



Office of the General Counsel
Board of Governors, State University System of Florida,
325 W. Gaines St., Suite 1614
Tallahassee, Florida 32399

Re: Amendment to Reg. 1.001, University Board of Trustees Powers and Duties (January 29, 2026)

Dear Board of Governors,

I write to you on behalf of IFP, a think tank with the mission to accelerate American scientific, technological, and industrial progress. We appreciate the opportunity to comment on the Board's proposed changes to how its universities use the H-1B visa.

Nationally, Americans are concerned that the H-1B program is not living up to its promise as the country's signature visa for high-skilled workers. That concern is justifiable. The H-1B has long been abused by IT outsourcing firms, for example, sponsoring middle-skilled workers for underwhelming pay.¹ As longstanding advocates of fixing the H-1B program by raising the program's standards and making it more merit-based, we appreciate the Board's worries about misuse of the H-1B visa at Florida's public universities.

Unfortunately, the proposal as currently written would go much further than trimming back the questionable uses of the H-1B visa at state universities. Instead, the proposed rule would make it more difficult for the state's universities to serve students and the public by attracting world-class foreign-born scientific and technical talent.

In 2004, for example, Florida State was able to recruit Nobel Prize-winning physicist Harry Kroto because it could hire him (and the coauthors who drew him to the university) using the H-1B program.

But the value of the ability to sponsor top talent on H-1Bs goes well beyond isolated cases like Kroto's. Crucially, the ban as written also applies to UF Health, which regularly sponsors physicians using the H-1B visa.

Using data obtained via a Freedom of Information Act request, IFP analyzed successful first-time H-1B petitions filed between 2017 and 2022 by universities under the Board's jurisdiction. IFP found that Florida universities regularly used the H-1B to attract top faculty. Among more than 1,300 approved petitions, at least 315 were for physicians, PhD scientists, or STEM faculty. But not all uses of the H-1B visa at Florida's public universities

¹ Jeremy Neufeld, "[Talent Recruitment Roulette: Replacing the H-1B Lottery](#)," IFP, Jan. 17, 2025.

clearly contribute to research, innovation, or patient care. In the data, we also identified petitions for assistant coaches, graphic designers, IT support staff, academic advisors, and various administrative jobs.

We understand the Board's mandate to limit the use of H-1Bs at its constituent institutions, and urge you to adopt limited exemptions to the proposed pause. These exemptions would allow universities to continue to attract exceptional foreign-born researchers and scientists. Simultaneously, we urge the Board to clarify that physicians and other clinical roles in the UF Health system are not subject to the proposed pause. Such narrow exemptions could be defined using Standard Occupational Codes (SOC codes). We suggest that jobs falling under the following SOC code groups be exempted from the proposed pause:

- 19-1000: Life Scientists
- 19-2000: Physical Scientists
- 25-1020: Math and Computer Science Teachers, Postsecondary
- 25-1030: Engineering and Architecture Teachers, Postsecondary
- 25-1040: Life Sciences Teachers, Postsecondary
- 25-1050: Physical Sciences Teachers, Postsecondary
- 25-1070: Health Teachers, Postsecondary
- 29-1000: Healthcare Diagnosing or Treating Practitioners

The stakes for getting this policy right are high. The UF Health system receives more than 3 million visits per year from Floridians in all 67 counties. The State University System of Florida engages in more than \$3 billion worth of cutting-edge research annually. Ultimately, patients cured by treatments pioneered at Shands Hospital care far less about whether some of the contributing physicians or scientists were born abroad than they do about receiving the best care available. Similarly, Floridians whose taxes support the Florida Semiconductor Institute deserve for the institute to maximize its odds of producing innovation that creates jobs and opportunities for Floridians.

Florida's public university system has become among the best in the nation precisely because of its relentless focus on excellence and merit. We urge the Board not to risk squandering this advantage as it considers this proposal.

Respectfully Submitted,

Connor O'Brien

High-Skilled Immigration Fellow

IFP