Congress of the United States

Washington, DC 20515

November 9, 2026

The Honorable Markwayne Mullin
Secretary
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Ave SE
Washington, DC 20528

Re: DHS Docket No. ICEB-2026-0100, Notice of Proposed Rulemaking: Optional Practical Training Fees

Dear Secretary Mullin:

America's leadership in artificial intelligence, semiconductors, biotechnology, and advanced manufacturing depends on attracting and retaining the world's best talent. As Members of Congress committed to strengthening that domestic innovation, we write to express concern about the Department of Homeland Security's proposed Optional Practical Training (OPT) fees, which start at $70,000 and rise to $100,000 for STEM graduates who participate in the full three years of OPT.[1]

The world's talent is widely distributed, but opportunity is not: it's here in the United States. OPT helps us attract and retain the world's most promising students. It gives graduates practical experience in their fields, helps employers recruit talent trained at U.S. universities, and supports workforce needs in areas such as healthcare, research, and emerging technology. We share the administration's interest in protecting the integrity of our immigration system and preventing employers from exploiting foreign workers at the expense of American workers. However, prohibitively expensive fees would deter qualified students and responsible employers from a program that supports economic growth, scientific advancement, and technological innovation.

Many of the companies that define U.S. technological leadership were built by immigrants, often people who first came here as students. Immigrants founded close to half of American startups valued at over a billion dollars and are behind most of the companies on the 2025 Forbes AI 50 list.[2,3] Research also finds that startups that can bring in specialized foreign talent obtain more patents, raise capital more successfully, and are more likely to have a successful exit.[4] OPT is where that pipeline begins, and pricing it out of reach would thin the ranks of future founders and researchers before they start building.

The economic consequences would be substantial. The Institute for Progress (IFP) estimates that the fees would sharply reduce OPT participation and international enrollment, lowering annual U.S. GDP by an estimated $362

1Dep't of Homeland Security, *Optional Practical Training Fees*, 91 Fed. Reg. 64,566 (proposed Oct. 8, 2026) (Docket No. ICEB-2026-0100).

2Gené Teare, *Foreign-Born Entrepreneurs Drive America's Unicorn Boom, Stanford Professor Says*, Crunchbase News (July 9, 2024).

3Forbes, *AI 50: America's Most Promising Artificial Intelligence Companies* (2025), https://www.forbes.com/lists/ai50/.

4Stephen G. Dimmock, Jiekun Huang & Scott J. Weisbenner, *Give Me Your Tired, Your Poor, Your High-Skilled Labor: H-1B Lottery Outcomes and Entrepreneurial Success*, NBER (Oct. 2019).

billion after ten years. IFP also projects that lost international tuition revenue would lead to approximately 46,000 fewer American students enrolling in bachelor's and master's programs each year.[5] These fees could also hurt U.S. workers. Studies find that expanded OPT participation increases demand for American workers with similar skills and raises average wages for U.S.-born STEM workers.[6]

The proposed fees would also put American businesses–particularly cash-strapped early-stage companies—at a disadvantage in the global competition for talent. IFP reports that 82 percent of international STEM graduates who stay in the U.S. to work obtain OPT before H-1B status. Making this first step prohibitively expensive would disrupt a pipeline that American employers depend on. Combined with DHS's proposed H-1B fee, the cumulative costs would reach $173,265 for 12-month OPT followed by an H-1B, and $203,265 for STEM OPT followed by an H-1B, the typical path under DHS's own assumptions.[7] Startups, small businesses, and research institutions cannot absorb these costs. They may delay expansion, cut research, or move investment overseas, shifting the next generation of technological advances away from the United States.

Meanwhile, other countries hustle to attract the talent the United States risks turning away. China has created a visa for young science and technology professionals, while Canada has announced plans for an accelerated pathway for H-1B holders and committed $1.7 billion to recruit international researchers.[8, 9] As we add barriers, other countries are removing theirs. Meanwhile, the U.S. has no monopoly on talented AI and quantum scientists; China alone produces nearly half of the world's top AI researchers.[10]

We strongly urge you to reconsider the proposed OPT fees and pursue a more targeted, evidence-based approach that protects American workers while preserving our ability to attract and retain exceptional global talent. Keeping that talent here helps ensure that the next generation of innovation, technological leadership, and job creation happens in the United States.

Sincerely,

Sam T. Liccardo
Member of Congress

Raja Krishnamoorthi
Member of Congress

5 Violet Buxton-Walsh et al., *DHS's $100k Fee on STEM OPT Would Break High-Skilled Immigration*, Institute for Progress (Oct. 12, 2026), https://ifp.org/100k-opt-fee/.

6 Seoyoung Kwon, Jongkwan Lee & Joan Monras, *The Effect of Retaining High-Skilled International Graduates: Evidence from the STEM OPT Extension*, CEPR Discussion Paper No. 21224 (Feb. 2026); Murat Demirci, *International Students and Labour Market Outcomes of US-Born Workers*, 53 Can. J. Econ. 1495 (2020).

7 Buxton-Walsh et al., *supra* note 5.

8 Liu Zhen, *China Creates New Visa for Young Science and Technology Talent*, South China Morning Post (Sept. 18, 2025).

9 Immigration, Refugees and Citizenship Canada, *Overview of the 2025 Budget* (Dec. 4, 2025), https://www.canada.ca/en/immigration-refugees-citizenship/corporate/transparency/committees/cimm-dec-04-2025/overview-budget.html.

10 Darrell M. West, *U.S. Security and Immigration Policies Threaten Its AI Leadership*, Brookings (Apr. 30, 2024).

Bill Foster
Member of Congress

Greg Stanton
Member of Congress

John W. Mannion
Member of Congress

Pramila Jayapal
Member of Congress

Yassamin Ansari
Member of Congress

Becca Balint
Member of Congress

Judy Chu
Member of Congress

Valerie P. Foushee
Member of Congress

Deborah K. Ross
Member of Congress

Mark DeSaulnier
Member of Congress

Jamie Raskin
Member of Congress

Adriano Espaillat
Member of Congress

Nanette Diaz Barragán
Member of Congress

Dan Goldman
Member of Congress

Lateefah Simon
Member of Congress