

Re: Summary of oral comments by Stripe on the *Modification of Registration Requirement for Petitioners Seeking To File Cap-Subject H-1B Petitions* proposed rule

- **Stakeholders Participants:** Lisa Zieger, Career Mobility Lead, Stripe and Sam Swartz, Head of US Public Policy, Stripe
- **DHS Participants:** Chase Wollenhaupt and Maddie Colaiezzi, Private Sector Office
- **Date:** November 12, 2020
- **Topic(s):** H-1B
DHS Response/Action: The information below was provided by Stripe to DHS representatives during a phone call during the open comment period on the *Modification of Registration Requirement for Petitioners Seeking To File Cap-Subject H-1B Petitions* proposed rule and has been shared with USCIS. DHS requested that Stripe provide any information pertaining to the Department of Labor *Strengthening Wage Protections for the Temporary and Permanent Employment of Certain Aliens in the United States* interim final rule directly to that department.

Oral Comment Summary:

- Stripe has seen increased demand due to COVID-19 related changes, as many businesses have turned to online payment processing and financial services in order to continue their operations.
- In order to continue to achieve our business goals and continue to serve our customers, we need to retain as many employees as possible, while also rapidly expanding. The H-1B program is vital for filling our need for specialized workers and retaining the employees we have today. These rule changes will lead to increased difficulty filling open, specialized roles and retaining employees, at a time when it is more important than ever that Stripe meet the needs of our customers.
- We frequently hire US university grads who have a year or two of work authorization coming out of school. These employees do not make L4 level wages and will not do so by the time we have to sponsor their H-1B or else part ways with employees. We expect the changes would drop our cap acceptance rate from 30-40% to closer to 5%.
- Like most companies, we use the H-1B program to hire or extend employment for people who are already here in the US, and already working at Stripe. Most of the time, the applications we file under the cap are for people who've graduated from a US university and are working with us based on their Optional Practical Training; 99% of the cap cases we file are for people already in the US. Because it takes an average of one year to eighteen months for a Stripe employee to fully ramp up, the inability to convert these employees to an H-1B would mean we have to let go of employees just as they are able to make a meaningful contribution, defeating the purpose of the program.
- The L4 wage level is effectively reserved for senior level managers and executives, as it assumes significant years of experience. By forcing the H-1B allocation to favor L4 wage earners, the change would effectively limit new H-1Bs to only the most senior employees, who likely have other visa categories (O-1, L-1) available to them, and eliminate a pathway for earlier career employees who are still highly skilled (a relevant bachelor's degree is a requirement for entry) and well compensated (L1 wages for software engineers in San Francisco top \$120,000 per year).
- Limiting H-1B cap eligibility to L4 wages significantly decreases the pool of eligible applicants, and in turn, the fees that the USCIS receives with each petition. We are concerned that this drop in income would impact the agency's ability to continue to operate efficiently and swiftly, delaying a range of applications and processes that are necessary for business continuity.