

# Panic lingers after new Trump visa restrictions

## Chaos ensues as unclear restrictions send H-1B workers scrambling

Dian Zhang and Lauren Villagran  
USA TODAY

Henry Pan, a software engineer based in Seattle, was riding a high-speed train to his hometown of Nanjing, China, when news of President Donald Trump’s new visa restrictions pinged on his cell phone.

He was headed home with his girlfriend to attend his sister’s wedding, but emails and headlines were urging visa holders like them to return to the United States within 24 hours – or risk new restrictions and a \$100,000 fee.

On Sept. 19, Trump unveiled the new restrictions on foreigners who hold H-1B visas that allow people with higher education or special skills to work legally in the United States. The president’s proclamation sent hundreds of thousands of working professionals, their employers and immigration attorneys into a tailspin.

The 1,770-word decree decried the “large-scale replacement of American workers” and “systemic abuse” of the H-1B program and lamented the growth in the foreign share of the workforce in computer and math occupations. It ordered restricted entry of H-1B visa holders “except for those aliens whose petitions are accompanied or supplemented by a payment of \$100,000.”

Chaos ensued.

Cell phone videos circulated of worried H-1B travelers trying to get off international flights before they took off. Major American tech companies, law firms and research institutions sent panicked emails to their H-1B workers, warning them not to leave the country or to take the next flight back to the United States.

The requirements were as confusing as they were dramatic, apparently designed to make people “feel a sense of disruption,” said John Madeiros, a Minneapolis-based immigration attorney who chairs the corporate practice at Nilan Johnson Lewis.

“The most shocking part about the proclamation issued Friday evening is that it would go into effect on Sept. 21 at 12:01 a.m.,” just two days later, he said. “That’s how this administration does things: ready, fire, aim.”

**What is an H-1B visa?**

The H-1B visa is a work visa for educated professionals, issued to workers including accountants, software engineers and highly specialized doctors, scientists and researchers. It’s renewable for up to six years and requires at least a bachelor’s degree. FWD.US, a nonprofit that advocates for immigration reform, estimates that more than 730,000 people live in the United States on the H-1B – more than 1.3 million people, when including their dependents.

The U.S. government issues some 85,000 new H-1Bs every year, and renews hundreds of thousands more existing H-1Bs annually.

Pan, who has a master’s degree in computer science, assumed the worst-case scenario.

Despite having only just arrived for a week’s vacation that morning, he and his girlfriend left Nanjing on Sept. 20, boarding a last-minute flight via Seoul to Seattle. He missed his sister’s wedding that weekend, and his girlfriend never made it to Beijing to see her grandparents, who had been preparing for her visit for weeks.

“I was home for just 20 minutes before leaving again,” said Pan. “We both felt really sad.”

**Open questions about the \$100K fee**

Days later, H-1B workers, their employers and attorneys say they have more questions than answers about how the new restrictions and the \$100,000 fee would be applied.

Trump’s Commerce Secretary Howard Lutnick made comments shortly after Trump signed the proclamation that White House Press Secretary Karoline Leavitt debunked the next day on the social media site X.

The fee is one-time, not annual, Leavitt said. H-1B visa holders outside the country at the time of the proclamation won’t be charged to re-enter; and the fee only applies to new visa applications, not current visa holders.

All that should have spelled relief to H-1B workers and their corporate sponsors, but Xiao Wang, chief executive of the immigration services firm Boundless Immigration, said the lack of detail left many unanswered questions – and his clients uneasy.

“In a world where a missed checked box can determine whether someone can work in this country or not, the nit-



President Donald Trump’s decision to restrict some H-1B work visas caused lingering concerns for foreign workers who fear sudden changes could upend their lives in the United States. ANDREW HARNIK/GETTY IMAGES FILE



Jackie Chen abandoned her surf vacation in Aoshima, a small Japanese coastal town, and raced back to the United States after President Donald Trump signed a proclamation restricting the entry of H-1B visa holders, worrying that she would not be able to return to the United States. PROVIDED BY JACKIE CHEN

ty-gritty matters,” he said. “Each subsequent clarification that counters something that was said earlier, over the course of hours if not days, increases the fear people have about doing something wrong and being punished for it later.”

Madeiros said his corporate clients “are freaking out.”

“We have policy that is being made without much thought, policy being made through social media post instead of going through Congress to get meaningful reform,” he said.

“We support employers with big international executives,” he said. “They are telling the foreign nationals ‘We don’t know if it’s not going to apply to you so any travel is at your own risk.’”

**Growth of the H-1B program**

The H-1B program has swelled since 2000. U.S. Citizenship and Immigration Services approved nearly 400,000 H-1B petitions or renewals for high-skilled foreign workers in fiscal 2024, almost double the number approved in 2000, according to a USA TODAY analysis of the data.

The total number of H-1B approvals peaked in 2022, topping 440,000. It was at its lowest in recent history – around 200,000 approvals – in 2010, right after the Great Recession.

The Trump administration has argued that middlemen companies have been exploiting the H-1B program to import cheap, temporary labor to the United States and fill tech jobs that could go to American workers.

In fiscal 2024, 71% of the H-1B petitions approved by the USCIS went to Indian nationals, according to the agency’s latest annual report. Many of them work in the lower-wage, temporary category, experts say. Nearly two-thirds of the petitions approved went to workers in computer-related jobs.

The White House fact sheet that followed the proclamation listed companies that won approvals for thousands

of H-1B workers in fiscal 2025 while laying off thousands of American workers. The White House didn’t name the companies, nor specify whether the hired and laid-off workers were in the same divisions.

But the administration made its intent to crack down clear: On the same day as Trump’s proclamation, the Department of Labor quietly launched Project Firewall, an enforcement operation to search for abuse by employers of the H-1B program.

“By rooting out fraud and abuse, the Department of Labor and our federal partners will ensure that highly skilled jobs go to Americans first,” said Secretary of Labor Lori Chavez-DeRemer in a statement.

Wang said a proposed new framework for selecting H-1B recipients released Sept. 23 by USCIS would give greater weight in the H-1B visa lottery to applicants in the highest-skilled categories and to applicants who studied and obtained a college degree at an American university. That would bring the balance closer to the original intent of the program, Wang said, bringing in highly skilled workers and keeping those who invested in an American education.

But the risks of rapid or sudden changes could hurt the country’s competitiveness, Wang said. Uprooting to move to the United States is an expensive, multiyear decision.

“It only works if the return on investment is clear,” he said. “People are going to choose more stable countries like Canada, to the long-term detriment of the United States.”

**The short-term panic has lingering effects**

The hangover from the weekend’s panic has lingered for those whose lives and livelihoods hang in the balance.

Jackie Chen was relaxing into the

start of her surf vacation in coastal Japan when news of the H-1B restrictions broke on Sept. 20, at 5 a.m. local time. She watched, heart racing, as Trump signed the proclamation.

“Everyone was saying the same thing: ‘You must get back immediately,’” the software engineer recalled. “I was terrified. If I didn’t return in time, I was afraid my company might just fire me.”

Like Pan, Chen abandoned her vacation, booked same-day flights and raced back to the United States, arriving just before what she believed was the deadline.

Midway through the flight back to Seattle, however, came a stunning twist: Leavitt’s clarification that existing H-1B holders would not be impacted.

“At that moment, I felt extremely angry and frustrated. I felt like I had been played,” said Chen, who has a master’s degree in data science. “They don’t value people like us who hold H-1B visas. It feels like we’re not important, so they can casually say something, and it changes all of our lives. But at the same time, I feel very sad, because there’s nothing I can do to change it.”

The rushed return cost Chen in unexpected expenses – the cancellations, last-minute airfare, and \$200 per night for two weeks in a hotel after she sublet her Seattle apartment during what should have been her Japanese vacation.

To Chen, the mental strain is more painful than the financial losses.

“One is that you lost two weeks of a potentially beautiful vacation,” she said. “The second is being tormented back and forth by this policy, and never knowing what’s coming next.”

“This incident made me realize that I might need to find myself a Plan B,” she said, noting friends who have found opportunities in other countries with less restrictive visa policies. “Maybe America isn’t the only option.”



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