



New H-1B Application Fee Requirement Announced

Client Advisories

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On Friday, September 19, 2025, President Donald Trump issued a Presidential Proclamation that set forth new conditions and restrictions on the admission of workers on H-1B visas into the United States. The most immediate effect of this Proclamation is to require the payment of a \$100,000 fee for H-1B visa applications. While some of the language of the Proclamation is open-ended, it is critical to note that this fee, as stated, applies only to **new** applications for prospective workers who are currently outside the country. Thus, the Proclamation does **not** apply to those:

- Whose applications were filed before the Proclamation's effective date of September 21, 2025 (including 2025 H-1B lottery season applications);
- Who already hold H-1B visas; or
- Who are in the United States on another visa category and are eligible to change to H-1B status while remaining in the country.

That being said, the Proclamation does not provide any clear exception to the fee requirement for new H-1B applications, other than giving the Secretary of the Department of Homeland Security broad discretion to provide case-by-case waivers.

We are continuing to monitor the situation for further developments, including, among other things, any litigation by national advocacy groups that might affect the scope or enforcement of the Proclamation. Until any such developments arise, the Proclamation should be considered to be currently in effect.

If you have any questions, please contact [Gregory Palakow](#) at 609-580-3748 or gpalakow@archerlaw.com or [Eric Yun](#) at 215-246-3137 or eyun@archerlaw.com.

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