

H-1B \$100,000 Fee — Q&A for Employers

Effective September 21, 2025, USCIS will begin enforcing a new \$100,000 fee for certain H-1B petitions — here's what employers need to know.

1	What is changing?	Under a Presidential Proclamation issued September 19, 2025, DHS now requires a \$100,000 fee for qualifying H-1B petitions filed on or after September 21, 2025.
2	Which petitions must pay the fee?	It applies when: <ul style="list-style-type: none">• The beneficiary is outside the U.S. and lacks a valid H-1B visa, or• The petition requests consular notification, port-of-entry, or pre-flight inspection, or• A change of status, amendment, or extension is filed and USCIS finds the worker ineligible (e.g., out of status or departed before adjudication).
3	Who is exempt?	No fee is due if: <ul style="list-style-type: none">• The petition was filed before Sept. 21, 2025,• The worker already holds a valid H-1B visa, or• The request for amendment, change, or extension is approved by USCIS.
4	How do I pay?	The fee must be paid through Pay.gov before filing. Include proof of payment or a DHS exception approval with the petition. Petitions missing documentation will be denied.
5	Can the fee be waived?	Only in extraordinary national-interest cases where: <ol style="list-style-type: none">1. No qualified U.S. worker is available,2. The individual poses no security risk, and3. The fee would significantly harm U.S. interests. 4. Requests should be emailed to H1BExceptions@hq.dhs.gov before or with filing.
6	What should employers do now?	<ul style="list-style-type: none">• Review all upcoming H-1B cases.• Confirm each worker's visa or status early.• Plan for the added cost.• Consult immigration counsel about possible exceptions.