

University of California
Frequently Asked Questions:
H-1B Proclamation Signed September 19, 2025
Issue Date: September 29, 2025

The University of California (UC) hires some faculty, researchers, and staff under the H-1B visa program to access highly qualified international talent, fill specialized roles where U.S. candidates may be limited, and strengthen its research, teaching, and public service mission. The H-1B visa program allows the UC to recruit top experts worldwide who contribute to innovation, education, and the student experience.

1. What is the H-1B visa program?

H-1B visa is a classification of a non-immigrant work visa. The H-1B program allows U.S. employers to hire international professionals to fill specialty occupations that usually require a bachelor's degree or higher in a specific field, like technology, engineering, or healthcare. It's an employer-sponsored visa, so the university files the application on behalf of the individual. The visa is temporary, generally up to six years.

2. What has changed in the H-1B visa program?

Effective September 21, 2025, the U.S. government has restricted entry of new H-1B workers. Employers must now pay a \$100,000 fee per petition for workers outside the U.S. to enter on H-1B visas, unless an exemption applies. At this time, it is unclear whether the requirement extends to cap-exempt employers (such as universities and research institutions). We will continue to monitor agency guidance and will update this information as clarification becomes available.

3. How long will this restriction last?

The new proclamation is valid for 12 months from September 21, 2025, but can be extended.

4. Is this an annual fee?

No, this is not an annual fee but a one-time payment applicable only when filing a new petition. Refer to [H-1B FAQ | USCIS](#) for additional details.

5. Who is exempt from this payment?

The Secretary of State may determine that hiring certain nonimmigrant workers is in the national interest and exempt such workers from this payment.

6. Does this proclamation apply to existing H-1B visa holders?

No, the U.S. Citizenship and Immigration Services clarified in a [memo dated September 20, 2025](#), that the proclamation "only applies prospectively to petitions

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that have not yet been filed.” The proclamation does not apply to international professionals who are: a) the beneficiaries of petitions that were filed prior to September 21, 2025; b) the beneficiaries of currently approved petitions; or c) in possession of validly issued H-1B nonimmigrant visas.

7. Does this apply to individuals whose initial H-1B petitions have been approved, but who are not yet in possession of an H-1B visa?

This is unclear at this time and we are awaiting additional agency guidance. The new payment requirement likely does not apply to individuals who have an approval but are not currently in possession of an H-1B visa. We will continue to monitor agency guidance and will update this information as clarification becomes available. In the meantime, we recommend contacting your campus International Students and Scholars Office or contacting the relevant consulate directly before making travel plans.

8. Does a UC campus decide whether to petition for an H-1B visa?

Each UC campus decides whether to file H-1B petitions for its employees. While systemwide guidance may be shared, the choice to move forward depends on the campus’ own needs, budget, and legal review.

9. What documentation must employers keep?

Employers must retain proof of the payment. A mechanism to submit payment has not yet been announced.

10. What happens if the \$100,000 payment is not made?

If the payment is not made, petitions will not be approved, and the workers will be denied entry. At this time, it is unclear whether the requirement extends to cap-exempt employers (such as universities and research institutions). We will continue to monitor agency guidance and will update this information as clarification becomes available.

11. What happens if an individual is at a port of entry and is denied entry due to non-payment of the \$100,000 fee?

This situation should not occur for any employees currently on H-1B status, since the administration clarified that the “the proclamation does not impact the ability of

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any current visa holder to travel to or from the United States.” Refer to [memo dated September 20, 2025](#) for additional details.

Employees are urged to monitor legal developments before and during travel. Any employee who is denied entry to the U.S., or who has a newly approved visa, should consult their campus International Students and Scholars Office as soon as possible and ideally before traveling.

12. How are current H-1B visa holders impacted if traveling internationally or returning from abroad?

The U.S. Citizenship and Immigration Services clarified in a [memo dated September 20, 2025](#) that “the proclamation does not impact the ability of any current visa holder to travel to or from the United States.”

13. How does the new policy impact H-4 visa holders?

The proclamation focuses on H-1B petitions and does not directly change rules for H-4 dependents. However, since H-4 status is tied to the principal H-1B visa holder, any restrictions on H-1B entry (such as the \$100,000 petition requirement for workers abroad) could indirectly affect H-4 dependents’ ability to obtain or renew visas, travel internationally, or reenter the U.S.

14. How does the new policy impact represented employees on H1-B visas?

The policy does not change union rights or collective bargaining agreements, but it may affect immigration processes. Represented employees on H-1B visas can continue working in the U.S. as usual. However, if the policy change applies to cap exempt employers, new petitions may trigger the \$100,000 requirement.

15. What actions should locations take in the meantime?

Locations should:

- Review current H-1B employees and pending cases to identify who could be impacted by the new \$100,000 petition requirement.
- Review non-essential international travel for H-1B employees and dependents until more guidance is available.
- Consult with their International Students and Scholars Office or campus counsel before filing new petitions or extensions to confirm applicability of the new rule.

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- Communicate with employees to share consistent updates and manage expectations.
- Monitor federal guidance closely and be prepared to adjust processes as agencies clarify implementation details.