

Amid Tech Layoffs, Demand for H-1B Visas Reaches New Highs

Article By:

Norris McLaughlin P.A.

The H-1B visa program has become a highly-debated topic in recent years. The program, which allows employers to hire highly skilled foreign workers, has been criticized by some for displacing American workers and contributing to wage stagnation. Others claim the program is necessary to support many American industries. Despite a recent increase in layoffs throughout the tech industry, demand for H-1B visas recently reached new highs.

What is the H-1B Visa?

The H-1B is a temporary, nonimmigrant visa category that allows employers to petition on behalf of highly educated foreign professionals who work in specialty occupations that require at least a bachelor's degree. These jobs are generally in the fields of science, technology, engineering, and mathematics ("STEM"), enhancing American competitiveness in the global economy. In fact, in an effort to be even more competitive, the [Biden administration recently expanded eligible fields of study that qualify under the program](#). The H-1B visa program is an essential tool for American businesses, especially in the technology sector, where a significant percentage of the workforce is made up of foreign-born workers. The most recent data from 2019 reflects that "immigrants made up almost one-fourth, or 23.1 percent, of all STEM workers in the entire country."

The H-1B visa allows U.S. employers to fill critically important jobs in the United States with foreign workers. While [many critics](#) of the H-1B visa claim it potentially limits job opportunities for U.S. workers, proponents suggest that H-1B workers offer critical support to the U.S. economy. In recent years, the program has also been mired in controversy due to high denial rates, which have made it increasingly difficult for companies to bring in foreign workers. However, [the denial rate has plummeted under the Biden administration](#).

H-1B Demand Remains High Despite Tech Layoffs

According to a recent [Bloomberg Law report](#), the number of H-1B visa applications for the upcoming fiscal year is expected to reach its cap of 85,000. The [registration period](#) for the 2024 fiscal year is now open and is expected to close on March 17, 2023, at noon. Despite a significant rise in layoffs in the last couple months, with major companies such as Cisco, IBM, and Salesforce all announcing job cuts, interest in the H-1B visa remains strong due to the low cost for registration and the ongoing

labor crunch for talent in certain tech fields.

The COVID-19 pandemic also contributed to the demand for H-1B workers, as many companies have shifted to remote work and are looking to hire workers from anywhere in the world. This has opened up new opportunities for H-1B workers, who may be unable to relocate to the U.S.

An Increasingly Politicized H-1B Visa Program

Despite the ongoing demand for H-1B workers, the program continues to face criticism from those who believe it harms American workers. Critics argue that the program allows companies to hire foreign workers at lower wages than American workers, which in turn depresses wages for all workers in the industry. Some have also raised concerns about the quality of H-1B workers, claiming that many are not actually highly skilled and are hired simply because they are willing to work for lower wages. Additionally, there have been cases of H-1B workers being exploited by their employers, who use their visa status to keep them from leaving or reporting workplace abuses.

In response to these concerns, the U.S. government has taken steps to tighten regulations around the H-1B program. In 2020, the Trump administration implemented [a series of reforms](#) aimed at preventing abuse of the program and ensuring that only highly skilled workers are hired. However, the reforms were criticized by some as being too restrictive and making it more difficult for companies to hire the workers they need.

The Biden administration has yet to announce any major changes to the H-1B program, but it is expected to take a more lenient approach than the previous administration. President Biden has previously expressed support for the program, arguing that it is necessary to ensure that American companies can compete globally.

While the COVID-19 pandemic has caused significant layoffs in the tech industry, demand for H-1B visas remains high. The program continues to be controversial, with some arguing that it harms American workers while others argue that it is necessary to fill highly specialized positions. It remains to be seen how the Biden administration will approach the issue, but it is likely that the program will continue to play a significant role in the U.S. economy for years to come.

©2025 Norris McLaughlin P.A., All Rights Reserved

National Law Review, Volume XIII, Number 74

Source URL: <https://natlawreview.com/article/amid-tech-layoffs-demand-h-1b-visas-reaches-new-highs>