

KAY BAILEY HUTCHISON  
TEXAS

COMMITTEES:  
APPROPRIATIONS

United States Senate  
WASHINGTON, DC 20510-4304

COMMERCE, SCIENCE,  
AND TRANSPORTATION

RULES AND ADMINISTRATIVE

VETERANS' AFFAIRS

December 2, 2005

Joseph Valley

14111 Woodlands Drive  
Houston, Texas 76209

Dear Friend:

Thank you for contacting me regarding current U.S. immigration policy and its effect on jobs in the high tech sector. I welcome your thoughts and comments on this issue.

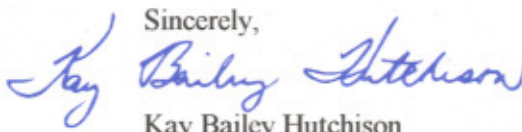
The H-1B and L-1 visa programs, established through the Immigration and Nationality Act, account for the majority of skilled individuals admitted to work temporarily in the United States. The H-1B program allows a U.S. company to temporarily employ a foreign worker on a nonimmigrant basis in a specialty occupation. The L-1 visa program allows intracompany transferees who are executive or managerial, have specialized knowledge, and who are continuing employment with an international firm or corporation to enter the country on a temporary basis. Under current federal law, the annual numerical limit on the issuance of H-1B visas is 65,000 and there is no such limit on L-1 visas.

On December 8, 2004, President Bush signed into law H.R. 4818, the Consolidated Appropriations Act for Fiscal Year 2005. This Act contains language which exempts up to 20,000 individuals holding a master's or higher degree from a U.S. institution of higher education from the annual cap on H-1B visas. It also requires companies to attest that they have not displaced qualified American workers, reinstates a filing fee for H-1B petitioners which funds job training grants for the employment of U.S. workers in high growth industries, and imposes a fee on H-1B and L-1 petitioners for use in combating fraud and carrying out labor attestation enforcement activities.

Temporary work visas play an important role in ensuring U.S. companies have the workers they need to succeed in an increasingly competitive global marketplace. However, American workers must have every opportunity to compete for available jobs. As evidenced by the recent effort to include a number of immigration-related provisions in S. 2845, the Intelligence Reform and Terrorism Prevention Act of 2004, we must address problems with our current U.S. immigration policy which affect not only the availability of jobs but also the security of our nation. During the 109th Congress, you may be certain I will continue to work with my colleagues to ensure comprehensive immigration reform remains a top priority.

I appreciate hearing from you and hope you will not hesitate to keep in touch on any issue of concern to you.

Sincerely,



Kay Bailey Hutchison

KBH:db