

107TH CONGRESS  
1ST SESSION

# S. 1342

To allocate H-1B visas for demonstration projects in rural America.

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## IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2001

Mr. DORGAN (for himself and Mr. STEVENS) introduced the following bill;  
which was read twice and referred to the Committee on the Judiciary

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## A BILL

To allocate H-1B visas for demonstration projects in rural  
America.

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 “21st Century Home-  
5    steading Act”.

6 **SEC. 2. FINDINGS.**

7       Congress finds that—

8           (1) rural areas are suffering from—

9                   (A) an out-migration of workers and loss  
10                   of population at a significantly higher rate than  
11                   the rest of the United States; and

(B) higher rates of poverty and unemployment than the rest of the United States;

6 (3) recruiting high-skilled workers to rural  
7 areas has been particularly difficult; and

### 13 SEC. 3. DEMONSTRATION PROJECTS FOR RURAL AMERICA.

14 (a) ESTABLISHMENT OF PROGRAM.—

24 (2) GRANT AUTHORITY.—

14 (C) CALCULATION OF GRANT AMOUNT.—  
15 The amount of each grant awarded under this  
16 paragraph to an economic development plan-  
17 ning district in a fiscal year shall equal the  
18 total amount of fees paid by employers under  
19 section 214(c)(9) of the Immigration and Na-  
20 tionality Act (8 U.S.C. 1184(c)(9)) in that fis-  
21 cal year with respect to the employment in that  
22 district of H-1B workers described in section  
23 4(a).

24 (D) DESIGNATION OF GRANT APPLICANT  
25 AND RECIPIENT.—For each economic develop-

1           ment planning district, the Secretary of Agri-  
2           culture shall designate a single entity for pur-  
3           poses of applying for and receiving grant funds  
4           under this section.

10 (b) MEMORANDUM OF UNDERSTANDING.—For pur-  
11 poses of eligibility for a demonstration project under the  
12 program established by this section, the designated plan-  
13 ning district may enter into a memorandum of under-  
14 standing with 1 or more economic development planning  
15 districts in an adjacent State.

16 (c) ECONOMIC DEVELOPMENT PLANNING DISTRICT

17 DEFINED.—In this section, the term “economic develop-

18 ment planning district” means an area designated by the

19 Secretary of Agriculture that meets following criteria:

20 (1) LOCATION OF DISTRICTS.—The district is  
21 situated in a State that shares an international bor-  
22 der with Canada.

1       prise the district have signed a resolution of support  
2       to bring high-tech development into the district.

3                   (3) DECLARATION OF NEED.—The district has  
4       executed a declaration of need confirming that the  
5       district has experienced—

6                   (A) an outmigration of at least 20 percent  
7       of its population over the past 30 years;

8                   (B) unemployment rates or poverty rates  
9       that are substantially above the national aver-  
10       age rate for unemployment or poverty, respec-  
11       tively; or

12                  (C) has a population that is 10 percent or  
13       more Native American.

14                  (4) PARTNERSHIP WITH INDUSTRY OR INSTITU-  
15       TIONS OF HIGHER EDUCATION.—The district has es-  
16       tablished a partnership with industry, or an institu-  
17       tion of higher education, to recruit high-skilled work-  
18       ers into the district.

19                  (5) INCENTIVE PACKAGE.—The district has de-  
20       veloped an incentive package for high-skilled work-  
21       ers, including job offers, and other financial benefits.

22                  (6) TRAINING PROGRAM.—The district has es-  
23       tablished a training program for workers living in  
24       the district.

1 **SEC. 4. ALLOCATION OF H-1B VISAS.**

2 (a) IN GENERAL.—Effective October 1, 2001, of the  
3 total number of aliens who may be issued visas or other-  
4 wise provided nonimmigrant status under section  
5 101(a)(15)(H)(i)(b) of the Immigration and Nationality  
6 Act each fiscal year, not to exceed 12,000 aliens may be  
7 issued H-1B visas or otherwise provided nonimmigrant  
8 status under that section for employment in demonstra-  
9 tion projects conducted under the program established by  
10 section 3, of which number not to exceed 2,000 aliens may  
11 be accorded such status for employment in any single dem-  
12 onstration project conducted under that program.

13 (b) H-1B NONIMMIGRANT PETITION FEES.—

14 (1) ESTABLISHMENT OF ACCOUNT.—There is  
15 established in the general fund of the Treasury of  
16 the United States a separate account, which shall be  
17 known as the “Twenty-first Century Homesteading  
18 Account”.

19 (2) DEPOSIT OF FEES.—Notwithstanding sec-  
20 tion 286(s) of the Immigration and Nationality Act  
21 (8 U.S.C. 1356(s)), fees collected under section  
22 214(c)(9) of that Act (8 U.S.C. 1184(c)(9)) with re-  
23 spect to the employment of H-1B workers described  
24 in subsection (a) shall be deposited as offsetting re-  
25 ceipts into the account.

## 6 SEC. 5. STATUTORY CONSTRUCTION.

7 Nothing in this Act shall supersede, amend, or repeal  
8 the procedures under which an employer must file an ap-  
9 plication with the Secretary of Labor for an H-1B visa  
10 for a nonimmigrant in a specialty occupation.

## 11 SEC. 6. DEFINITIONS.

## 12 In this Act:

22 (3) INSTITUTION OF HIGHER EDUCATION.—The  
23 term “institution of higher education” has the  
24 meaning given the term in section 101(a) of the

1       Higher Education Act of 1965 (20 U.S.C.  
2       1001(a))).

3                   (4) NATIVE AMERICAN.—The term “Native  
4       American” means—

5                   (A) an Indian, as defined in section 4(d) of  
6       the Indian Self-Determination and Education  
7       Assistance Act (25 U.S.C. 450b(d)); and

8                   (B) an Alaska Native, within the meaning  
9       provided for the term “Native” in section 3(b)  
10      of the Alaska Native Claims Settlement Act (43  
11      U.S.C. 1602(b)).

12                (5) RURAL AREA.—The term “rural area”  
13      means an area that is located—

14                (A) outside a standard metropolitan statis-  
15      tical area; or

16                (B) within a community that has a popu-  
17      lation of 50,000 individuals or fewer.

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