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H-1B and L-1 Visa Reform Act of 2017

Congress: 115 (2017–2019, Ended)

Chamber: Senate

Policy Area: Immigration

Introduced: Jan 20, 2017

Current Status: Read twice and referred to the Committee on the Judiciary.

Latest Action: Read twice and referred to the Committee on the Judiciary. (Jan 20, 2017)

Official Text: <https://www.congress.gov/bill/115th-congress/senate-bill/180>

Sponsor

Name: Sen. Grassley, Chuck [R-IA]

Party: Republican • **State:** IA • **Chamber:** Senate

Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Blumenthal, Richard [D-CT]	D · CT		Jan 20, 2017
Sen. Brown, Sherrod [D-OH]	D · OH		Jan 20, 2017
Sen. Durbin, Richard J. [D-IL]	D · IL		Jan 20, 2017
Sen. Sanders, Bernard [I-VT]	I · VT		May 1, 2017

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Jan 20, 2017

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

Bill	Relationship	Last Action
115 HR 1303	Identical bill	Mar 16, 2017: Referred to the Subcommittee on Immigration and Border Security.

H-1B and L-1 Visa Reform Act of 2017

This bill amends the the Immigration and Nationality Act to revise employer and government requirements regarding visas for nonimmigrant aliens rated H-1B (specialty occupation) and L-1 (intracompany transfer to the United States from abroad).

H-1B employer application requirements are revised.

The bill establishes an H-1B visa allocation system, with first priority reserved for aliens who have earned an advanced degree in a field of science, technology, engineering, or mathematics (STEM) from a U.S. institution of higher education.

The bill requires completion of a U.S. degree (or an equivalent foreign degree) as a qualification for "specialty occupation" eligibility, eliminating experience in a specialty as an equivalent to the completion of such a degree.

The bill prescribes an H-1B labor condition application fee.

The Department of Labor may issue subpoenas and seek appropriate injunctive relief and specific performance of contractual obligations to ensure H-1B employer compliance.

The period of authorized admission for an H-1B nonimmigrant is reduced from six to three years, with a three-year extension available for aliens with extraordinary ability or with advanced degrees or professors.

The bill denies an H-1B visa to any alien normally classifiable as an H-1 nonimmigrant who seeks U.S. admission to provide services in a specialty occupation.

Labor may investigate applications for fraud and conduct H-1B compliance audits.

Labor shall conduct annual audits of companies with more than 100 employees who work in the United States if more than 15% of those employees are H-1B nonimmigrants.

The bill increases certain employer penalties, including the penalty for displacing a U.S. worker.

An employer that violates any H-1B requirement shall be liable to the harmed employee for lost wages and benefits.

The U.S. Citizenship and Immigration Services shall give Labor any information in materials submitted by H-1B employers as part of the petition adjudication process that indicates employer noncompliance with H-1B visa program requirements.

Labor may hire 200 additional employees to administer H-1B programs.

The bill prohibits an employer, unless it receives a waiver from Labor, from hiring for more than one year an L-1 nonimmigrant 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.

No employer may replace a U.S. worker with an L-1 worker.

The bill prescribes L-1 requirements regarding: (1) employer petitions for employment at a new office, (2) wage rates and working conditions, and (3) employer penalties.

Labor may initiate an L-1 employer investigation.

Authority to administer L-1 visa blanket petitions is transferred from the Department of Justice to the Department of Homeland Security.

Actions Timeline

- **Jan 20, 2017:** Introduced in Senate
- **Jan 20, 2017:** Read twice and referred to the Committee on the Judiciary.