

IMMIGRATION SENTINEL

October 2025



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October 2025 Visa Bulletin

The U.S. Department of State (DOS) [October 2025 Visa Bulletin](#) reflects forward progress in many family- and employment-based categories. All applicants must use the U.S. Citizenship & Immigration Services (USCIS) Dates for Filing chart. Previously, USCIS had required employment-based applicants to use the Final Action chart. This change contributes to priority date advances in some employment-based preference categories.

Proposed H-1B Lottery Changes

U.S. Department of Homeland Security (DHS) [issued](#) a proposed rule to implement a weighted selection process in future H-1B lotteries that would scale in favor of employers who offer higher wage levels to foreign workers, essentially giving higher-paid positions better odds at being selected in the lottery. Comments are due 10/24/25.

H-1B Filing Fee of \$100,000

A new [Proclamation](#), effective 9/21/2025, restricts entry of certain nonimmigrant H-1B workers, unless the employers' H-1B petitions are accompanied or supplemented by a new \$100,000 fee. The [fee](#) only applies to petitions filed on or after 9/21/25. Whether institutions of higher education and other statutory cap exempt employers will be subject to the new \$100,000 fee and what criteria will be used to determine which cases, companies, or industries will be eligible for a National Interest Exemption is unclear at this time.

Welcome to the October 2025 issue of our monthly newsletter, *The Immigration Sentinel*. As we monitor immigration benefits and compliance developments, we hope that this medium will be a valuable resource in helping you stay informed and prepared for potential changes that may impact you corporately and individually.



Jeffrey Widdison, Senior Counsel

Hungary Fully Reinstated to VWP

DHS announced that Hungary's full status in the Visa Waiver Program (VWP) will be restored following the country's efforts to address security concerns. DHS is also normalizing the Electronic System for Travel Authorization (ESTA) validity period and eligibility for Hungarian travelers, reversing 2023 restrictions that reduced ESTA validity from two years to one year and limited it to a single use. These changes are to be implemented by 9/30/2025, and will fully reinstate Hungary's ability to participate in the VWP under normal terms.

Project Firewall

DOL announced the launch of "Project Firewall," an H-1B enforcement initiative with the stated purpose of ensuring employers prioritize qualified Americans when hiring workers and holding them accountable if they abuse the H-1B visa process. DOL will investigate employers to ensure H-1B compliance. The Secretary of Labor will personally certify the initiation of investigations if reasonable cause exists that an H-1B employer is not in compliance. This differs from the Wage and Hour Division's standard practice of utilizing complaint-driven investigations. Violations may result in the collection of back wages owed to affected workers, the assessment of civil money penalties, and/or debarment from future use of the H-1B program for a prescribed period of time.

Nonimmigrant Visa Interview Waivers

DOS announced an update of its policy permitting a waiver of the nonimmigrant visa interview for certain categories of applicants. As a result, effective October 1, 2025, most nonimmigrant visa applicants will generally require an in-person interview with a consular officer. One exception is for applicants renewing a B-1 or B-2 visa within 12 months of the prior visa's expiration so long as the prior visa was issued for full validity at the time of issuance and the applicant was at least 18 years old.

TPS Syria to End

DHS published a notice announcing the termination of Temporary Protected Status (TPS) for Syria effective 11/21/2025. Employment Authorization Documents (EADs) remain valid through that date, and Syrians may present EADs with category codes "A-12" or "C-19" and expiration dates of 9/9/2022, 3/10/2024, or 9/10/2025 to demonstrate work eligibility until TPS ends.

New Visa Lottery Fee

DOS's Bureau of Consular Affairs published a final rule, effective 9/16/2025, implementing a \$1 fee to register for the Diversity Visa lottery program. This fee will be collected at the time of registration as part of the updated Schedule of Fees for Consular Services.

Changes Coming to Naturalization Testing

USCIS published a notice it will reimplement the 2020 Naturalization Civics Test, with modifications. The updated 2025 version will focus on the fundamentals of American history and the principles and structure of the U.S. government, but it does not alter the English-language portion of the test. The new test will apply to applicants who file their naturalization applications on or after 10/20/2025.

H-2B Cap Reached

USCIS announced it received enough petitions to meet the congressionally established H-2B cap for the first half of fiscal year 2026. 9/12/2025 was the final receipt date for new cap-subject H-2B worker petitions requesting an employment start date before 4/1/2026.

USCIS Updating Acceptable Filing Fee Payment Methods

USCIS updated its Policy Manual to begin accepting only electronic forms of payments for filing fees of immigration benefits. Beginning 10/28/2025 USCIS will no longer accept checks, and only ACH debit transactions or credit card payments will be accepted using the respective USCIS form.

TPS Venezuela Termination

DHS announced the termination of the 2021 designation of TPS for Venezuela. The current TPS designation expired on 9/10/ 2025, with termination taking effect on 11/7/2025.

USCIS Adding Special Agents With Law Enforcement Power

USCIS announced it is adding special agents who will be authorized to investigate, arrest, and present for prosecution suspected immigration criminal offenses. The special agents will have powers typical for federal law enforcement, which includes making arrests, carrying firearms, and executing search and arrest warrants.

Third Country National Visa Processing Eliminated

Through two notices posted to its website, DOS announced that applicants for immigrant visas and/or nonimmigrant visas must interview in the consular district designated for their place of residence or in their country of nationality, with limited exceptions. The requirement for nonimmigrant visa applicants is effective immediately, and the requirement for immigrant visa applicants will be effective 11/1/2025. Nationals of countries where the U.S. government is not conducting routine visa operations must apply at the designated embassy or consulate as noted in the chart on DOS's website, unless the applicant has dual nationality or their residence is elsewhere.

Please contact us at CoryImmigrationTeam@FisherBroyles.com or 1.833.4FB.VISA with questions. We stand ready to support!