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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 ($1.6 \text{ M} \times .2 = 320,000 \times \$20,000$).

- 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.

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