



UPDATE Immigration

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Innovation and Immigration Takes Center Stage

As part of the growing movement for immigration reform, U.S. Senators Orrin Hatch (R-Utah), Amy Klobuchar (D-Minn.), Marco Rubio (R-Fla.) and Chris Coons (D-Del.) introduced a bill (S. 169), the Immigration Innovation (I2) Act of 2013, which proposes certain employment-based immigration reforms. According to Senator Hatch, the bill is intended to increase the quantity of employment-based nonimmigrant visas (H-1B visas), to increase access to green cards for highly-skilled workers by eliminating the annual per-country limits for certain employment-based green cards, and to reform the fees on H-1B visas and green cards. Specifically, if passed, the bill accomplishes the following:

- Increases the annual H-1B numerical quota from 65,000 to 115,000.
- Establishes a market-based H-1B cap escalator that adjusts the cap based on economic demands (with a 300,000 ceiling).
- Removes the H-1B numerical cap (currently at 20,000 per year) on holders of U.S. advanced (master's or higher) degrees.
- Authorizes employment for H-4 dependent spouses.
- Enables the recapture of green card numbers that were approved by Congress in previous years but were not used (and provides for the roll-over of unused employment-based immigrant visa numbers to the following fiscal year).
- Adjusts fees in H-1B and employment-based green card filings and uses the money generated to promote STEM education and training in the United States.
- Eliminates certain annual per-country limits for employment-based visa petitioners and adjusts per-country caps for family-based immigrant visas.

While it is unclear whether this bill will pass, it is likely that, as immigration reform continues to gain momentum, it will play an important role in employment-based immigration reform.

CONTACT US

If you have any questions about the content in this legal update, contact one of the members of our Immigration Practice Group below. [Robinson & Cole's Immigration Practice Group](#) has

experienced attorneys who have assisted clients with a wide range of immigration issues.

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