

White House May Suspend H-1B, Other Visas Temporarily

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June 16, 2020

The Trump administration may suspend the H-1B visa through at least October 1, according to <u>a</u> <u>new report in *The Wall Street Journal*.</u>

The *Journal*, which drew its information from unnamed administration officials "familiar with the talks," suggested that such a policy would ban new H-1B holders from their workplace throughout the duration of the suspension, but that those who already have their H-1B would be unaffected.

In addition, the proposal could impact other visas such as the L-1 and the H-4 EAD, which allows the spouses of H-1B holders to work. A White House spokesperson told the *Journal* that: "The administration is currently evaluating a wide range of options, formulated by career experts, to protect American workers and job seekers, especially disadvantaged and underserved citizens—but no decisions of any kind have been made."

Other reports suggest that the Trump administration may carve out exceptions for visa holders working on COVID-19 response, including healthcare professionals who are studying the virus. And even if there's no temporary ban on nonimmigrant visas, rumors suggest that the White House may attempt to restrict the H-1B program in other ways, such as <u>raising the minimum</u> required wage to \$250,000.

(With regard to the minimum required wage for the H-1B, it's worth noting the recent spat between the Economic Policy Institute and the Cato Institute, with analysts from both organizations <u>arguing whether H-1B holders are under- or over-paid</u>.)

At the end of May, a variety of tech companies (including Amazon, Cisco, Facebook, and more) co-signed a letter asking President Trump to avoid restricting "even for temporary periods" the L-1, H-1B, F-1, or H-4 nonimmigrants. "Constraints on our human capital are likely to result in unintended consequences and may cause substantial economic uncertainty if we have to recalibrate our personnel based on country of birth," <u>began the letter (PDF)</u>, which then plunged into the dangers of talent "churn" on companies' productivity and capacity.

But with unemployment high due to <u>the COVID-19 pandemic</u>, the Trump administration may tweak policies in order to encourage more domestic hiring. Meanwhile, H-1B application denial rates <u>remain historically high</u>.