



H-1B Visas and Timely Processing are Essential to American Research and Innovation

U.S. universities attract and employ some of the world's most talented faculty, postdoctoral fellows, doctors, and research scientists. These individuals work in classrooms, preparing students to enter a workforce in which global engagement is a necessity. They also provide scientific expertise in the search for innovations to improve human health, create new technologies, and drive our economy.

- Many international faculty and scientists join universities through an H-1B visa which limits employment to three years or six years if renewed. The **most common uses of H-1B visas by universities** include: faculty appointments; doctors; postdoctoral researchers and fellows; computer engineers; and scholars. Many are hired following a global talent search for a unique subject matter expertise at a university that would otherwise not be found.
- Universities incur significant expense and expend considerable time to not only select an applicant but to also secure the H-1B visa. A university or affiliated institution, such as an academic medical center, must certify to the Department of Labor that it is paying the prevailing wage in its geographic region for the employee. **Applicants are subject to stringent vetting.**
- In 2006, Congress formally recognized that **it is mission critical for institutions of higher education to have access to the H-1B visa** for the July start of the academic year (INA § 214(g)(5)(A)). Universities have relied on premium processing to allow for faculty, scholars, doctors, and researchers to be in place at the beginning of the academic year. Petitions filed with this option are usually processed within 15 days. This more expensive pathway has provided institutions with a predictable timeline compared to the current regular processing time of six months or more.
- Due to the **academic calendar**, many universities typically spend February through May finalizing details about new and extension appointments based international faculty searches as well as federal and private grant awards. By March of any year, the mid-way point, most universities have not finalized their list of new hires and extensions and have only begun preparing the H-1B applications for premium processing.
- The current USCIS suspension of **premium processing will have a major negative impact on universities'** ability to bring the best and brightest faculty and scholars to our universities, on-board new faculty and extend continuing faculty and researchers, and continue the employment of faculty and researchers already hired. Universities are at risk of not having instructors for fall classes, disrupting students' ability to complete their degrees on time. Additionally, if faculty physicians cannot receive H-1B visas in a timely manner, university academic centers will be unable to provide critical patient care and medical education will suffer.

Consequences for Universities

H-1B Visa Processing Delay Examples

A major public research university currently employs **300** individuals on H-1B visas and a private research university employs **227**, out of thousands of faculty, researchers and physicians. Both universities focus much of their research in the biomedical sciences and their medical centers treat tens of thousands of patients each year.

New Hires Awaiting an H-1B Visa

- A pediatric pulmonologist was offered a position at an academic medical center to **improve medical treatment for low-income children and adults with cystic fibrosis**. Without this physician, patients will be forced to continue to travel hours for specialty care.
- A university's children's hospital successfully recruited an expert in **pediatric bone marrow transplants**. The physician initiated a clinical trial of genetically engineered CAR-T cells to treat cancer. The early results of this study are very impressive. Without this specialist, children will have to wait longer and travel farther for transplants.
- A research scholar designs and builds DNA based structures to develop new sensors which can be used in **cancer research** and other medical applications. His university wants to promote him and to do so requires a H-1B visa.

Current Faculty Awaiting One-Time H-1B Renewals

- The H-1B visa of an **Advanced Mandarin** instructor will not be processed in time to allow her to teach classes in August.
- A researcher **cancelled his wedding** due to the great likelihood that he would be unable to get his renewal in sufficient time to return to the U.S. and begin his fall teaching schedule.
- A faculty member with an **ill/dying parent** will have to make the difficult decision whether to abandon their employment or stay and not be at their loved one's side.