From:	Nowlan, Michael P.
To:	ETA, OFLC Forms - ETA
Cc:	Nowlan, Michael P.
Subject:	Public comment to OMB control number 1205-0508
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OMB control number 1205-0508

Improving Wage Protections for the Temporary and Permanent Employment of Certain Foreign Nationals in the United States

Please see below for my comments on the proposed rule:

- The proposed regulation does not explain by what dollar amount the H-1B program is alleged to have reduced U.S. worker pay.
  - Failure to explain the costs to U.S. worker salaries, from the H-1B program, prevents the arbitrary use of the wage level increases to 34th, 52nd, 70th, and 88th percentiles for the four wage levels.
  - Without explaining the wage costs to U.S. workers this proposed change is arbitrary and capricious.
- The proposed regulation will make hiring H-1B workers too expensive.
  - U.S. employers cannot simply pay and H-1B worker an extra $20,000 more per year.
- The proposed regulation does not account for the down stream impact to U.S. universities and the further reduction of foreign national students.
  - U.S. universities currently enroll approximately 1.6 million F-1 and J-1 students. SEVIS - https://www.ice.gov/doclib/sevis/btn/25_0605_2024-sevis-btn.pdf
  - The University of Iowa estimates that F-1 and J-1 students pay between $20,000 and $60,000 in out of state tuition per year. https://admissions.uiowa.edu/finances/estimated-costs-international-students
  - If F-1 and J-1 students cannot secure an H-1B visa after graduation, because the H-1B wages are too high for U.S. employers to sponsor them, then many students will not come to the U.S.
  - A drop of 20% in F-1 and J-1 students would conservatively cost U.S.

    universities $6,400,000,000 in lost out-of-state tuition (1.6 M x .2 = 320,000 x $20,000).
  - The rule does nothing to assess the costs on U.S. universities and U.S. economy for the loss of F-1 and J-1 students if the H-1B visa is unobtainable because employers cannot afford to hire most recent graduates on an H-1B.
- Offshoring will increase.
  - Offshoring is defined by Wikipedia as "the relocation of business processes (like manufacturing or customer support) to another country, usually to lower labor costs or access specialized skills."
  - If U.S. employers cannot pay for H-1B workers in the U.S., they will offshore their work to low-cost countries.
  - The proposed rule does not assess the cost to the U.S. economy and GDP if more employers have to offshore more work from outside the U.S.

Thank you.

Michael P. Nowlan (he/him)
Attorney at Law
Clark Hill
500 Woodward Ave., Ste 3500, Detroit, MI 48226
+1 313.965.8666 (office) | +1 313.309.6866 (fax)
mnowlan@clarkhill.com | www.clarkhill.com