

October 31, 2025

The Honorable Kristi Noem
Secretary
U.S. Department of Homeland Security
2707 Martin L. King Avenue, SE
Washington, DC 20528

Dear Secretary Noem:

The undersigned organizations write to request that the Department of Homeland Security provide a national interest exemption (NIE) to pathologists and medical and public health laboratory professionals from the \$100,000 H-1B fee outlined by President Donald Trump on September 19. Pathologists and laboratory professionals are critical members of the patient care team and shortages affecting these professionals can impact patient access to the medical services they need.

Per the President's proclamation, employers would have to pay a fee of \$100,000 to hire an individual on an H-1B visa. Section 1(C) of the president's Executive Order, however, allows for a NIE from the fee "if the Secretary of Homeland Security determines...that the hiring of such aliens to be employed as H-1B specialty occupation workers is in the national interest and does not pose a threat to the security or welfare of the United States."¹

We recognize that U.S. Citizenship and Immigration Services recently clarified that the fee would not apply to individuals in the United States on a valid visa, such as a F-1 (foreign student) or J-1 (exchange visitor) visa. This would seemingly cover non-U.S. citizen medical residents and other healthcare professionals seeking education or training in the United States on F-1 or J-1 visas. However, because obtaining a waiver of the J-1 visa's 2-year home residency requirement is so difficult (particularly for physician specialists), this clarification does not materially improve things for these visaholders. Moreover, our understanding is that most pathologists and laboratory personnel seeking H-1Bs are overseas prior to the submission of their H-1B petition, thus the clarification does not provide relief from the fee.

A recent study conducted for Siemens Healthineers found that 99 percent of physicians agree laboratory testing is integral to patient care, with 98 percent noting they had modified a diagnosis or care plan based on laboratory testing.² Physicians also reported that laboratory data helps streamline the use of scarce healthcare resources.

Our nation faces a critical shortage of pathologists and laboratory professionals. According to the Association of American Medical Colleges, the United States faces a projected shortage of up to 86,000 physicians by 2036, with demand for physicians currently exceeding supply.³ While demand for pathologists is estimated at 700-840 per year, data from past National Resident Match Program data suggests that no more than 600

The Honorable Kristi Noem

October 31, 2025

Page 2

pathologists are entering practice each year.⁴ The actual number is likely lower, due to program attrition, fellowship training, and immigration requirements.⁵

Demand for laboratory professionals, including PhD/doctoral scientists, medical and public health laboratory scientists and technicians, and other laboratory professionals, also exceeds supply, with the U.S. Bureau of Labor Statistics estimating demand for these professionals at around 22,600 positions per year.⁶ Only about 7,500 individuals qualified to perform non-waived laboratory testing graduate from accredited training programs each year, however.⁷ Additionally, the American Society for Clinical Pathology's recent Vacancy Survey indicates that in 2024 overall vacancy rates for most laboratory departments exceeded 10 percent, with rates for some departments exceeding 20 percent.⁸

The data indicate that the United States is not training enough pathologists and laboratory professionals to meet demand. The H-1B visa is essential to addressing these shortages, especially in the rural and underserved areas in which these visaholders tend to work. Without a NIE for pathologists and laboratory professionals, many hospital, independent clinical, forensic and public health laboratories will face even more significant obstacles staffing their facilities. This will adversely impact patient access to the critical lifesaving laboratory services on which patients, their care team, and the public health community depend.

We urge you to provide a national interest exemption for pathologists (including physicians, medical residents, fellows, and researchers) and medical and public health laboratory professionals from the new H-1B fee.

Sincerely,

American Association of Bioanalysts
American Association of Pathologists' Assistants
American Clinical Laboratory Association
American Medical Technologists
American Society for Clinical Laboratory Science
American Society for Clinical Pathology
American Society for Clinical Pathology Board of Certification
American Society of Cytopathology
American Society of Hematology
Association for Academic Pathology
Association for Diagnostics & Laboratory Medicine
Association for Molecular Pathology
Association for the Advancement of Blood and Biotherapies
Association of Genetic Technologists
COLA Inc.
College of American Pathologists

Commission on Accreditation of Allied Health Education Programs

HIV Medicine Association

Infectious Diseases Society of America

National Association of Medical Examiners

National Independent Laboratory Association

National Society for Histotechnology

Philippine Association of Medical Technologists-USA, Inc.

¹ President Donald J. Trump, [Restrictions on Entry of Certain Nonimmigrant Workers, Presidential Actions](#), September 19, 2025

² Siemens Healthineers, [Decoding Doctors' Decisions: How System Friction and Patient Agency Affect Physicians— And What This Means for Lab Testing](#), Siemens Healthcare Diagnostics Inc., 2025

³ Association of American Medical Colleges, [Press Release: New AAMC Report Shows Continuing Projected Physician Shortage](#), March 21, 2024.

⁴ David J. Gross, et al., Strong Job Market for Pathologists: Results From the 2021 College of American Pathologists Practice Leader Survey, *Arch Pathol Lab Med*, 2023; 147 (4): 434–441. <https://doi.org/10.5858/arpa.2022-0023-CP>

⁵ David J. Gross, et al., Strong Job Market for Pathologists: Results From the 2021 College of American Pathologists Practice Leader Survey, *Arch Pathol Lab Med*, 2023; 147 (4): 434–441. <https://doi.org/10.5858/arpa.2022-0023-CP>

⁶ Bureau of Labor Statistics, U.S. Department of Labor, Occupational Outlook Handbook, [Clinical Laboratory Technologists and Technicians](#), Accessed October 23, 2025.

⁷ Marisa James, et al., CEO'S Corner: [Findings from the 2023 Annual Survey, National Accrediting Agency for Clinical Laboratory Personnel](#), 2024. Accessed October 23, 2025.

⁸ Edna Garcia et al., The American Society for Clinical Pathology 2024 Vacancy Survey of medical laboratories in the United States, *American Journal of Clinical Pathology*, 2025;, aqaf101, <https://doi.org/10.1093/ajcp/aqaf101>