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December 2, 2020

Chad F. Wolf  
Acting Secretary  
Department of Homeland Security  
500 12th Street SW  
Washington, DC 20536

SUBMITTED ELECTRONICALLY VIA <http://www.regulations.gov>

Re: Modification of Registration Requirement for Petitioners Seeking To File Cap-Subject H-1B Petitions (DHS Docket No. USCIS-2020-0019)

Dear Secretary Wolf:

The Society of General Internal Medicine (SGIM) welcomes the opportunity to review and provide comments on the Department of Homeland Security's (DHS) proposed rule on "Modification of Registration Requirement for Petitioners Seeking To File Cap-Subject H-1B Petitions." SGIM is a member-based medical association of more than 3,000 of the world's leading academic general internists, who are dedicated to improving the access to care for all populations, eliminating health care disparities, and enhancing medical education. Our members are committed to delivering high quality care and ensuring patients have access to a well-trained physician workforce.

DHS is proposing to replace the current random-selection process for accepting H-1B cap-subject petitions with one that prioritizes the selection of H-1B registrations based on corresponding Occupational Employment Statistics (OES) wage levels (Levels I-IV). Under this proposed rule, the U.S. Citizenship and Immigration Services (USCIS) would select H-1B cap-subject petitions on the basis of the highest wage level. **SGIM respectfully requests the DHS to rescind its proposed rule as it will have serious consequences on the nation's health care workforce and biomedical research enterprise.**

H-1B visas are utilized by recent international graduates, including physicians who may be entering residency and postdoctoral researchers. The H-1B classification allows medical professionals to provide essential health care services in our communities, particularly those that are rural or underserved. International Medical Graduates (IMGs) typically serve in primary care specialties in communities with limited access to health care services. These non-citizen physicians are essential to the U.S. health care system as they serve on the front lines of the COVID-19 pandemic in underserved communities and mitigate the effects of the country's growing physician shortage.

Further, H-1B classification allows young scientists to study and conduct research in the U.S. Scientists who come to the U.S. for research programs may stay here to do research that promotes and improves better health outcomes for people around the world. This proposed rule



would make it difficult for them to live and work in the U.S. after graduation and so may force them to conduct their research in another country.

H-1B registration data, included in this proposed rule, shows that most H-1B cap-subject petitions are filed by those within the two lowest wage levels: Level I and II. Under this proposed rule, the department estimates that an updated selection process based on wage level will ultimately result in a drastically reduced likelihood of registrations for Level II wages to be chosen, and zero Level I petitioners being selected. As the department has recognized, many H-1B cap-subject petitions are filed by recent graduates, including IMGs and postdoctoral researchers. These proposed changes could potentially eliminate the H-1B visa option for new graduates.

If implemented, this policy may have serious consequences on the health care and research workforce. This is particularly concerning as our overburdened health care system grapples with the COVID-19 pandemic. IMGs are treating COVID-19 patients and international postdoctoral researchers are conducting research on COVID-19. They are essential in addressing the pandemic and we must ensure they can maintain H-1B classification as science and health care services depend on it.

Thank you for the opportunity to provide comments on your proposal to prioritize the selection of H-1B registrations based on wage levels. SGIM remains committed to ensuring that the U.S. remains a global leader in biomedical research and that patients continue to have access to quality care. Therefore, we urge DHS to rescind this proposal immediately. Should you have any questions or require additional information, please contact Michaela Hollis at [mhollis@dc-crd.com](mailto:mhollis@dc-crd.com).

Sincerely,

A handwritten signature in black ink that reads "Jean S. Kutner". The signature is written in a cursive, flowing style.

Jean S. Kutner, MD, MSPH  
President, SGIM