

Congress of the United States
Washington, DC 20515

October 21, 2025

President Donald J. Trump
The White House
1600 Pennsylvania Avenue,
N.W. Washington, D.C. 20500

Secretary Howard Lutnick
Secretary of Commerce
U.S. Department of Commerce
1401 Constitution Ave NW
Washington, D.C. 20230

Dear President Trump and Secretary Lutnick,

America's innovation economy depends on both strong domestic talent and access to a highly skilled workforce from abroad, most of whom are educated at U.S. institutions. We agree that the H-1B visa program can be improved and that reform is needed to better align the system with America's values and workforce needs. At the same time, we are concerned that the recent proclamation related to H-1B visa petitions will create significant challenges for U.S. employers and overall weaken our competitiveness.

Regardless of how courts resolve the imminent challenges to the proclamation's legal basis under Section 212(f) of the Immigration and Nationality Act (INA), the legal uncertainty will disrupt the operations of many innovation-leading employers who attempt to comply. We welcome you to join us in crafting a bipartisan solution for high-skilled immigration reform that achieves your—and our—shared goals: a thriving innovation ecosystem, a strengthened talent pipeline, halt to visa abuses, and above all, increasing job opportunities for U.S. citizens.

Specifically, we have heard clearly from technology innovators that the proclamation's \$100,000 annual fee is prohibitively expensive for early-stage employers and small companies, particularly those that have not yet become profitable. It will bar those rapidly scaling American startups from recruiting and retaining critically needed talent, undermining their growth, reducing employment of U.S. citizens by those same employers, and imperiling our nation's technological leadership and global competitiveness.

If U.S. companies cannot access needed talent, many of those highly skilled workers will return home to India, China, Israel, or Europe to launch companies that compete directly against U.S. firms. Top talent in such areas as artificial intelligence and quantum computing is widely dispersed outside of the United States. China produces nearly half the world's top AI researchers

and technologists, for example, more than twice as many as the United States.¹ China's recent AI gains threaten the U.S. leadership in this critical endeavor, and our ability to achieve the goals set out in America's AI Action Plan depends enormously on AI companies' ability to attract and keep that top AI talent here, and out of China.²

For decades, many early-stage employers have utilized the H-1B visa program to hire exceptionally talented immigrants with highly specialized skills, many whom have earned advanced degrees in the U.S. and are already working here. As a result, our nation's innovation economy has flourished. Research shows that startups with successful H-1B applications file an increased number of patents and have a higher chance of innovative breakthroughs, obtaining funding, and being acquired.³ With those uniquely skilled workers, these startups accelerate the hiring of American workers, catalyzing a virtuous cycle of growth.

This program has played an important role in sustaining America's technological leadership. Foreign-born talent has founded nearly half of the 500 U.S. startups that have reached billion dollar "unicorn" status; while they also lead the majority of American companies on the 2025 Forbes AI List.^{4,5} While today's large tech companies might be able to absorb a new H-1B visa fee, many of them could not have survived such a burden in their early stages. Had these firms been unable to grow here, their combined \$20 trillion in market value might instead have accrued to foreign competitors.

We currently see both ally and competitor nations accelerating visa pathways, leveraging the opportunity presented by America's closing door. China recently announced a new K-type visa category for young, skilled professionals with experience in science, technology, engineering, and mathematics.⁶ Canada recently promised its employers that it will issue a high-skill visa

¹ Darrell M. West, U.S. Security and Immigration Policies Threaten Its AI Leadership, Brookings (Apr. 30, 2024) <https://www.brookings.edu/articles/us-security-and-immigration-policies-threaten-its-ai-leadership/>

² John McKinnon & Lingling Wei, Artificial Intelligence: U.S. vs. China, Wall Street Journal (Sept. 25, 2025) <https://www.wsj.com/tech/ai/artificial-intelligence-us-vs-china-03372176> (Stephen G. Dimmock, 2019)

³ Stephen G. Dimmock, Jiekun Huang & Scott J. Weisbenner, Give Me Your Tired, Your Poor, Your High-Skilled Labor: H-1B Lottery Outcomes and Entrepreneurial Success, National Bureau of Economic Research (October 2019) [Give Me Your Tired, Your Poor, Your High-Skilled Labor: H-1B Lottery Outcomes and Entrepreneurial Success | NBER](https://www.nber.org/papers/w26000)

⁴ Gené Teare, Foreign-Born Entrepreneurs Drive America's Unicorn Boom, Stanford Professor Says, Crunchbase News (July 9, 2024) <https://news.crunchbase.com/venture/foreign-born-entrepreneurs-drive-americas-unicorn-boom-strebulaev-stanford/>

⁵ Forbes, AI 50: America's Most Promising Artificial Intelligence Companies, Forbes (no date) <https://www.forbes.com/lists/ai50/>

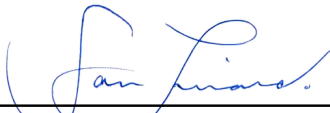
⁶ Liu Zhen, China Creates New Visa for Young Science and Technology Talent, South China Morning Post (Sept. 18, 2025) <https://www.scmp.com/news/china/politics/article/3321901/china-creates-new-visa-young-science-and-technology-talent>

within two weeks of application, while Germany has also boosted its issuance of high-skill work visas.^{7,8} In short, other nations see the opportunity presented by our shift, and they're seizing it.

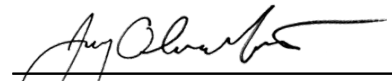
We embrace reforms to improve the H-1B program. Together, we should evaluate options that include restrictions on outsourcing firms, visa portability to counter wage suppression, revising eligibility and skill classifications, improving enforcement, and modifying the fee structure. The recently announced H-1B visa changes will undermine the efforts of the very catalysts of our innovation economy—startups and small technology firms— that cannot absorb costs at the same level as larger firms.

High-skilled immigrants play a vital role in strengthening our economy, advancing American competitiveness, and expanding opportunities for U.S. citizens. We urge that you work with Congress and the private sector to advance a modernized high-skilled immigration framework. Together, we can improve the H-1B visa program, both to mitigate its flaws, and to produce even greater benefits for the American people.

Sincerely,



Sam T. Liccardo
Member of Congress



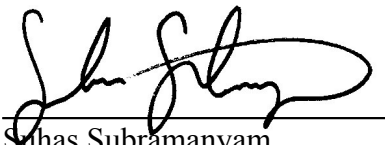
Jay Obernolte
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Maria Elvira Salazar
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Don Bacon
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Suhas Subramanyam
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Greg Stanton
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⁷ Liu Zhen, China Creates New Visa for Young Science and Technology Talent, South China Morning Post (Sept. 18, 2025) <https://www.scmp.com/news/china/politics/article/3321901/china-creates-new-visa-young-science-and-technology-talent>

⁸ Melissa Eddy, Germany and India Reach Deal on Skilled Workers Visa, New York Times (Sept. 24, 2025) <https://www.nytimes.com/2025/09/24/business/germany-india-skilled-workers-visa.html>