

## What Employers Need to Know About the September 2025 H-1B Restrictions

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Based on the Presidential Proclamation [Restriction on Entry of Certain Nonimmigrant Workers – The White House](#) that was announced on September 19, 2025, and subsequent agency guidance and official White House statements, here is what we know so far:

1. Individuals in valid H-1B status and who possess a valid H-1B visa stamp in their passports may continue to travel internationally and reenter the US.
2. Individuals who are the beneficiaries of approved Form I-129 H-1B petitions filed with USCIS prior to the effective date (September 21, 2025) are unaffected. The Dept. of State specifically stated that the Proclamation's restriction on visa issuance at U.S. Embassies does not apply to such beneficiaries, meaning they should be able to obtain an H-1B visa stamp and travel.
3. The Proclamation applies to new H-1B visa petitions for those selected in future H-1B lotteries which take place in April of every year.

What remains unclear, however, are situations where an employee currently in H-1B status who files to extend their status and then wishes to seek an H-1B visa in their passports for travel. Consequently, we are discouraging any non-essential international travel while the situation remains in flux.

- We recommend the following actions that employers can take to try to minimize exposure and risk and work closely with their immigration team at Eckert: HR/global mobility managers should proactively communicate with their foreign national workforce to assure them that they are aware of, and are looking out for, the interests of those employees and doing what is possible to ensure their immigration status remains valid.
- Have accurate and robust records and recordkeeping systems tracking the immigration status and expiration dates of your foreign national workforce. Have ticklers or alerts in place to remind of upcoming expirations or action items.
- Ensure that visa-dependent employees know to proactively communicate about events such as international travel plans and changes of address; ensure that their managers know that changes to an individual's job, function, worksite, and compensation may all trigger the need to take action on their cases and, therefore, must be discussed before any changes to employment are implemented.