

119TH CONGRESS
2D SESSION

H. R. 10051

To establish and collect fees for an optional program to expedite the processing of forms required to obtain a permanent labor certification, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 6, 2026

Mr. GROTHMAN (for himself and Mr. CORREA) introduced the following bill;
which was referred to the Committee on the Judiciary

A BILL

To establish and collect fees for an optional program to expedite the processing of forms required to obtain a permanent labor certification, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “PERM Backlog Reduc-
5 tion Act of 2026”.

6 **SEC. 2. EXPEDITED PERMANENT LABOR CERTIFICATION**
7 **PROGRAM.**

8 (a) IN GENERAL.—The Secretary of Labor shall es-
9 tablish and collect a fee for an optional program to expe-

1 dite the processing of form ETA–9089, or any successor
2 form, required to obtain a permanent labor certification
3 under section 212(a)(5)(A) of the Immigration and Na-
4 tionality Act (8 U.S.C. 1182(a)(5)(A)) for employers seek-
5 ing to employ immigrants.

6 (b) PROCESSING TIME.—

7 (1) IN GENERAL.—The Secretary shall process
8 form ETA–9089, or any successor form, not later
9 than 30 calendar days after an employer submits
10 such form.

11 (2) REQUEST FOR INFORMATION.—If an em-
12 ployer submits a request for information with re-
13 spect to any form that has not been processed within
14 the time period required under paragraph (1), the
15 Secretary shall process form ETA–9089, or any suc-
16 cessor form, not later than 15 calendar days after
17 receipt of such request.

18 (c) FEES.—

19 (1) FEE AMOUNTS.—The fee described in sub-
20 section (a) for form ETA–9089, or any successor
21 form, shall be \$1,200.

22 (2) ADJUSTMENT FOR INFLATION.—Beginning
23 fiscal year 2028, and each fiscal year thereafter, the
24 fee amount under paragraph (1) shall be increased
25 by an amount equal to—

1 (A) such amount; multiplied by

2 (B) the percentage increase, if any, in the
3 Consumer Price Index for All Urban Con-
4 sumers (CPI-U) published by the Bureau of
5 Labor Statistics of the Department of Labor
6 for the 12-month period ending July 31 of the
7 preceding fiscal year.

8 (3) ROUNDING.—If any amount, as increased
9 under paragraph (2), is not a multiple of \$10, such
10 amount shall be rounded to the nearest multiple of
11 \$10.

12 (4) DEPOSIT OF FEES.—

13 (A) IN GENERAL.—There is established in
14 the general fund of the Treasury a separate ac-
15 count which shall be known as the “DOL
16 PERM Premium Processing Fee Account”.

17 (B) DEPOSIT.—Any fees collected pursu-
18 ant to this section shall be deposited into the
19 DOL PERM Premium Processing Fee Account
20 to remain available until expended to the Sec-
21 retary for the purposes described in paragraph
22 (5).

23 (5) USE OF FEES.—Any fees collected under
24 this section shall be used—

1 (A) to administer the program established
2 under this section;

3 (B) for any initial and ongoing staffing
4 needed to implement such program;

5 (C) for training;

6 (D) for case adjudication;

7 (E) for any system upgrades;

8 (F) to detect any fraud with respect to
9 such program; and

10 (G) for any purpose as determined appro-
11 priate by the Secretary.

12 (d) STANDARD PROCESSING.—The Secretary shall
13 ensure that implementation of the program established
14 under this section does not adversely affect the processing
15 time of forms required to obtain a permanent labor certifi-
16 cation under section 212(a)(5)(A) of the Immigration and
17 Nationality Act (8 U.S.C. 1182(a)(5)(A)) for employers
18 seeking to employ immigrants (including forms ETA–
19 9141 and ETA–9089, or any successor forms) submitted
20 outside such program.

21 (e) IMPLEMENTATION.—The Secretary shall issue
22 such rules, guidance, and procedures as may be necessary
23 to carry out this section.

1 (f) REQUIREMENT.—The Secretary shall ensure that
2 any fees collected under this section are sufficient to sup-
3 port—

4 (1) timely processing of form ETA–9141, or
5 any successor form; and

6 (2) the administration of the program estab-
7 lished under this section.

8 (g) EXEMPTIONS.—

9 (1) ADMINISTRATIVE PROCEDURE ACT.—Except
10 for regulations promulgated pursuant to this Act,
11 section 552 of title 5, United States Code (com-
12 monly known as the “Freedom of Information Act”),
13 and section 552a of such title (commonly known as
14 the “Privacy Act”), chapter 5 of title 5, United
15 States Code (commonly known as the “Administra-
16 tive Procedure Act”), and any other law relating to
17 rule making, information collection, or publication in
18 the Federal Register, shall not apply to any action
19 to implement this Act to the extent the Secretary of
20 Homeland Security, the Secretary of State, or the
21 Attorney General determines that compliance with
22 any such law would impede the expeditious imple-
23 mentation of this Act.

24 (2) PAPERWORK REDUCTION ACT.—Chapter 35
25 of title 44, United States Code, shall not apply to

1 any action to implement this Act to the extent the
2 Secretary of Homeland Security, the Secretary of
3 State, or the Attorney General determines that com-
4 pliance with such chapter would impede the expedi-
5 tious implementation of this Act.

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