



EMAIL BULLETIN

U.S. SENATORS PROPOSE LEGISLATION TO ALLEVIATE THE SHORTAGE OF H-1B NONIMMIGRANT VISA NUMBERS

17 April 2007

Act Now to Voice Your Company's Support for H-1B Cap Relief

Following record-breaking demand against the H-1B Nonimmigrant Visa Cap for Fiscal Year 2008, Congressional efforts are under way to address the shortage of H-1B visa numbers available to serve a growing economy dependent on graduates of science and engineering programs. On April 10, 2007, just one week after the CIS announced that the FY-2008 H-1B Cap was reached on the first day petitions were accepted, Senator John Cornyn (R-TX) introduced the Securing Knowledge, Innovation and Leadership (SKIL) Act of 2007 (S 1083). Senator Cornyn's bill would provide relief from the current H-1B cap of 65,000 (effectively 58,200 after set asides for Chile and Singapore) and would allow for increased availability of immigrant visa numbers to reduce the extreme backlogs in immigrant visa availability under the annual quota system.

To support Senator Cornyn's SKIL Act of 2007, employers are encouraged to visit the advocacy section of the Tindall & Foster, P.C. web site at <http://www.tindallfoster.com/ExportedSite/ImmigrationResources/Write%20Your%20Congressman.htm>. Employer representatives should take steps to voice their company's support for additional H-1B numbers to meet the needs of a growing economy. *Please note:* Due to security concerns and the lengthy process of screening paper mail for anthrax prior to delivery to members of Congress, both the Senate and House prefer facsimiles or electronic correspondence, as made possible through the web site link.

U.S. Senator Chuck Hagel (R-NE) also introduced a bill to alleviate the H-1B visa shortage; however, Senator Hagel's bill does not address the much-needed relief from extreme backlogs in immigrant visa availability. Because of the more limited scope of Senator Hagel's bill, it may attract broader support than Senator Cornyn's SKIL Act of 2007. To voice support for Senator Hagel's High-Tech Worker Relief Act (S. 1092), please visit the advocacy page of the Tindall & Foster, P.C. web site at <http://www.tindallfoster.com/ExportedSite/ImmigrationResources/Write%20Your%20Congressman.htm>.

A proposal for additional H-1B and L-1 restrictions was introduced by Senator Richard Durbin (D-IL). Senator Durbin's bill, the H-1B and L-1 Visa Fraud and Abuse Prevention Act (S. 1035), addresses perceived issues of fraud and would impose new

restrictions on both the H-1B and L-1 nonimmigrant visa petition programs. The CIS already collects a \$500 filing fee per new H-1B and L-1 nonimmigrant visa petition for the express purpose of funding fraud prevention and detection activities within the CIS, Department of Labor, and Department of State. We recommend that employers voice their opposition to new restrictions that would increase the already significant administrative burden and expense associated with the H-1B and L-1 petitioning process.

Your Tindall & Foster attorney will also be happy to work with you to tailor an appropriate letter that expresses your company's position on issues of concern for the future of your business, such as the annual H-1B quota and ongoing backlogs in immigrant visa availability. As always, Tindall & Foster will continue to monitor the progress of legislative proposals and will make future updates available in Email Bulletins and on our web site at <http://www.tindallfoster.com/ExportedSite/ImmigrationResources/Immigration%20Resources.htm>.