

S 887

H-1B and L-1 Visa Reform Act of 2009

Congress: 111 (2009–2011, Ended)

Chamber: Senate

Policy Area: Immigration

Introduced: Apr 23, 2009

Current Status: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S4689-

Latest Action: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S4689-4693) (Apr 23, 2009)

Official Text: <https://www.congress.gov/bill/111th-congress/senate-bill/887>

Sponsor

Name: Sen. Durbin, Richard J. [D-IL]

Party: Democratic • **State:** IL • **Chamber:** Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Grassley, Chuck [R-IA]	R · IA		Apr 23, 2009
Sen. Sanders, Bernard [I-VT]	I · VT		Jul 15, 2010

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Apr 23, 2009

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

Bill	Relationship	Last Action
111 HR 5397	Related bill	Jul 26, 2010: Referred to the Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law.

H-1B and L-1 Visa Reform Act of 2009 - Amends the the Immigration and Nationality Act to revise employer and government provisions regarding H-1B (specialty occupation) and L-1 (intracompany transfer) nonimmigrant aliens.

Amends H-1B employer application requirements to: (1) revise wage determination requirements; (2) require Internet posting and description of employment positions; (3) lengthen U.S. worker displacement protection; (4) apply certain requirements to all H-1B employers rather than only to H-1B dependent employers; (5) prohibit employer advertising that makes a position available only to, or gives priority to, H-1B nonimmigrants; and (6) limit the number of H-1B and L-1 employees that an employer of 50 or more workers in the United States may hire.

Revises application review provisions. Authorizes the Department of Labor (DOL) to: (1) investigate applications for fraud; and (2) conduct H-1B compliance audits.

Directs DOL to conduct annual audits of companies with large numbers of H-1B workers.

Authorizes DOL to initiate H-1B employer application investigations.

Increases employer penalties.

Revises provisions regarding initiation of employer violation investigations by DOL.

Provides for information sharing between DOL and United States Citizenship and Immigration Services regarding employer noncompliance.

Authorizes DOL to hire 200 additional employees to administer H-1B programs.

Prohibits, with a specified waiver by the Secretary of Homeland Security (DHS), an employer from hiring an L-1 nonimmigrant for more than one year who will: (1) serve in a capacity involving specialized knowledge; and (2) be stationed primarily at the worksite of an employer other than the petitioning employer.

Specifies L-1: (1) employer petition requirements for employment at a new office; (2) wage rates and working conditions; and (3) employer penalties.

Authorizes the Secretary to initiate an L-1 employer investigation.

Requires a report to Congress regarding the L-1 blanket petition process.

Actions Timeline

- **Apr 23, 2009:** Introduced in Senate
- **Apr 23, 2009:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S4689-4693)