



Stakeholder Message

DHS Strengthens H-1B Program to Protect U.S. Workers During COVID-19

The U.S. Department of Homeland Security has announced an [interim final rule](#) (IFR) that strengthens the H-1B nonimmigrant visa program to protect U.S. workers, restores integrity to the H-1B program, and better guarantees that H-1B petitions are approved only for qualified beneficiaries and petitioners.

While the H-1B program was intended to allow employers to fill gaps in their workforce and remain competitive in the global economy, it has expanded far beyond that, often to the detriment of U.S. workers. Data shows that the more than a half million H-1B nonimmigrants in the United States have been used to displace U.S. workers, which has led to reduced wages in a number of industries in the U.S. labor market and the stagnation of wages in certain occupations.

Additionally, this IFR restores the guidance contained in the recently rescinded 2010 policy memorandum, “Determining Employer-Employee Relationship for Adjudication of Petitions, Including Third-Party Placements,” with limited clarifications.

This IFR will be effective 60 days after its publication in the Federal Register. USCIS is forgoing the regular notice and comment period to immediately ensure that employing H-1B workers will not worsen the economic crisis caused by COVID-19 and adversely affect wages and working conditions of similarly employed U.S. workers.

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Kind regards,

Public Engagement Division
U.S. Citizenship and Immigration Services