

Senate Bill Could Triple H-1B Visa Fees Paid By Employers

The amendment, passed Tuesday, would tag on an additional \$3,500 per visa to be earmarked for U.S. scholarships.

By Marianne Kolbasuk McGee,

Oct. 24, 2007

The fees paid by employers for each H-1B visa applicant they seek to hire could soon more than triple. The additional fees are earmarked for a new scholarship program for U.S. students pursuing tech and science-related degrees.

The U.S. Senate Tuesday passed an amendment to raise H-1B visa fees to \$5,000 from \$1,500 currently. The amendment was tagged onto a \$152 billion spending bill that was also approved by the Senate last night.

The same Grassley-Sanders Amendment, co-sponsored by Senators Chuck Grassley (R-Iowa) and Bernie Sanders (I-Vt.), had been passed by the Senate once before -- in May as part of Congress' ill-fated comprehensive immigration reform bill.

But now with the comprehensive immigration reform bill dead, the Grassley-Sanders H-1B fee legislation was reintroduced and approved by the Senate as an amendment to the Labor, Health and Human Services, and Education Appropriations bill. That bill is now in conference for negotiations between the House of Representatives and Senate.

If the spending bill is passed by Congress and signed into law by President Bush with the Grassley-Sanders amendment still intact, employers would pay about \$3,500 more in government fees than they do now for each H-1B visa petition.

The bill does not raise the H-1B visa cap, which currently stands at 85,000 annually, which includes 20,000 exemptions for foreign students earning advanced degrees from U.S. schools.

The amendment calls for \$3,000 of the fees for each H-1B visa to fund a new merit-based American Competitiveness Scholarship program for U.S. students seeking associate, bachelor's, or graduate degrees in computer science, engineering, mathematics, nursing, and medicine.

The program would enable the National Science Institute to award qualified individuals with scholarships of up to \$15,000 annually.

In addition to the American Competitiveness Scholarship, \$500 in fees for each visa will fund another scholarship program, the Jacob Javitz Gifted and Talented Program.

Currently, portions of the \$1,500 in fees that are paid by employers for each visa are earmarked for training programs for U.S. workers.

A spokesman for Sen. Sanders says that if companies want to hire foreign workers for jobs in which they claim there are talent shortages, those companies "should pay to help U.S. students fill those shortages in the longer term."