

Survey of Companies and Universities on \$100K Duty

Institute for Progress

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In June and July 2026, the Institute for Progress surveyed companies and universities that use the H-1B program about how a universal \$100,000 duty on initial H-1B petitions would affect their hiring. The survey asked respondents to consider a hypothetical duty that is broader than the \$100,000 requirement announced in the September 19, 2025 proclamation: a duty applying for the entirety of FY24 to every petition seeking initial H-1B approval, for both cap-subject and cap-exempt employers, whether the petition sought consular processing or a change of status. All respondents affirmed that they understood this hypothetical differs from the announced policy, which the survey described as covering only petitions seeking consular processing.

The survey was sent on June 25, 2026, directly to 50 organizations: 33 institutions of higher education and 17 companies, including many of the largest H-1B users in each sector. The survey received responses from 16 organizations between June 25 and July 9, 2026: 9 of the 17 companies (53%) and 7 of the 33 universities (21%), an overall response rate of 32%. All respondents are regular users of the H-1B program. Thirteen filed at least 25 but not more than 300 initial H-1B petitions in FY24, and 3 filed more than 300; none filed fewer than 25. Twelve respondents are large organizations (universities with more than 35,000 full-time students or companies with more than 25,000 full-time US employees), 2 are medium, and 2 are small. Every respondent also reported personal involvement in their organization's internal handling of the actual \$100,000 duty announced September 19, 2025, defined in the survey as involvement in at least two of the following: initial interpretation, internal analysis, consideration of the duty's impact, filing H-1B petitions with and without the duty, and/or other aspects of implementation.

For more information on this survey, please contact Jeremy Neufeld (jeremy@ifp.org).

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A. Key Results

Survey of Companies and Universities on \$100K Duty (n=16)

- **Respondents are experienced H-1B users with direct knowledge of the \$100,000 duty.** Every responding organization filed at least 25 initial H-1B petitions in FY24, and 3 filed more than 300. All 16 respondents were involved in their organization's internal response to the actual duty announced September 19, 2025, and all confirmed they understood that the surveyed hypothetical (a duty on all initial petitions, including changes of status and cap-exempt filings) is broader than the announced policy.
- **A universal \$100,000 duty would prompt every responding organization to reevaluate its hiring.** All 16 respondents expect that if a universal duty had been in effect for FY24 (i.e., if the \$100,000 duty applied regardless of whether the beneficiary is entering or not), their organization's hiring decisions would have been carefully reevaluated.
- **Nearly all expect large cuts in H-1B filings at their organization.** 15 of 16 respondents expect their organization "would likely reduce the number of positions for which we filed an H-1B petition." The single exception, a small university, expects no change. Among the 14 respondents providing numeric estimates, the median expected reduction in initial H-1B petitions is 92.5% (mean 84%). 11 of the 14 expect cuts of at least 75%, and 8 expect cuts of 90% or more. No respondent providing an estimate expects a reduction smaller than 50%.
- **Most affected positions would go unfilled in the United States.** 12 of 16 respondents expect that "many of the positions for which H-1B petitions previously filed would remain unfilled in the United States." Only 1 of 16 expects hiring to proceed to fill most or all of the affected positions. Among the 12 respondents providing numeric estimates, the median expectation is that only 20% of the positions previously filled through H-1B petitions would nevertheless be filled (mean 37%).
- **Universities expect deeper cuts than companies.** The median numeric estimate among universities is a 99% reduction in initial H-1B petitions, versus 77.5% among companies.

B. \$100K Duty Survey

Column labels in the tables below abbreviate the survey's definitions. Organization size: large means a university with more than 35,000 total full-time students or a company with more than 25,000 total full-time US employees; medium means a university with more than 5,500 but not more than 35,000 students or a company with more than 500 but not more than 25,000 employees; small means a university with under 5,500 students or a company with under 500 employees. H-1B use refers to initial H-1B petitions filed in FY24: medium users filed at least 25 but not more than 300, and large users filed more than 300. No respondent reported use below 25 petitions.

Question 1. I understand that the hypothetical policy this survey is considering is different than the actual \$100,000 duty announced in the September 19th, 2025 proclamation. This hypothetical duty covers ALL initial H-1B petitions, including those seeking changes of status, not only those seeking consular processing.

Answer	Total	Universities	Companies	Large orgs	Medium orgs	Small orgs	Medium H-1B users (25-300)	Large H-1B users (300+)
Yes, I understand the hypothetical is different than the actual \$100,000 policy in the September 19th, 2025 proclamation.	16	7	9	12	2	2	13	3

Question 2. If there had been a \$100,000 duty in effect for the entirety of FY24 for each H-1B petition seeking initial H-1B petition approval (for both cap-subject and cap-exempt employers, regardless of whether consular processing or a change of status was sought), would you expect your organization's hiring decisions to be carefully reevaluated?

Answer	Total	Universities	Companies	Large orgs	Medium orgs	Small orgs	Medium H-1B users (25-300)	Large H-1B users (300+)
Yes	16	7	9	12	2	2	13	3

Question 3. If there had been a \$100,000 duty in effect for the entirety of FY24 for each H-1B petition seeking initial H-1B petition approval (for both cap-subject and cap-exempt employers, regardless of whether consular processing or a change of status was sought), which of the following best describe what you expect about the results:

Answer	Total	Universities	Companies	Large orgs	Medium orgs	Small orgs	Medium H-1B users (25-300)	Large H-1B users (300+)
Our organization would likely reduce the number of positions for which we filed an H-1B petition.	15	6	9	12	2	1	12	3
Our organization would not likely change how many positions for which we filed an H-1B petition.	1	1	0	0	0	1	1	0

Question 4. Are you someone who has been involved in conversations within your organization about the \$100,000 duty that was announced September 19, 2025? A “yes” would include your involvement within your organization with regard to any two of the following: initial interpretation, internal analysis, consideration of the \$100,000 duty’s impact, filing H-1B petitions with and without the \$100,000 duty, and/or other aspects of implementation.

Answer	Total	Universities	Companies	Large orgs	Medium orgs	Small orgs	Medium H-1B users (25-300)	Large H-1B users (300+)
Yes	16	7	9	12	2	2	13	3

Question 5. Is your organization small, medium, or large? Make your selection based on total full-time student population including all degree levels if your organization is an institution of higher education and make the selection based on total full-time employees in the United States if you are a company.

Answer	Total	Universities	Companies	Medium H-1B users (25-300)	Large H-1B users (300+)
Large (university: more than 35,000 full-time students; company: more than 25,000 full-time employees)	12	5	7	9	3
Medium (university: more than 5,500 but not more than 35,000 students; company: more than 500 but not more than 25,000 employees)	2	1	1	2	0
Small (university: under 5,500 students; company: under 500 employees)	2	1	1	2	0

Question 6. Is your organization's use of the H-1B program small, medium, or large (referring to initial H-1B petitions filed in FY24)?

Answer	Total	Universities	Companies	Large orgs	Medium orgs	Small orgs
Medium: at least 25 but not more than 300 initial H-1B petitions filed in FY24	13	7	6	9	2	2
Large: more than 300 initial H-1B petitions filed in FY24	3	0	3	3	0	0

Question 7. If there was a universal \$100,000 duty on all initial H-1B petitions, by approximately what share or percentage would you expect the number of positions for which you filed an initial H-1B petition be reduced compared to FY24? A rough estimate is absolutely fine.

Answer	Total	Universities	Companies	Large orgs	Medium orgs	Small orgs	Medium H-1B users (25-300)	Large H-1B users (300+)
0-24%	0	0	0	0	0	0	0	0
25-49%	0	0	0	0	0	0	0	0
50-74%	3	1	2	3	0	0	2	1
75-100%	11	5	6	8	2	1	10	1
Unknown	1	0	1	1	0	0	0	1
No answer	1	1	0	0	0	1	1	0

Note: This question was free response. Fourteen respondents provided numeric estimates, one framed explicitly as a guess ("Not sure but making a guess with 50%"). Among the fourteen, the median expected reduction is 92.5% and the mean is 83.6%; the smallest estimate is 50%. One large university answering 99% added "we would do J or O." The respondent answering "unknown" is a company that filed more than 300 initial petitions in FY24. The respondent leaving the question blank is the small university that expected no change in filings on Question 3.

Question 8. If there was a universal \$100,000 duty on all initial H-1B petitions, do you expect that most or all of the positions for which you filed H-1B petitions would nevertheless be filled?

Answer	Total	Universities	Companies	Large orgs	Medium orgs	Small orgs	Medium H-1B users (25-300)	Large H-1B users (300+)
Many of the positions for which H-1B petitions previously filed would remain unfilled in the United States.	12	5	7	10	2	0	9	3

Answer	Total	Universities	Companies	Large orgs	Medium orgs	Small orgs	Medium H-1B users (25-300)	Large H-1B users (300+)
Hiring would be able to proceed to fill most or all of the positions for which H-1B petitions previously filed.	1	0	1	1	0	0	1	0
Unknown	2	1	1	1	0	1	2	0
No answer	1	1	0	0	0	1	1	0

Question 9. If there was a universal \$100,000 duty on all initial H-1B petitions and you expect many positions previously filled by filing H-1B petitions would remain unfilled, approximately what share or percentage of positions for which you have previously filed H-1B petitions would you expect nevertheless be filled? A rough estimate is absolutely fine.

Answer	Total	Universities	Companies	Large orgs	Medium orgs	Small orgs	Medium H-1B users (25-300)	Large H-1B users (300+)
0-24%	7	3	4	5	2	0	7	0
25-49%	0	0	0	0	0	0	0	0
50-74%	2	0	2	1	0	1	2	0
75-100%	3	1	2	3	0	0	1	2
Unknown or unclear	3	2	1	3	0	0	2	1
No answer	1	1	0	0	0	1	1	0

Note: This question was free response. Twelve respondents provided numeric estimates, one framed explicitly as a guess (“Not sure but guessing 5%”). Among the twelve, the median share of previously H-1B-filled positions expected nevertheless to be filled is 20% and the mean is 36.7%. Restricted to the ten numeric answers from respondents who expected many positions to remain unfilled on Question 8, the median is 20% and the mean is 38%. Two numeric answers came from respondents to whom the question’s condition did not apply: the one respondent who expected most or all positions to be filled answered 10%, and one respondent who answered “Unknown” on Question 8 answered 50%. The large university answering “85% (we would do J-1s and O-1s, they likely would) qualify” is quoted verbatim.

Question 10. Is your organization a university or a company?

Answer	Total	Large orgs	Medium orgs	Small orgs	Medium H-1B users (25-300)	Large H-1B users (300+)
A company	9	7	1	1	6	3
A university	7	5	1	1	7	0