

S 979

H–1B and L–1 Visa Reform Act of 2023

Congress: 118 (2023–2025, Ended)

Chamber: Senate

Policy Area: Immigration

Introduced: Mar 27, 2023

Current Status: Read twice and referred to the Committee on the Judiciary. (text: CR S957-964)

Latest Action: Read twice and referred to the Committee on the Judiciary. (text: CR S957-964) (Mar 27, 2023)

Official Text: https://www.congress.gov/bill/118th-congress/senate-bill/979

Sponsor

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

Party: Democratic • State: IL • Chamber: Senate

Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Blumenthal, Richard [D-CT]	D · CT		Mar 27, 2023
Sen. Brown, Sherrod [D-OH]	D · OH		Mar 27, 2023
Sen. Grassley, Chuck [R-IA]	R · IA		Mar 27, 2023
Sen. Sanders, Bernard [I-VT]	I · VT		Mar 27, 2023
Sen. Tuberville, Tommy [R-AL]	R · AL		Mar 27, 2023

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Mar 27, 2023

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

No related bills are listed.

H-1B and L-1 Visa Reform Act of 2023

This bill modifies requirements related to H-1B (specialty occupation) and L-1 (intracompany transfers) nonimmigrant visas and contains related provisions.

Provisions relating to H-1B visas include

- requiring the Department of Labor to review petitions for indicators of fraud or misrepresentation of material fact;
- requiring the Department of Homeland Security (DHS) to prioritize certain petitions, with top priority for workers with advanced degrees in science, technology, or engineering;
- requiring an H-1B worker to possess at minimum a bachelor's degree to meet specialty occupation requirements (currently, relevant experience may be used instead); and
- prohibiting an individual classifiable in certain H-1B categories from obtaining a B-1 (temporary business visitor) visa.

Provisions relating to L-1 visas include

- requiring a waiver from Labor for an L-1 worker to be primarily stationed with an employer other than the petitioning employer;
- prohibiting an individual from receiving an L-1 visa to open or be employed in a new office if the individual has received two or more such visas in the last two years; and
- increasing the L-1 worker minimum wage to the highest of certain amounts, such as the median wage for the worker's occupational classification in the area of employment (currently, an L-1 worker must be paid at least the higher of the federal or state minimum wage).

In regards to both visas, the bill (1) expands the authority of DHS and Labor to take various enforcement actions, and (2) directs DHS to conduct annual audits of a certain percentage of employers.

Actions Timeline

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