



EMAIL BULLETIN

**SENATE COMMITTEE CLEARS PROPOSED LEGISLATION
“RECAPTURING” UNUSED H-1B VISA NUMBERS FROM PREVIOUS FISCAL
YEARS**

10 November 2005

After recent efforts of the Senate Judiciary Committee in connection with the budget reconciliation process, the Senate’s Budget Reconciliation Bill passed out of committee with provisions which would provide H-1B program relief in the form of “recaptured” H-1B numbers from previous fiscal years.

The Bill, which still must be reconciled with the House version, would permit the “recapture” of approximately 300,000 unused H-1B visa numbers from the previous fifteen fiscal years. The numbers would be allotted in increments of 30,000 per fiscal year for the next ten fiscal years. While this measure would result in a net increase of 30,000 H-1B numbers per fiscal year for an annual total of 65,000, these additional numbers will come at a higher cost to the employer. Under the Senate plan, an additional fee of \$500 per petition would be levied on employers using the additional 30,000 “recaptured” H-1B numbers.

As always, Tindall & Foster will continue to monitor proposed and pending legislation affecting H-1B visa availability and will provide updates via Email Bulletins and on the Tindall & Foster web site at <http://www.tindallfoster.com> as they become available.