Tech companies are telling immigrant employees on visas not to leave the U.S.

Uncertainty around high-skilled visas is rattling Silicon Valley's immigrant tech community, long viewed as one of the key pillars of U.S. innovation.

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By [Gerrit De Vynck](#) and [Danielle Abril](#)

SAN FRANCISCO — The tech industry has long prided itself on its many immigrant founders, executives and software programmers. Now, fears are growing among foreign tech workers that their lives and careers may be upended by the Trump administration's more stringent immigration policies.

Tech companies are telling employees on visas not to leave the United States out of concern they might not be allowed back in. Law firms are warning that denial rates for high-skilled visas could rise, as they did during President Donald Trump's first term. And the administration's efforts to end automatic citizenship for those born in the U.S. is making immigrant tech workers fear that their future children could be stateless.

In recent weeks, the government has also [revoked visas and green cards](#) of people it accuses of sympathizing with Hamas and Hezbollah, adding to the uncertainty for people who until now thought following immigration rules and being employed in high-tech industries meant they could confidently build lives in America.

"What we're seeing right now is just a lot of worry and panic," said Malcolm Goeschl, principal attorney for Goeschl Law, a San Francisco-based firm focused on business immigration that serves clients in the tech industry. "It seems like [the administration is] just getting more and more momentum, and we don't know what's around the corner."
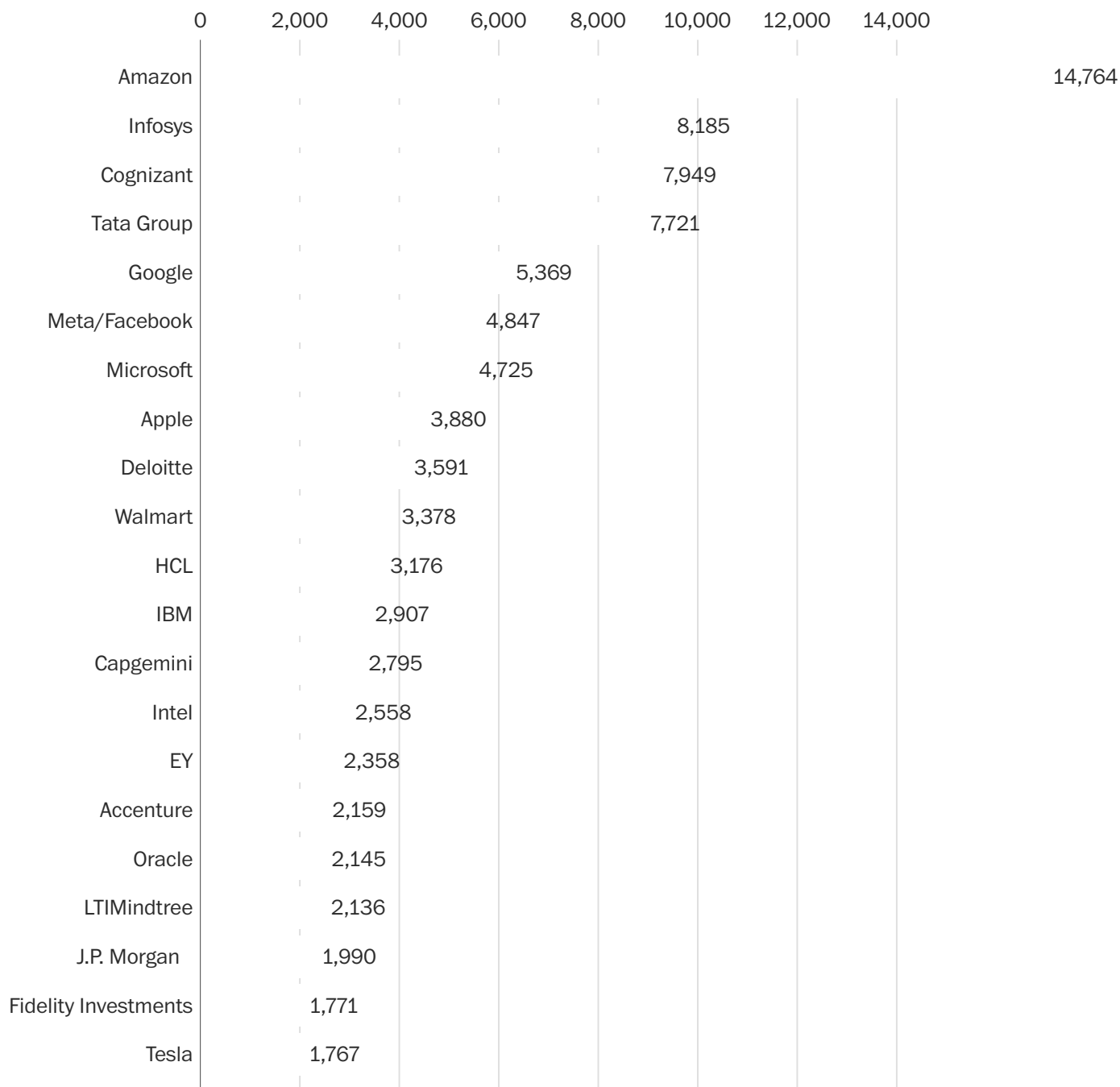
The uncertainty and fear are rattling Silicon Valley's immigrant tech community, long viewed as one of the key pillars of success in producing innovative technology and boosting U.S. competitiveness. A 2018 study from the National Foundation for American Policy, a think tank focused on trade and immigration, found that more than half of U.S. start-ups valued at more than $1 billion had an immigrant founder or co-founder. The CEOs of Microsoft, Google, Uber and chip giant Nvidia are all immigrants. Experts say cutting the visas for immigrant tech workers could damage the industry's ability to compete with China in the global race to develop sophisticated technology such as artificial intelligence.

"That's just the beauty of our tech ecosystem — that you can hire the best and brightest from anywhere," said Divyansh Kaushik, a vice president at think tank Beacon Global Strategies who advises tech companies on geopolitical risks.

Silicon Valley tech giants employ thousands of workers on H1B visas, the visa category at the center of the debate. About 65,000 visas are approved each year via a lottery system, with people coming from India having the highest number of approvals, followed by China and Canada, according to data from U.S. Citizenship and Immigration Services. Among Big Tech companies, Amazon had the highest number of H1B visas approved, followed by Google, Meta, Microsoft and Apple. Tesla, whose CEO Elon Musk has been leading Trump's efforts to cut the federal government, had 1,767 approved H1Bs in the fiscal year ending in September 2024.

H-1B visas are mostly used by tech and consulting giants

Number of H-1B visas approved in 2024*

Company	Value
Amazon	14,764
Infosys	8,185
Cognizant	7,949
Tata Group	7,721
Google	5,369
Meta/Facebook	4,847
Microsoft	4,725
Apple	3,880
Deloitte	3,591
Walmart	3,378
HCL	3,176
IBM	2,907
Capgemini	2,795
Intel	2,558
EY	2,358
Accenture	2,159
Oracle	2,145
LTIMindtree	2,136
J.P. Morgan	1,990
Fidelity Investments	1,771
Tesla	1,767

*As of Sept 2024

Source: USCIS

Spokespeople for Meta, Google, Microsoft and Amazon declined to comment. Apple did not respond to a request for comment.

The H1B visa can be used by a wide range of workers with specialized skill sets. Many Americans associate the visa with IT outsourcing firms that use it to bring workers from India and China at a cheaper cost than paying U.S. workers.

IT outsourcing companies such as Infosys and Cognizant account for a large portion of H1B applications, but Big Tech companies are among the top 10 biggest employers of H1B holders as well. In Silicon Valley, the visa is generally seen as a key tool for filling the relentless demand for top engineering talent, with H1B workers sometimes considered less likely to switch jobs because transferring the visa from one employer to another requires approval from the government.

H1B visas have opened up a rift inside Trump's coalition, between tech leaders whose companies employ immigrants and others who want to slow immigration to the U.S. That rift erupted in December when the two sides argued on X over whether Trump should boost or suppress skilled immigration.

"The number of people who are super talented engineers AND super motivated in the USA is far too low," Musk wrote on X on Christmas. "If you want your TEAM to win the championship, you need to recruit top talent wherever they may be." Some Republicans, including former presidential hopeful Nikki Haley, pushed back, saying the country should invest in U.S. education to train more American-born tech workers.

Trump hasn't said he will end the H1B program or other skilled visas. Though he said he wanted to end the program during his first term, the president has recently spoken positively about H1Bs.

Several of the White House's top advisers on tech are immigrants, including AI and crypto czar David Sacks, who moved from South Africa as a child, and White House AI policy adviser Sriram Krishnan, a former Twitter executive who immigrated from India after completing his undergraduate degree. Musk immigrated also, from South Africa, via Canada, in his 20s.

Still, the unpredictability is already leading major immigration law firms to warn about the risk of sudden changes to visa rules, the potential for processing times to slow, and increased scrutiny of applicants' political views and social media activity.

"In the past Trump administration, the statistics show that it was less nice to skilled immigration despite everything they said," said Deedy Das, an investor at venture capital firm Menlo Ventures. He said he's concerned that legitimate criticisms of the H1B program — such as the fact that some IT consulting firms have been accused of visa fraud — could lead to the government scrapping the entire program.

A spokesperson for the White House did not provide a comment.

Concerns about Trump's impact on immigrant tech workers were growing even before he took office.

Late last year, law firms working for Google and Amazon warned the companies' employees with visas to think twice before traveling abroad, out of concern they might not be allowed back into the U.S., according to documents obtained by The Washington Post. Denial rates for skilled visas spiked to 15 percent during the first Trump administration, and law firms warn that the same will probably happen now.

Immigration attorneys are ramping up one-on-ones with workers, hosting company town halls, and providing written FAQs for companies to disseminate to their workers. In some cases, attorneys are giving blanket advice such as telling workers to carry their immigration documents, keep their address and job information up to date with authorities, stay connected with their attorneys and HR representatives, and be careful about social media posts.

"Everything will be under a heightened level of scrutiny, and people should be prepared for that," said Audrea Golding, a Silicon Valley-based partner at the law firm Fragomen, Del Rey, Bernsen & Loewy who represents small and medium-size companies in tech, pharmaceuticals and biotech.

Difficult path to the 'American Dream'

Every year, thousands of students travel to the U.S. to study computer science and other tech subjects at prestigious universities. The best among them compete for entry-level jobs at tech companies willing to apply for H1Bs once their student-work visas expire. Once they secure an H1B, they can begin the path to a green card. But for people from some countries, especially India, there is such a backlog of green card applicants that many wait years or even decades before getting permanent status.

In October, the CEO of fast-rising AI company Perplexity, Aravind Srinivas, posted on X that he has been waiting for a green card for three years, despite founding and building a company recently valued at $9 billion that employs hundreds of people.

"People mostly have no idea when they talk about immigration," Srinivas posted on X. He declined to be interviewed for this article.

Two H1B workers for a tech company that has a Silicon Valley hub, who spoke on the condition of anonymity for fear of being targeted by the government, said they were surprised to see so many sudden changes. They both canceled recent travel plans to India for fear of not being able to return. One worker's daughter was born a U.S. citizen, but he worries that a future second child may not get citizenship in either the U.S. or India.

"There's an assumption that everybody who is not a U.S. citizen might be here illegally," one of the workers said through an attorney.

"When we're walking around, we always carry our documents," the other said through her attorney.

Changes, such as limiting the waiving of in-person interviews for visas, happened too fast for some to properly plan. Others worry about more unexpected changes to visa processes.

"I got an email where a gentleman had gone back to his home country because his father died, and he said, 'I am terrified of returning to the U.S.,'" said Angela Moore, a lawyer at Duane Morris's San Francisco office who advises tech companies.

The uncertainty is already negatively affecting some American tech companies.

"It definitely impacts their performance," one HR representative at a tech firm in Silicon Valley, who spoke through an attorney, said about workers. "The threat is looming that some action will be taken against them."

The HR rep's company has paid for expedited processing of some H1B extensions to counteract delays related to changes in visa processing. It's a cost that "adds up," the HR person said.

News about current and coming changes, inaccurate posts on social media, and vast amounts of easily accessible misinformation are making matters worse, Goeschl said.

"It's causing a fair amount of panic. Even for people who have lived here for most of their lives, it's disabling and inhibiting their ability to function."

Federica Cocco contributed to this report.

What readers are saying

The comments reflect a strong sentiment against the H1B visa program, with many arguing that it depresses wages for American workers and exploits foreign workers. Critics claim that the program is abused by companies to replace American workers with cheaper foreign labor, often...   Show more

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