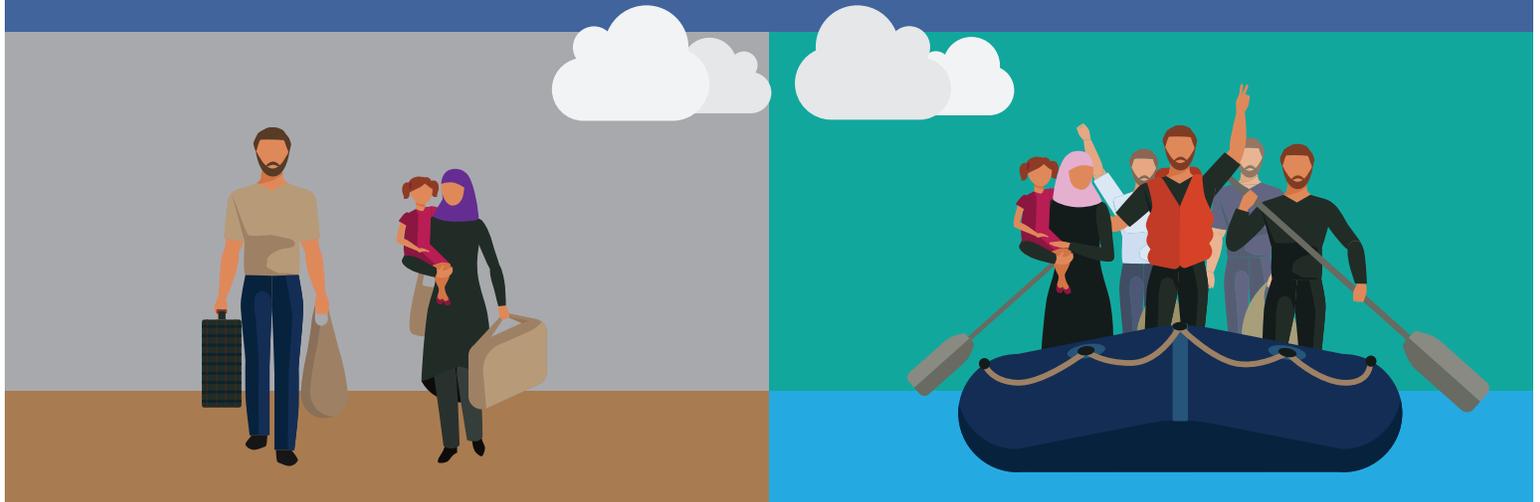




Keep The American Dream Alive



S. 128, H.R. 496 - BRIDGE Act

Summary

The Bar Removal of Individuals Who Dream of Growing our Economy, or BRIDGE Act, would allow people who became eligible to receive work authorization and temporary deportation relief through the Deferred Action for Childhood Arrivals (DACA) program to be given permission by the federal government to continue living in the United States. The legislation would provide eligible applicants with legal protection and work authorization for three years. Requirements for eligibility are essentially the same as those for DACA.

The bill is designed to have a further reach than DACA. It would expand to undocumented immigrants who may not currently be protected under the DACA rules, but to those who in the future would be eligible - by turning 15, for example. The bill has a three-year timeline, so if it is enacted in the spring of 2017, its provisions may become invalid by 2020.¹ In addition, the Bridge Act would restrict the sharing of information about DACA recipients with U.S. Immigration and Customs Enforcement and Customs and Border Protection. The goal of the bill is to extend the same types of protections that DACA offered with Congressional approval. The bill targets a similar group and offers very similar benefits.

Status

The House bill, H.R. 496, was introduced on January 12th of this year by Republican Representative Mike Coffman of Colorado's 6th. It was referred to the House Committee on the Judiciary on the same day and on February 6th taken up by the Subcommittee on Immigration and Border Security. The Senate bill, S. 128 was introduced by South Carolina Republican Lindsey Graham and Illinois Democrat Dick Durbin on January 12th as well, but has not yet been referred to a committee.

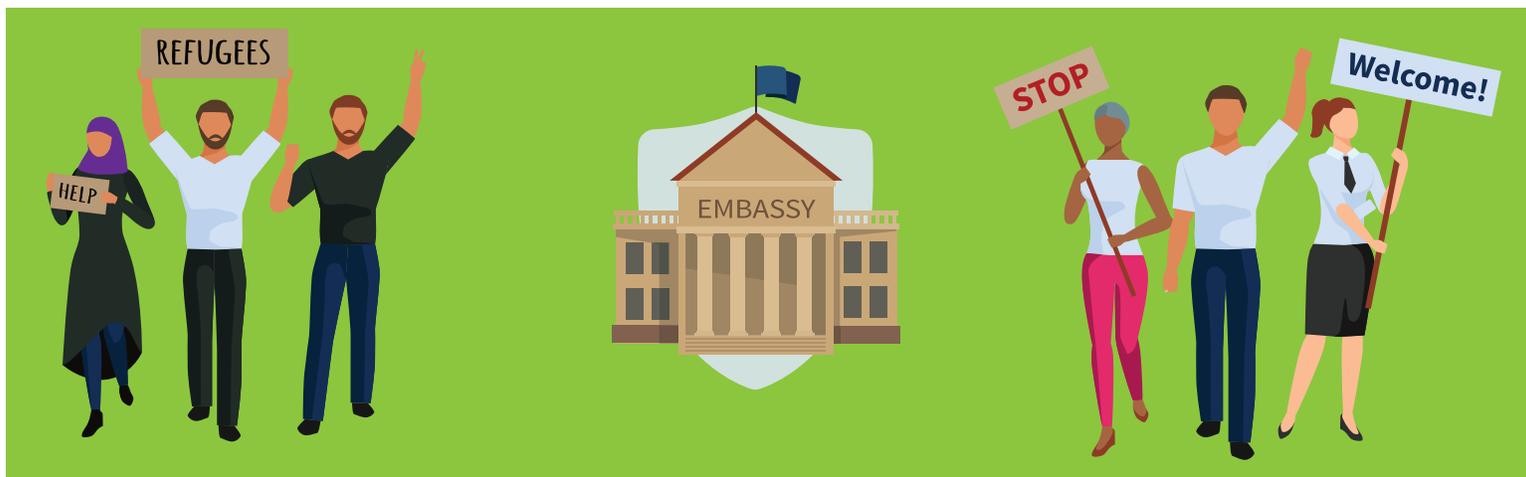
The Bridge Act

Cosponsors in the House of Representatives³

| | | | | | |
|-----------------------------|-----------|--------------------|----------------------------|-----------|--------------------|
| Rep. Don Bacon | (R-NE-2) | | Rep. Zoe Lofgren | (D-CA-19) | Original Cosponsor |
| Rep. Salud Carbajal | (D-CA-24) | | Rep. Carolyn B. Maloney | (D-NY-12) | |
| Rep. Judy Chu | (D-CA-27) | Original Cosponsor | Rep. Dan Newhouse | (R-WA-4) | |
| Rep. Jim Costa | (D-CA-16) | | Rep. Beto O'Rourke | (D-TX-16) | |
| Rep. Carlos Curbelo | (R-FL-26) | Original Cosponsor | Rep. Jimmy Panetta | (D-CA-20) | |
| Rep. Jeff Denham | (R-CA-10) | Original Cosponsor | Rep. David Reichert | (R-WA-8) | |
| Rep. Diana DeGette | (D-CO-1) | | Rep. Ileana Ros-Lehtinen | (R-FL-27) | Original Cosponsor |
| Rep. Daniel M. Donovan, Jr. | (R-NY-11) | | Rep. Lucille Roybal-Allard | (D-CA-40) | Original Cosponsor |
| Rep. John J. Faso | (R-NY-19) | | Rep. Chris Stewart | (R-UT-2) | |
| Rep. Brian Fitzpatrick | (R-PA-8) | | Rep. Norma Torres | (D-CA-35) | |
| Rep. Luis Gutierrez | (D-IL-4) | Original Cosponsor | Rep. David Valada | (R-CA-21) | |
| Rep. Pramila Jayapal | (D-WA-7) | | | | |
| Rep. Daniel Lipinski | (D-IL-3) | | | | |

Cosponsors in the Senate⁴

| | | |
|-----------------------|--------|--------------------|
| Sen. Dick Durbin | (D-IL) | Original Cosponsor |
| Sen. Dianne Feinstein | (D-CA) | Original Cosponsor |
| Sen. Chuck Schumer | (D-NY) | Original Cosponsor |
| Sen. Kamala Harris | (D-CA) | Original Cosponsor |
| Sen. Bill Nelson | (D-FL) | |
| Sen. Lindsey Graham | (R-SC) | Original Cosponsor |
| Sen. Lisa Murkowski | (R-AK) | Original Cosponsor |
| Sen. Jeff Flake | (R-AZ) | Original Cosponsor |
| Sen. Dean Heller | (R-NV) | |



S. 415 - A bill to nullify the effect of the recent Executive order that makes the vast majority of unauthorized individuals priorities for removal and aims to withhold critical Federal funding to sanctuary cities.

Summary

The full name of S. 415 is “A bill to nullify the effect of the recent Executive order that makes the vast majority of unauthorized individuals priorities for removal and aims to withhold critical Federal funding to sanctuary cities.” The bill is designed to cancel President Trump’s January 25th executive order restricting travel so that its provisions are “rescinded and shall not have any legal effect.” The goal of the bill is to prevent Trump’s executive order from being implemented.

Status

On February 16th, Senator Catherine Cortez-Masto of Nevada introduced S. 415 in the Senate. It was referred to the Senate Committee on the Judiciary on that same day. Senators Tom Carper (DE) and Ben Cardin (MD) have recently signed on as cosponsors.

Cosponsors

| | | | | | |
|-----------------------|--------|--------------------|-------------------------|--------|--------------------|
| Sen. Dick Durbin | (D-IL) | Original Cosponsor | Sen. Jeff Merkley | (D-OR) | Original Cosponsor |
| Sen. Chris Coons | (D-DE) | Original Cosponsor | Sen. Chris Van Hollen | (D-MD) | Original Cosponsor |
| Sen. Hirono, Mazie K. | (D-HI) | Original Cosponsor | Sen. Elizabeth Warren | (D-MA) | Original Cosponsor |
| Sen. Al Franken | (D-MN) | Original Cosponsor | Sen. Tammy Duckworth | (D-IL) | Original Cosponsor |
| Sen. Bernie Sanders | (I-VT) | Original Cosponsor | Sen. Richard Blumenthal | (D-CT) | Original Cosponsor |
| Sen. Cory Booker | (D-NJ) | Original Cosponsor | Sen. Bob Menendez | (D-NJ) | Original Cosponsor |
| Sen. Edward Markey | (D-MA) | Original Cosponsor | Sen. Dianne Feinstein | (D-CA) | Original Cosponsor |
| Sen. Patrick Leahy | (D-VT) | Original Cosponsor | Sen. Chuck Schumer | (D-NY) | |
| Sen. Ron Wyden | (D-OR) | Original Cosponsor | Sen. Sherrod Brown | (D-OH) | |
| Sen. Kamala Harris | (D-CA) | Original Cosponsor | Sen. Kirsten Gillibrand | (D-NY) | |
| Sen. Patty Murray | (D-WA) | Original Cosponsor | Sen. Ben Cardin | (D-MD) | |
| Sen. Tim Kaine | (D-VA) | Original Cosponsor | Sen. Tom Carper | (D-DE) | |
| Sen. Michael Bennet | (D-CO) | Original Cosponsor | | | |

S. 303 - A bill to discontinue a Federal program that authorizes State and local law enforcement officers to investigate, apprehend, and detain aliens in accordance with a written agreement with the Director of U.S. Immigration and Customs Enforcement and to clarify that immigration enforcement is solely a function of the Federal Government.

Summary

The bill would seek prevent state and local law enforcement from detaining undocumented immigrants. It would transfer that responsibility solely to Federal law enforcement organizations.

Status

The succinct bill was introduced to the Senate on February 3, 2017 by Sen. Cory Booker of New Jersey. On the same day, it was referred to the Senate Committee on the Judiciary.

Cosponsors

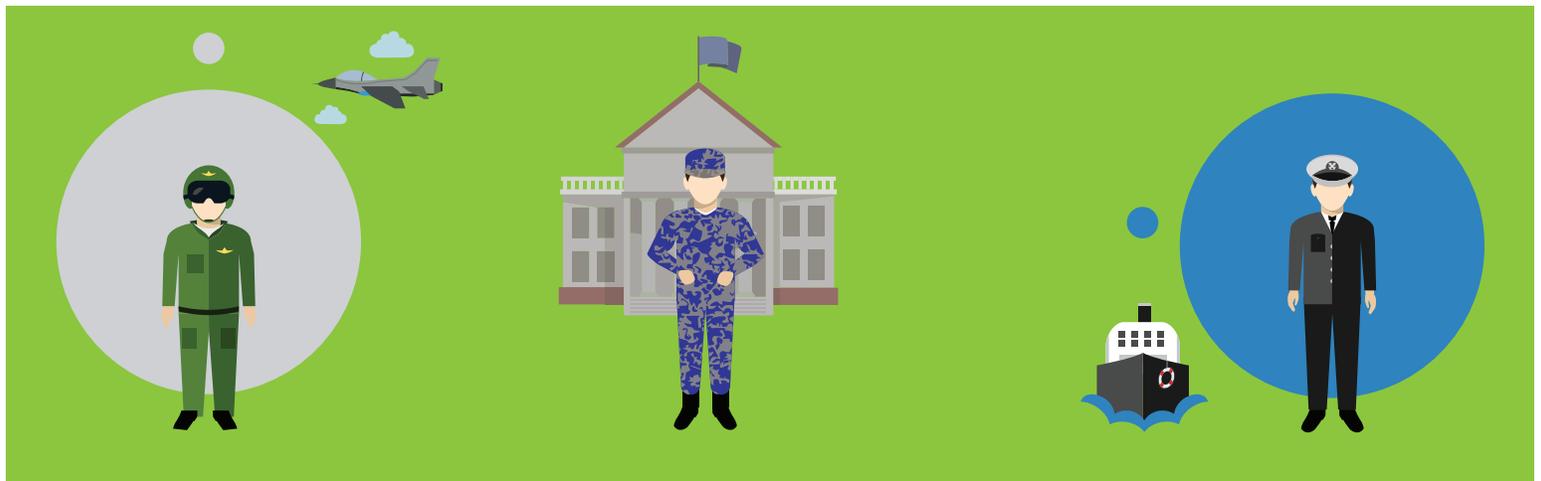
| | | |
|-------------------------|--------|--------------------|
| Sen. Schatz, Brian | (D-HI) | Original Cosponsor |
| Sen. Hirono, Mazie K. | (D-HI) | Original Cosponsor |
| Sen. Durbin, Richard J. | (D-IL) | Original Cosponsor |
| Sen. Harris, Kamala D. | (D-CA) | Original Cosponsor |
| Sen. Merkley, Jeff | (D-OR) | Original Cosponsor |
| Sen. Carper, Thomas R. | (D-DE) | Original Cosponsor |
| Sen. Sanders, Bernard | (I-VT) | |
| Sen. Markey, Edward J. | (D-MA) | |

1 Senators unveil bipartisan bill to protect Dreamers Politico, 12/09/2016

2 National Immigration Law Center: FAQ: The BRIDGE Act

3 Congress.gov: H.R.496 - BRIDGE Act 115th Congress (2017-2018)

4 Congress.gov: S.128 - BRIDGE Act 115th Congress (2017-2018)



H.R. 60 - ENLIST Act

Summary

The Encourage New Legalized Immigrants to Start Training or ENLIST Act allows undocumented immigrants to enlist in the Armed Forces under the following conditions: they were present in the United States since December 31, 2011, they have been continuously present in the United States since then, they were 15 years old or younger on that date and they have the necessary prerequisites to enlist. The legislation would grant undocumented residents legal status during and after their service. This is possible under the provisions of the Immigration and Nationality Act. If an eligible participant leaves the Armed Forces with anything less than an honorable discharge, their legal residency would be revoked. These enlistees will be eligible for “Conditional Admission to Permanent Residency,” a status that can be rescinded at any time if they are discharged dishonorably, no matter how long their service period.

Suggestions

- To offset the costs associated with DOD needing a screening mechanism to determine whether someone qualifies for enlistment under this bill’s criteria, USCIS could create an application for status based on military service which could be a prerequisite to actual enlistment. Applicants could apply through USCIS and have an approval notice prior to enlistment. USCIS could charge a fee, which would cover any expenses and would save recruiters from having to have any training in immigration law.
- Change the residency requirements to reflect current DHS procedures, making eligibility easier and less costly to evaluate. Remove the “physical presence” date requirement of December 31, 2011.
- Adjust bill to require more stringent screening processes, to ensure that criminals and those ineligible for immigration benefits, are not permitted to enlist
- We believe that the conditional status throughout the period of enlistment should have a set time (2 years, 4 years, etc.) regardless of the duration of enlistment.

Status

The bill was introduced into the House by California Republican Jeff Denham (CA-10) on January 1, 2017 and was subsequently referred to the House Committee on Armed Services.

Cosponsors

| | | | | | | |
|----------------|-----------|--------------------|-----------------------|-----------|--------------|----------|
| Pete Aguilar | (D-CA-31) | | Andy Barr | (R-KY-6) | Ami Bera | (D-CA-7) |
| Mark Amodei E. | (R-NV-2) | Original Cosponsor | Nanette Barragan Diaz | (D-CA-44) | Jack Bergman | (R-MI-1) |
| Don Bacon | (R-NE-2) | | Joe Barton | (R-TX-6) | Mike Bishop | (R-MI-8) |
| Jim Banks | (R-IN-3) | | Karen Bass | (D-CA-37) | Rob Bishop | (R-UT-1) |

Cosponsors

| | | | | | | | | |
|-------------------------|-----------------|--------------------|-------------------------------|-----------------|--------------------|----------------------|-----------------|--------------------|
| Sanford Bishop D. Jr. | (D-GA-2) | | Will Hurd | (R-TX-23) | | Cedric Richmond L. | (D-LA-2) | |
| Earl Blumenauer | (D-OR-3) | | Darrell Issa E. | (R-CA-49) | Original Cosponsor | Harold Rogers | (R-KY-5) | |
| Robert Brady A. | (D-PA-1) | | Pramila Jayapal | (D-WA-7) | | Thomas Rooney J. | (R-FL-17) | |
| Susan Brooks W. | (R-IN-5) | | Hakeem Jeffries S. | (D-NY-8) | | Ileana Ros-Lehtinen | (R-FL-27) | Original Cosponsor |
| Julia Brownley | (D-CA-26) | | Lynn Jenkins | (R-KS-2) | | Jacky Rosen | (D-NV-3) | |
| Larry Bucshon | (R-IN-8) | | Bill Johnson | (R-OH-6) | | Dennis Ross A. | (R-FL-15) | |
| Michael Capuano E. | (D-MA-7) | | Henry Johnson C. Hank | (D-GA-4) | | Raul Ruiz | (D-CA-36) | |
| Salud Carbajal O. | (D-CA-24) | | Marcy Kaptur | (D-OH-9) | | Bobby Rush L. | (D-IL-1) | |
| Tony Cardenas | (D-CA-29) | | John Katko | (R-NY-24) | | John Rutherford H. | (R-FL-4) | |
| Andre Carson | (D-IN-7) | | William Keating R. | (D-MA-9) | | Tim Ryan | (D-OH-13) | |
| Joaquin Castro | (D-TX-20) | | Robin Kelly L. | (D-IL-2) | | Janice Schakowsky D. | (D-IL-9) | |
| Judy Chu | (D-CA-27) | | Joseph Kennedy III | (D-MA-4) | | Adam Schiff B. | (D-CA-28) | |
| David Cicilline N. | (D-RI-1) | | Ro Khanna | (D-CA-17) | | David Schweikert | (R-AZ-6) | |
| Katherine Clark M. | (D-MA-5) | | Ruben Kihuen J. | (D-NV-4) | | Jose Serrano E. | (D-NY-15) | |
| James Clyburn E. | (D-SC-6) | | Daniel Kludde T. | (D-MI-5) | | John Shimkus | (R-IL-15) | |
| Mike Coffman | (R-CO-6) | Original Cosponsor | Ron Kind | (D-WI-3) | | Michael Simpson K. | (R-ID-2) | |
| Steve Cohen | (D-TN-9) | | Peter King T. | (R-NY-2) | | Kyristen Sinema | (D-AZ-9) | Original Cosponsor |
| Chris Collins | (R-NY-27) | | Adam Kinzinger | (R-IL-16) | Original Cosponsor | Albio Sires | (D-NJ-8) | |
| Barbara Cornstock | (R-VA-10) | | Raja Krishnamoorthi | (D-IL-8) | | Adam Smith | (D-WA-9) | Original Cosponsor |
| J. Correa Luis | (D-CA-46) | | Darin LaHood | (R-IL-18) | | Christopher Smith H. | (R-NJ-4) | |
| Jim Costa | (D-CA-16) | Original Cosponsor | Leonard Lance | (R-NJ-7) | | Jason Smith | (R-MO-8) | |
| Ryan Costello A. | (R-PA-6) | | James Langevin R. | (D-RI-2) | | Lloyd Smucker | (R-PA-16) | |
| Joe Courtney | (D-CT-2) | Original Cosponsor | John Larson B. | (D-CT-1) | | Darren Soto | (D-FL-9) | |
| Kevin Cramer | (R-ND-At Large) | | Jason Lewis | (R-MN-2) | | Jackie Speier | (D-CA-14) | |
| Eric Crawford A. Rick | (R-AR-1) | | Ted Lieu | (D-CA-33) | Original Cosponsor | Chris Stewart | (R-UT-2) | |
| Joseph Crowley | (D-NY-14) | Original Cosponsor | Frank Lipinski | (D-IL-3) | Original Cosponsor | Steve Stivers | (R-OH-15) | |
| Henry Cuellar | (D-TX-28) | Original Cosponsor | Frank LoBiondo A. | (R-UT-4) | | Eric Swalwell | (D-CA-15) | Original Cosponsor |
| Carlos Curbelo | (R-FL-26) | Original Cosponsor | Mia Love B. | (R-UT-4) | | Mark Takano | (D-CA-41) | |
| Rodney Davis | (R-IL-13) | | Alan Lowenthal S. | (D-CA-47) | | Scott Taylor | (R-VA-2) | |
| Susan Davis A. | (D-CA-53) | | Michelle Lujan Grisham | (D-NM-1) | | Claudia Tenney | (R-NY-22) | |
| Peter DeFazio A. | (D-OR-4) | | Thomas MacArthur | (R-NJ-3) | | Glenn Thompson | (R-PA-5) | |
| John Delaney K. | (D-MD-6) | | Roger Marshall W. | (R-KS-1) | | Mike Thompson | (D-CA-5) | |
| Charles Dent W. | (R-PA-15) | | Brian Mast J. | (R-FL-18) | | Patrick Tiberi J. | (R-OH-12) | |
| Mark DeSaulnier | (D-CA-11) | | Doris Matsui O. | (D-CA-6) | | Scott Tipton R. | (R-CO-3) | |
| Theodore Deuth E. | (D-FL-21) | | James McGovern P. | (D-MA-2) | | Dina Titus | (D-NV-1) | |
| Mario Diaz-Balart | (R-FL-25) | Original Cosponsor | David McKinley B. | (R-WV-1) | | Norma Torres J. | (D-CA-35) | |
| Daniel Donovan M. | (R-NY-11) | | Jerry McNerney | (D-CA-9) | Original Cosponsor | David Trott A. | (R-MI-11) | |
| Michael Doyle F. | (D-PA-14) | | Martha McSally | (R-AZ-2) | | Fred Upton | (R-MI-6) | Original Cosponsor |
| John Duncan Jr. | (R-TN-2) | | Patrick Meehan | (R-PA-7) | | David Valadao G. | (D-CA-21) | Original Cosponsor |
| Eliot Engel L. | (D-NY-16) | | Grace Meng | (D-NY-6) | | Juan Vargas | (D-CA-51) | |
| Anna Eshoo G. | (D-CA-18) | Original Cosponsor | Paul Mitchell | (R-MI-10) | | Marc Veasey A. | (D-TX-33) | |
| Elizabeth Esty H. | (D-CT-5) | | John Moolenaar R. | (R-MI-4) | | Filemon Vela | (D-TX-34) | |
| John Faso J. | (R-NY-19) | | Alexander Mooney X. | (R-WV-2) | | Nydia Velazquez M. | (D-NY-7) | |
| Brian Fitzpatrick K. | (R-PA-8) | | Seth Moulton | (D-MA-6) | | Ann Wagner | (R-MO-2) | |
| Lois Frankel | (D-FL-22) | | Markwayne Mullin | (R-OK-2) | | Mimi Walters | (R-CA-45) | |
| Rodney Frelinghuysen P. | (R-NJ-11) | | Tim Murphy | (R-PA-18) | | Timothy Walz J. | (D-MN-1) | Original Cosponsor |
| Marcia Fudge L. | (D-OH-11) | | Jerrold Nadler | (D-NY-10) | | Peter Welch | (D-VT-At Large) | Original Cosponsor |
| Tulsi Gabbard | (D-HI-2) | Original Cosponsor | Grace Napolitano F. | (D-CA-32) | | Frederica Wilson S. | (D-FL-24) | |
| Mike Gallagher | (R-WI-8) | | Dan Newhouse | (R-WA-4) | Original Cosponsor | Ted Yoho S. | (R-FL-3) | |
| John Garamendi | (D-CA-3) | | Devin Nunes | (R-CA-22) | Original Cosponsor | David Young | (R-IA-3) | |
| Thomas Garrett Jr. | (R-VA-5) | | Beto O'Rourke | (D-TX-16) | | Don Young | (R-AK-At Large) | |
| Jennifer Gonzalez-Colon | (R-PR-At Large) | | Frank Pallone Jr. | (D-NJ-6) | | Ryan Zinke K. | (R-MT-At Large) | Original Cosponsor |
| Vicente Gonzalez | (D-TX-15) | | Jimmy Panetta | (D-CA-20) | | | | |
| Trey Gowdy | (R-SC-4) | Original Cosponsor | Bill Pascrell Jr. | (D-NJ-9) | | | | |
| Gene Green | (D-TX-29) | | Erik Paulsen | (R-MN-3) | | | | |
| H. Griffith Morgan | (R-VA-9) | | Stevan Pearce | (R-NM-2) | | | | |
| Brett Guthrie | (R-KY-2) | | Ed Perlmutter | (D-CO-7) | | | | |
| Luis Guterrez V. | (D-IL-4) | | Scott Peters H. | (D-CA-52) | | | | |
| Colleen Hanabusa | (D-HI-1) | | Collin Peterson C. | (D-MN-7) | | | | |
| Aloee Hastings L. | (D-FL-20) | | Ted Poe | (R-TX-2) | | | | |
| Denny Heck | (D-WA-10) | | Jared Polis | (D-CO-2) | | | | |
| Jaime Herrera Beutler | (R-WA-3) | Original Cosponsor | Mike Quigley | (D-IL-5) | | | | |
| Clay Higgins | (R-LA-3) | | Aumua Amata Coleman Radewagen | (R-AS-At Large) | | | | |
| J. Hill French | (R-AR-2) | | Jamie Raskin | (D-MD-8) | | | | |
| Jared Huffman | (D-CA-2) | | Tom Reed | (R-NY-23) | | | | |
| Bill Huizenga | (R-MI-2) | | David Reichert G. | (R-WA-8) | Original Cosponsor | | | |
| Randy Hultgren | (R-IL-14) | | Tom Rice | (R-SC-7) | | | | |



H.R. 1036 - American Families United Act

Summary

The bill amends the Immigration and Nationality Act to: Provide waivers that consider hardship to USC and LPR children if there is unlawful presence or other grounds of inadmissibility related to their parents; Redefine convictions so they are consistent with most state laws; Allow Immigration Judges and DHS to grant waivers in the public interest for certain grounds of inadmissibility; and Allow deportation for a false claim to US citizenship only if a person knowingly misrepresent his status as a USC.

1. Unlawful presence waiver:

- Eligible if entered U.S. before 16 and holds higher education degree
- LPR and USC children can be qualifying relatives for hardship purposes
- Hardship does not have to be “extreme” and family separation in itself is deemed hardship

2. Inadmissibility ground for misrepresentations

- Misrepresentations limited to last 3 years

3. False claims to US Citizenship

- Replaces the words “falsely represents” or “has falsely represented” to “knowingly misrepresents”
- Special rule for false claim to USC: under 18 OR lacked the mental competence to knowingly misrepresent.

4. Misrepresentation waiver (replaces 212(i) waiver) and false claims to USC waiver

- Hardship can be on alien, alien’s LPR or USC spouse, parent, or child.

5. Definition of conviction

- Where a State or Federal court enters an adjudication or judgment of guilt that has been withheld, deferred, expunged, annulled, invalidated or vacated, or enters an order of probation without entry of judgment, or any similar disposition under State or Federal law such judgment or adjudication shall not be considered a conviction for purposes of this Act.
- Any reference to a term of imprisonment or a sentence with respect to an offense is deemed to include only the actual period of incarceration or confinement ordered by a court of law. The suspension of the imposition or execution of that imprisonment or sentence in whole or in part shall not be included as a part of the sentence for purposes of this Act. (as opposed to period of incarceration or confinement that was ordered by the court, regardless of suspension of the imposition)

6. Judicial and Secretary Discretion permitted.

- IJ: With certain exclusions (such as serious crimes set forth in act) the immigration judge may exercise discretion to decline to order the alien removable, deportable, ineligible or inadmissible from the United States and terminate proceedings or grant permission to reapply for admission or any application for relief from removal if the judge determines that such removal, deportation, ineligibility or inadmissibility is against the public interest or would result in hardship to the alien's United States citizen or lawful permanent resident parent, spouse, or child, or the judge determines the alien is prima facie eligible for naturalization
- Secretary: with certain exclusions (such as serious crimes set forth in act) may exercise discretion to waive a ground of ineligibility, inadmissibility or deportability or grant permission to reapply for admission or any application for immigration benefits if the Secretary determines that such ineligibility, removal or refusal of admission is against the public interest or would result in hardship, including family separation, to the alien's United States citizen or permanent resident parent, spouse, or child.
- Hardship: For purposes of this subparagraph, family separation in and of itself shall be deemed to be a hardship and shall be deemed to be against the public interest.
- NOTE: Excluded from waiver if a felony conviction described in section 101(a)(43) would have been classified as an aggravated felony at the time of conviction.

7. Reinstatement Of Removal Orders.

- Exception for alien that reentered prior to attaining the age of 18 years,
- Exception if reinstatement of the prior order of removal would not be in the public interest or would result in hardship, including family separation, to the alien's United States citizen or permanent resident parent, spouse, or child.

Status

On February 14, 2017, the bill was introduced to the House of Representatives by Congressman Bill O'Rourke and was subsequently referred to the House Committee on the Judiciary and on March 6 to the Subcommittee on Immigration and Border Security.

Cosponsors

| | | |
|-------------------------|-----------|--------------------|
| Rep. Eric Swalwell | (D-CA-15) | Original Cosponsor |
| Rep. Steven Pearce | (R-NM-2) | Original Cosponsor |
| Rep. Erik Paulsen | (R-MN-3) | |
| Rep. Will Hurd | (R-TX-23) | |
| Rep. Thomas MacArthur | (R-NJ-3) | |
| Rep. Bennie G. Thompson | (D-MS-2) | |

Why the H1-B Status is So Valuable to the U.S. Economy

The Background: For the past 65 years the H-1B (and its predecessor H-I) visa status have permitted qualified foreign national professionals to come to work for U.S. employers. Employers have been able to plug holes in their domestic workforce with very capable and often exceptional H-1B professionals from abroad in a wide range of professional fields, including information technology, finance, scientific research, engineering and education.

Since the enactment of IMMACT90 more than 25 years ago, no employer may hire an H-1B professional unless it pays either the prevailing wage for the position or the same wages it pays to other comparable employees, whichever of the two is higher. And any U.S. worker who believes the employer is violating this requirement may file a complaint with the Department of Labor, which will vigorously pursue enforcement action. Instances of fraud have been rare in the many years since this wage requirement became effective.

H-1Bs provide an instant boost to the economy. They provide a diverse, skilled labor supply to complement our domestic workforce and spur job creation. These professionals bring fresh perspectives and special expertise to American companies. And a high percentage of them are products of our universities, which have given them a superb education in their fields, often after many years of highly specialized study. Indeed, our graduate schools in the STEM fields are populated largely with international students who receive their education in important fields that many American students don't wish to pursue.

The Key Requirements: In addition to meeting strict wage and working condition requirements, a U.S. employer seeking the services of an H-1B professional must also demonstrate that the position normally requires at least a Bachelor's degree in a specific field. The law has never imposed a requirement of showing that U.S. workers are unavailable for the H-1B job being offered. This makes good sense because such a requirement would transform a quick process into a lengthy, difficult and expensive test of the labor market that has proven so burdensome in the hiring of permanent workers under the labor certification permanent residence process. For these reasons we urge Congress not to impose a requirement that would test the U.S. labor market.

Outsourcing and the Displacement of U.S. IT Workers: H-1B laws are not to blame for the outsourcing of domestic IT jobs to H-1B workers. Rather, this development is the result of the widespread use of outsourcing by companies looking to improve their bottom line. Often this means that U.S. citizens who have worked in their jobs for a number of years will find their positions eliminated as companies have turned to outsourcing firms that will either send the work abroad or use less senior workers here in the U.S., some of whom are H-1Bs. The remedy for this problem is to tailor a solution that will limit the role of outsourcing companies in replacing U.S. workers with H-1Bs. Congress can address this problem without destroying the H-1B status that has served the country so well.

The H-1B Quota is Too Small and Needs to Be Returned at Least to the Levels Congress Permitted in Past Years:

Congress set a quota of 65,000 for new H-1Bs way back in 1990 when the economy was only a fraction of what it is today. Despite increases in the quota, the basic quota reverted back to the 65,000 figure starting in FY2004 (for FY 2017/2018, the regular cap is 65,000 and the Master's Exemption is 20,000). This paltry number has proved so inadequate as to cause widespread hardship to both U.S. companies and to foreign nationals who have spent years being educated in American universities only to find out that their cases are not among the lucky one-third selected in the random H-1B annual lottery. Congress can and must fix this problem by raising the quota to reflect the needs of our economy.

H-1B visas do not steal American jobs or promote fraud for the following reasons:

- Abuse of H1B visas are rare
- H1Bs help American companies find highly-skilled workers
- Serve as only option for U.S. companies with offices solely in U.S.
- Help address labor shortages in industries like energy, healthcare, manufacturing
- There are fees associated with hiring H-1B workers
- Using the program as a source of cheap labor is already illegal
- Actually prevent the offshoring of jobs because the labor comes to the U.S and the job stays in America

Support

S. 128, H.R. 496 - BRIDGE Act, S. 415 and S. 303

H.R. 60 - ENLIST Act

H.R. 1036 - American Families United Act

