

HR 4166

American Workforce Improvement and Jobs Protection Act

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Immigration

Introduced: Apr 2, 2004

Current Status: Referred to the Subcommittee on Immigration, Border Security, and Claims.

Latest Action: Referred to the Subcommittee on Immigration, Border Security, and Claims. (May 20, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/4166>

Sponsor

Name: Rep. Smith, Lamar [R-TX-21]

Party: Republican • State: TX • Chamber: House

Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Carter, John R. [R-TX-31]	R · TX		Apr 2, 2004
Rep. Chabot, Steve [R-OH-1]	R · OH		Apr 2, 2004
Rep. Flake, Jeff [R-AZ-6]	R · AZ		Apr 2, 2004
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Apr 2, 2004
Rep. McKeon, Howard P. "Buck" [R-CA-25]	R · CA		Apr 2, 2004

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	May 20, 2004

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

No related bills are listed.

American Workforce Improvement and Jobs Protection Act - Amends the Immigration and Nationality Act to exempt up to 20,000 aliens holding a master's or higher degree from the numerical limitation on H-1B (temporary employment in a specialty occupation) nonimmigrants in any fiscal year.

Makes permanent: (1) the attestation requirement concerning nondisplacement of U.S. workers applicable to H-1B-dependent employers and willful violators; (2) the filing fee applicable to H-1B petitioners; and (3) the Secretary of Labor's authority under the American Competitiveness and Workforce Improvement Act to investigate an employer's alleged failure to meet specified labor attestation conditions (by repealing a sunset provision in that Act).

Requires the Secretary of Homeland Security to impose a fraud prevention and detection fee on H-1B or L (intracompany business personnel) petitioners for use in combating fraud and carrying out labor attestation enforcement activities. Establishes an H-1B and L Fraud Prevention and Detection Account for the deposit of such fees.

Renders ineligible for L visa status those aliens who will serve in a capacity involving specialized knowledge at the worksite of an employer other than the petitioning employer or its affiliate if: (1) the alien will be controlled principally by the unaffiliated employer; or (2) the placement with the unaffiliated employer is part of an arrangement merely to provide labor rather than to use the alien's specialized knowledge.

Eliminates the current reduction in the continuous employment requirement for aliens seeking L visa status pursuant to an employer's blanket petition.

Requires the Secretary of Homeland Security to maintain statistics regarding L visa petitions.

Actions Timeline

- **May 20, 2004:** Referred to the Subcommittee on Immigration, Border Security, and Claims.
- **Apr 2, 2004:** Introduced in House
- **Apr 2, 2004:** Introduced in House
- **Apr 2, 2004:** Referred to the House Committee on the Judiciary.