



FP Snapshot on the Staffing Industry: New \$100k H-1B Visa Fee and Proposed Changes to Lottery Will Have Major Impact

Insights

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Welcome to this edition of the FP Snapshot on the Staffing Industry where we'll take a look at the impact of the Trump administration's new \$100k fee for H-1B visas and proposal to replace the existing random lottery with a wage-based selection process. Here's what staffing firms need to know.

What's Changing?

- The U.S. government has announced a \$100k one-time fee for each new H-1B petition filed on or after September 21.
- This fee does not apply to renewals, existing H-1B visa holders, or petitions filed before that date.
- The \$100k fee will apply to applications under the FY2027 H-1B cap lottery (which will take place in March 2026) and any new H-1B petitions submitted on or after the effective date.
- [You can read more here about this major development and our action plan for employers.](#)

Why It Matters for Staffing Firms

- Staffing firms are among the largest users of H-1B visas, particularly in technology, healthcare, and finance, where shortages of skilled workers are persistent.
- It is critically important to consult immigration counsel to ensure your H-1B petitions are properly filed and meet the new requirements.

National Interest Exception

- The proclamation allows for "national interest" exceptions, which could exempt certain workers from the \$100K fee.
- During the COVID-19 pandemic, similar exceptions were made for physicians, nurses, and healthcare workers.
- While details remain uncertain, staffing firms should monitor whether such exceptions will be extended to their industries to help alleviate critical staffing shortages.

Proposed Overhaul of the Lottery System

- In addition to the new \$100k fee, policymakers are also revisiting the H-1B selection process itself.
- The proposal would abandon the traditional randomized lottery in favor of a wage-based system, prioritizing roles with higher wages and greater skill requirements, while still allowing petitioners across wage levels to participate.
- Together with the \$100k fee, this proposed shift represents a double squeeze: higher upfront costs, plus greater uncertainty about whether petitions will even be selected.
- You can read more here about the proposal and its potential impact on employers.

Strategic Takeaways

- The \$100k fee is likely to be most acutely felt in technology, healthcare, and finance staffing, where H-1B talent is central to filling roles.
- National interest exceptions could provide relief in healthcare or other staffing sectors, but this remains uncertain.
- Staffing firms should prepare for significant cost implications, keep abreast of these developments, and consult with your Fisher Phillips attorney prior to adjusting your workforce strategies.

Conclusion

We will continue to monitor developments and provide updates, so make sure you are subscribed to Fisher Phillips' Insight System to get the most up-to-date information directly to your inbox. For more information, contact your Fisher Phillips attorney, the authors of this Insight, or any attorney on our Staffing Industry Team or in our Immigration Practice Group.

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