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## **NEWS FOR IMMEDIATE RELEASE**

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### **Wisconsin DOJ and Coalition Secure Summary Judgment in Lawsuit Challenging Trump Administration’s Unlawful \$100k Fee for H-1B Petitions**

MADISON, Wis. – The Wisconsin Department of Justice and a coalition Monday secured a [ruling](#) from the U.S. District Court of Massachusetts that vacated the Trump Administration’s policy imposing a \$100,000 fee on certain H-1B petitions, finding it unlawful. Wisconsin DOJ joined a multistate coalition in [challenging](#) the policy late last year.

“This ruling stops an unlawful policy that shouldn’t have been adopted,” said AG Kaul. “The federal government should be working to address workforce shortages in health care and education, not making them more severe.”

#### **BACKGROUND**

In September, President Trump issued a proclamation ordering an unprecedented \$100,000 fee for certain H-1B petitions. As implemented by the U.S. Department of Homeland Security (DHS) through a series of written documents, the policy affected certain H-1B applications filed on or after 12:01 a.m. Eastern September 21, 2025, and granted the Secretary of Homeland Security additional discretion to determine which petitions are subject to the fee or an exemption. The \$100,000 fee threatened the quality of education, healthcare, and other core services available to residents.

For example, the University of Wisconsin-Madison received approval for 232 H-1B petitions in fiscal year 2025 for positions in teaching, research, and medical training. These positions support core academic programs, scientific research, and healthcare

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education that benefit Wisconsinites. Imposing a \$100,000 fee on many new H-1B petitions would make it harder for UW-Madison to recruit qualified professionals in specialized fields and would threaten Wisconsin's ability to remain competitive in research, innovation, and workforce development. The new fee would have also harmed Wisconsin's ability to fill needed positions in the K-12 education, nursing, and other health care fields.

Joining Wisconsin DOJ in filing the lawsuit were the attorneys general of Arizona, California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maryland, Massachusetts, Michigan, Minnesota, North Carolina, Nevada, New Jersey, New York, Oregon, Rhode Island, Vermont, and Washington.