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# Trump administration unveils 'Project Firewall' to crack down on H-1B visa abuse

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The US Department of Labor (DOL) has launched 'Project Firewall', a sweeping enforcement initiative aimed at curbing misuse of the H-1B visa program and protecting American jobs, particularly in the science, technology, engineering, and math (STEM) fields. The objective is to ensure employers prioritize qualified Americans when hiring workers and to hold violators accountable. Labor Secretary Lori Chavez-DeRemer said the measure would ensure "highly skilled jobs go to Americans first." For the first time in history, the Secretary of Labor will personally certify investigations into suspected H-1B violations, which officials described as a "historic action." Employers found guilty could face penalties ranging from repayment of back wages to affected American workers, fines, and even debarment from future use of the program for a specified period.

The DOL said it will coordinate with agencies including the Justice Department, the Equal Employment Opportunity Commission, and US Citizenship and Immigration Services in enforcing the initiative.

Project Firewall was launched alongside a recent presidential proclamation by Donald Trump, which alleged that employers were exploiting the H-1B system to replace American workers with cheaper foreign labour. "The large-scale replacement of American workers through systemic abuse of the H-1B program has undermined both our economic and national security," Trump declared.

According to the proclamation, foreign STEM workers in the U.S. doubled from 1.2 million in 2000 to nearly 2.5 million in 2019, while overall STEM employment grew only 44.5 percent. IT outsourcing firms were singled out for

“significantly harming American workers,” with some reportedly laying off thousands of US employees while securing approval for large numbers of H-1B hires.

Critics, however, caution that the new initiative could have unintended consequences. Speaking to *TOI*, Rajiv S. Khanna, managing attorney at Immigration.com, said that while the goal of protecting American workers is “laudable,” the initiative risks overreach.

He noted that employers hiring H-1B talent must meticulously comply with prevailing wage laws, labor condition applications, and strict recruitment standards. “The process is a minefield of procedural requirements where a single misstep can lead to technical violations,” Khanna said.

“By granting the Secretary of Labor personal authority to initiate investigations, the process becomes susceptible to political motivations. The primary danger lies in the subjective interpretation of ‘fraud and abuse.’ Minor, unintentional administrative errors ... could be weaponized and magnified into grounds for severe penalties. This disproportionately harms small and mid-sized companies that lack the extensive legal resources of corporate giants, yet are critical engines of innovation and job growth,” he added.

Immigration attorneys argue that treating minor compliance failures with the severity of major infractions will create fear, embroil US companies in litigation, and dent economic growth.

The National Foundation for American Policy (NFAP), in multiple studies, has highlighted that employers shoulder significant obligations when sponsoring H-1B workers. They must pay the higher of either the prevailing wage for the role or the actual wage paid to other employees with similar experience and qualifications. Regulations also require employers to notify US staff about the wages paid to H-1B holders.

Countering the perception that foreign-born scientists and engineers represent “cheap labour,” NFAP pointed to USCIS data showing that H-1B professionals are well-compensated. In 2023, the average annual salary for H-1B workers in computer-related occupations was \$132,000, with a median of \$122,000.

Trump's proclamation which calls for a \$100,000 entry fee for every H-1B petition filed after Sept. 21 also outlines additional measures. He has directed the DOL to revise and raise prevailing wage levels to "upskill" the program, ensuring it is used only to hire the "best of the best" foreign workers. Meanwhile, the Department of Homeland Security (DHS) is preparing a rule that would prioritize higher wages in the H-1B selection process.