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November 20, 2025

The Honorable Kristi Noem
Secretary
U.S. Department of Homeland Security
Washington, DC 20528

Re: Presidential proclamation on *Restriction on Entry of Certain Nonimmigrant Workers*

Dear Secretary Noem:

On behalf of the American Council of Engineering Companies (ACEC), I am writing to request an exemption for the engineering industry from the \$100,000 fee on new H-1B visa petitions because of the significant and persistent shortage of engineers in the U.S. and the critical role the profession plays in supporting a growing economy.

Founded in 1906, ACEC is a national federation of 51 state and regional organizations representing more than 5,500 engineering firms and over 600,000 engineers, surveyors, architects, and other specialists nationwide. According to the ACEC Research Institute, the engineering industry contributed \$685 billion to U.S. GDP in 2024, including \$262 billion in direct value added and \$423 billion from supply chain and household spending impacts.¹

On September 19, 2025, President Trump issued a proclamation titled *Restriction on Entry of Certain Nonimmigrant Workers* that establishes a \$100,000 fee on new H-1B visa petitions.² The proclamation focuses on concerns about the use of H-1B visas by certain information technology (IT) companies. It is important to distinguish that ACEC member firms support key American interests as they drive the design and delivery of the nation's critical infrastructure, including

¹ ACEC Research Institute, *2025 Economic Impact of the Engineering and Design Services Industry* (<https://www.acec.org/resource/2025-economic-assessment-forecast/?yokoSso=BkNXVsUT09>)

² Presidential Proclamation, *Restriction on Entry of Certain Nonimmigrant Workers*, September 19, 2025 (<https://www.whitehouse.gov/presidential-actions/2025/09/restriction-on-entry-of-certain-nonimmigrant-workers/>)

roads, bridges, water and wastewater systems, energy, aviation, commercial buildings, and data centers. The ability of engineering firms to continue this pivotal work could be undermined if current workforce shortages are exacerbated by the inability to supplement American engineers with international talent. Adding the \$100,000 fee to the existing costs of sponsoring an employee for an H-1B visa is prohibitively expensive and would make the program inaccessible for ACEC members.

Infrastructure is a cornerstone of U.S. national interests because it underpins the functioning, prosperity, and stability of the country. Critical systems – such as transportation networks, energy grids, water supplies, and communications – support economic growth, facilitate commerce, enable effective security, and sustain daily life for millions of people. Strong and resilient infrastructure ensures that communities can thrive, that businesses can operate efficiently, and that essential services remain accessible even during challenges such as natural disasters, cyberattacks, or other periods of stress or disruption.

Engineers play a pivotal role in advancing these national interests. Our members' expertise in designing, constructing, and maintaining complex infrastructure systems ensures that critical assets are resilient and adaptable to evolving needs. Civil, electrical, and mechanical engineers develop reliable transportation corridors, robust communications networks, modern water and energy systems, and innovative solutions that keep the nation functioning smoothly. In this sense, engineers are both builders and stewards of the nation's future, translating technical knowledge into durable, flexible infrastructure that supports the country's people, economy, and broader strategic priorities.

That work to support our national interests could be undermined if engineering firms cannot access the skilled workforce they need. The proclamation provides for industry exemptions from the fee and ACEC respectfully requests an exemption for the engineering industry because of the financial burden it would place on businesses that continue to face significant workforce shortages. Among ACEC's member firms, 75 percent have 50 or fewer employees and only 10 percent have more than 100 employees. These small and mid-size engineering firms face the same workforce shortages as larger member firms.

According to both the American Society for Engineering Education and the National Center for Education Statistics, the number of civil, mechanical, and electrical engineering graduates has declined in recent years. For example, in 2019, there were nearly 214,000 total engineering graduates in the U.S., about 11,000 more than in 2022.³ This challenge is exacerbated by the fact that nearly 26 percent of architecture, engineering, and construction (A/E/C) workers are over

³ ACEC Research Institute, *The Workforce of the Future* (<https://www.acec.org/resource/firm-of-the-future-the-workforce-of-the-future/?vokoSso=g1c0ViZz09>).

the age of 55 and nearing retirement according to the ACEC Research Institute.⁴ It is also important to note that many other industries, such as tech and manufacturing, compete for the same declining number of engineering graduates.

The ACEC Research Institute engineering business sentiment survey for the third quarter of 2025 reports that 89 percent of member firms have at least one job opening, with the median number of open positions being five.⁵

ACEC is responding to this workforce challenge in several ways. Our Workforce Committee created tools for our state organizations and member firms as they engage with local schools and universities to expand interest in engineering careers. ACEC joined with the American Society of Civil Engineers and the American Public Works Association to lead the Engineering Workforce Consortium, which brings together members from government, industry, and academia to pool resources and amplify the need to expand the STEM workforce. Finally, ACEC collaborates with other organizations and our member firms to offer nearly one million dollars in engineering and land surveying scholarships to college students annually.

However, the critical shortage of engineers in this country means that engineering firms must also turn to H-1B and other employment-based visa programs to pursue their vital work of building the nation's infrastructure and safeguarding national security when Americans are not available to fill these jobs.

The \$100,000 fee on new H-1B visa petitions will further reduce an already limited candidate pool of engineers and lengthen the time it takes to hire. Most engineering firms report that their most successful recruitment occurs through partnerships with the engineering programs at colleges and universities, from which they draw paid interns. These interns or co-op students often continue working for the firm once they graduate, and firms use H-1B visas to keep certain international engineering graduates on their team. The inability to fill workforce gaps with tools such as H-1B visas will create a cascading effect of added pressure on existing staff, leading to burnout and retention challenges.

With gaps in their workforce, engineering firms will not be able to serve as many clients and meet growing infrastructure design needs. Restricting the ability of engineering firms to do their critical work of protecting the public through infrastructure design will negatively impact U.S. national interests. Safe, viable infrastructure is essential to the global competitiveness of the American economy.

⁴ ACEC Research Institute, *The Workforce of the Future* (<https://www.acec.org/resource/firm-of-the-future-the-workforce-of-the-future/?vokoSso=g1c0VtZz09>).

⁵ ACEC Research Institute, *Engineering Business Sentiment Q3 2025* (<https://www.acec.org/wp-content/uploads/2025/09/ACEC-Research-Institute-Engineering-Business-Sentiment-Q3-2025-Final.pdf>)

Thank you for your consideration of our request for an exemption from the fee for the engineering industry. Please let me know how we can assist further in this matter.

Sincerely,

A handwritten signature in black ink, reading "Linda Bauer Darr". The signature is written in a cursive, flowing style.

Linda Bauer Darr
President & CEO