-paid, entry-level positions. Foreign workers with highly specialised and in-demand skills, particularly those who can secure high salaries, may be more attractive to employers who are willing to pay the new fee to bring in top talent.

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<sup>1</sup> Proclamation on the Restriction on Entry of Certain Non-immigrant Workers: <https://www.whitehouse.gov/presidential-actions/2025/09/restriction-on-entry-of-certain-nonimmigrant-workers/>