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October 8, 2025

The Honorable Kristi Noem
Secretary of Homeland Security
U.S. Department of Homeland Security
2801 Nebraska Avenue NW
Washington, D.C. 20528

Dear Secretary Noem:

I write today to request that you use the discretionary waiver authority granted to you as part of the Presidential Proclamation, "Restriction on Entry of Certain Nonimmigrant Workers," issued on September 19, 2025. The proclamation restricts entry into the United States through the H-1B visa program "except for those aliens whose petitions are accompanied or supplemented by a payment of \$100,000," but also provides discretionary waiver authority if the Secretary determines that it is "in the national interest and does not pose a threat to the security or welfare of the United States." I request that you immediately communicate your intention to waive the requirement for H-1B workers hired to address teacher shortages, and that this waiver is included in any future rulemakings from the Department.

Although school districts across the country utilize the H-1B visa program to hire teachers, I want to focus on its importance for Alaska. In Fiscal Year (FY) 2024, 19 of the 53 school districts in the state depended on H-1B teachers to provide high-quality education, securing 142 new H-1B employment approvals and 66 continuation approvals in 2024. Most of these districts serve very small rural communities that are unconnected by road. The FY 2025 statistics are trending in a similar direction, and at least six additional districts will welcome H-1B teachers in FY 2026.

For example, approximately 60 percent of the teachers in the Kuspuk School District who serve the 325 students in the district's nine Western Alaska villages across an area the size of Maryland come from the Philippines. While some of these teachers entered the U.S. through the Department of State's J-1 visa program, school districts are moving away from J-1s because sponsoring agencies have increasingly declined to place J-1 workers in Alaska, particularly in rural communities experiencing the greatest difficulty recruiting and retaining teachers domestically. All of the 376 students who attend the Alaska Gateway School District's six schools located in tiny towns in an area nearly the size of South Carolina benefit from H-1B teachers in the classroom as well as in afterschool and tutoring programs that students rely on to succeed in school. These H-1B

teachers are consistently the most skilled, dedicated, and innovative professionals that the district employs. The school district for the Kodiak Island Borough, the second-largest island in the U.S., also relies significantly on H-1B visas and would have to let at least 50 percent of its teachers go if they are subject to the \$100,000 payment.

Many of Alaska's school districts face severe teacher shortages and have struggled for many years to recruit and retain qualified teachers. Alaska has never produced enough teachers to meet the need. While districts engage in significant and costly recruitment efforts in the Lower 48, most are unable to recruit or retain U.S. citizen teachers who are willing to relocate to Alaska and live in very challenging conditions, including a lack of basic amenities such as access to the internet, housing, and even running water. In many cases, teachers who are recruited do not stay long. Some take one look at the village in which they agreed to teach and get back on the plane. While Alaskan districts are investing in Grow Your Own programs, teacher apprenticeship pathways, and other innovative efforts, these will take time to produce results. In the meantime, the continued need for H-1B teachers is imperative.

Alaska's most rural school districts have small budgets—particularly in light of the high costs to provide services in rural Alaska—due to small student populations. A requirement to pay \$100,000 per H-1B teacher would be impossible to meet—both for the districts and the individual teachers. Frankly, if school districts could afford this fee, they would be able to pay some of the highest salaries in the nation and would not have such severe teacher shortages. I do not believe that the President intended for the fee to apply to H-1B teachers, as it would only further hamstring students in rural communities from receiving a quality education.

I ask that you clarify your intent to waive the fee requirement for schools and include such a waiver in the regulations. I appreciate the opportunity to work with you to provide Alaska's districts more certainty as they plan for this and future school years.

Sincerely,



Lisa Murkowski
United States Senator

Enclosure

Cc: Susan Wiles, White House Chief of Staff