To temporarily increase the number of visas which may be issued to certain highly skilled workers.

IN THE SENATE OF THE UNITED STATES

April 11, 2007

Mr. Hagel introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To temporarily increase the number of visas which may be issued to certain highly skilled workers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “High-Tech Worker Relief Act of 2007”.

SEC. 2. IMMEDIATE INCREASE OF H-1B VISAS.

Section 214(g)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1184(g)(1)(A)) is amended to read as follows:
“(A) under section 101(a)(15)(H)(i)(b) may not exceed—

“(i) 65,000 in each of the fiscal years 2004 through 2006;
“(ii) 115,000 in fiscal year 2007;
“(iii) 195,000 in fiscal year 2008; and
“(iv) 65,000 in fiscal year 2009 and each succeeding fiscal year; and”.

SEC. 3. EXEMPTION FROM NUMERICAL LIMITS.

(a) NONIMMIGRANTS WITH ADVANCED DEGREES.—

Section 214(g)(5)(C) of the Immigration and Nationality Act (8 U.S.C. 1184(g)(5)(C)) is amended by striking “, until the number of aliens who are exempted from such numerical limitation during such year exceeds 20,000”.

(b) EMPLOYMENT-BASED IMMIGRANTS.—

(1) IN GENERAL.—Section 201(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(1)) is amended by adding at the end the following:

“(F) Aliens who have earned an advanced degree in science, technology, engineering, or math and have been working in a related field in the United States under a nonimmigrant visa during the 3-year period preceding their application for an immigrant visa under section 203(b).

“(G) Aliens who—
“(i) are described in subparagraph (A) or (B) of section 203(b)(1); or

“(ii) have received a national interest waiver under section 203(b)(2)(B).

“(H) The immediate relatives of an alien who is admitted as an employment-based immigrant under section 203(b).”.

(2) APPLICABILITY.—The amendments made by paragraph (1) shall apply to any visa application—

(A) pending on the date of the enactment of this Act; or

(B) filed on or after such date of enactment.