

MEMO# 12751

October 25, 2000

CONGRESS ENACTS LEGISLATION TO INCREASE THE CEILING ON H-1B VISAS FOR HIGHLY SKILLED, NONIMMIGRANT WORKERS

[12751] October 25, 2000 TO: BOARD OF GOVERNORS No. 62-00 FEDERAL LEGISLATION MEMBERS No. 14-00 PRIMARY CONTACTS - MEMBER COMPLEX No. 74-00 PUBLIC INFORMATION COMMITTEE No. 35-00 RE: CONGRESS ENACTS LEGISLATION TO INCREASE THE CEILING ON H-1B VISAS FOR HIGHLY SKILLED, NONIMMIGRANT WORKERS On October 17, 2000, President Clinton signed into law S. 2045, The American Competitiveness in the 21st Century Act of 2000, legislation that increases the number of H-1B visas that will be granted each year to nonimmigrant aliens, and separate legislation, H.R. 5362, that increases the fees on such H-1B visa applications. S. 2045 was introduced to alleviate problems that employers encounter in meeting their demands for skilled labor. The Act increases the availability of nonimmigrant H-1B specialty occupation visas by raising the current ceiling on such visas to 195,000 for each of fiscal year 2001, fiscal year 2002, and fiscal year 2003. Absent the increase, the number of available H-1B visa applications would have dropped to 65,000 in FY 2002. The increase in available visas will enhance the opportunity for companies to attract, from abroad, individuals who may possess a unique knowledge or skill necessary to fill a particular employment need. The President also signed into law H.R. 5362, legislation that increases, from \$500 up to \$1,000, the fees charged to employers who petition for employment of H-1B nonimmigrant workers. These fees are assessed on each initial petition for H-1B status for an individual, on each initial application for an extension of the individual's status, and on each petition required when the individual changes employers (or concurrent employment). Proceeds from the assessment are used to fund scholarships for U.S. students and to provide training for U.S. workers. The increase in fees applies to applications that are filed beginning December 18, 2000. Should you have any questions regarding the H-1B visa legislation, please contact me or David Kemps of the Legislative Affairs staff at (202) 371-5406. Matthew P. Fink President