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2 **TITLE __—VISA REFORM**

3 **SEC. __01. SHORT TITLE.**

4 This title may be cited as the “L–1 Visa and H–1B Visa Reform Act”.

5 **Subtitle A—L–1 Visa Reform**

6 **SEC. __11. SHORT TITLE.**

7 This subtitle may be cited as the “L–1 Visa (Intracompany Transferee) Reform Act of
8 2004”.

9 **SEC. __12. NONIMMIGRANT L–1 VISA CATEGORY.**

10 (a) **IN GENERAL.**—Section 214(c)(2) of the Immigration and Nationality Act (8 U.S.C.
11 1184(c)(2)) is amended by adding at the end the following:

12 “(F) An alien who will serve in a capacity involving specialized knowledge with
13 respect to an employer for purposes of section 101(a)(15)(L) and will be stationed
14 primarily at the worksite of an employer other than the petitioning employer or its
15 affiliate, subsidiary, or parent shall not be eligible for classification under section
16 101(a)(15)(L) if—

17 “(i) the alien will be controlled and supervised principally by such unaffiliated
18 employer; or

19 “(ii) the placement of the alien at the worksite of the unaffiliated employer is
20 essentially an arrangement to provide labor for hire for the unaffiliated employer,
21 rather than a placement in connection with the provision of a product or service for
22 which specialized knowledge specific to the petitioning employer is necessary.”.

23 (b) **APPLICABILITY.**—The amendment made by subsection (a) shall apply to petitions
24 filed on or after the effective date of this subtitle, whether for initial, extended, or
25 amended classification.

26 **SEC. __13. REQUIREMENT FOR PRIOR**
27 **CONTINUOUS EMPLOYMENT FOR CERTAIN**
28 **INTRACOMPANY TRANSFEREES.**

29 (a) **IN GENERAL.**—Section 214(c)(2)(A) of the Immigration and Nationality Act (8
30 U.S.C. 1184(c)(2)(A)) is amended by striking the last sentence (relating to reduction of
31 the 1-year period of continuous employment abroad to 6 months).

32 (b) **APPLICABILITY.**—The amendment made by subsection (a) shall apply only to
33 petitions for initial classification filed on or after the effective date of this subtitle.

34 **SEC. __14. MAINTENANCE OF STATISTICS BY THE**
35 **DEPARTMENT OF HOMELAND SECURITY.**

1 (a) IN GENERAL.—The Department of Homeland Security shall maintain statistics
2 regarding petitions filed, approved, extended, and amended with respect to
3 nonimmigrants described in section 101(a)(15)(L) of the Immigration and Nationality Act
4 (8 U.S.C. 1101(a)(15)(L)), including the number of such nonimmigrants who are
5 classified on the basis of specialized knowledge and the number of nonimmigrants who
6 are classified on the basis of specialized knowledge in order to work primarily at offsite
7 locations.

8 (b) APPLICABILITY.—Subsection (a) shall apply to petitions filed on or after the
9 effective date of this subtitle.

10 SEC. __15. INSPECTOR GENERAL REPORT ON L 11 VISA PROGRAM.

12 Not later than 6 months after the date of enactment of this Act, the Inspector General
13 of the Department of Homeland Security shall, consistent with the authority granted the
14 Department under section 428 of the Homeland Security Act of 2002 (6 U.S.C. 236),
15 examine and report to the Committees on the Judiciary of the House of Representatives
16 and the Senate on the vulnerabilities and potential abuses in the visa program carried out
17 under section 214(c) of the Immigration and Nationality Act (8 U.S.C. 1184(c)) with
18 respect to nonimmigrants described in section 101(a)(15)(L) of such Act (8 U.S.C.
19 1101(a)(15)(L)).

20 SEC. __16. ESTABLISHMENT OF TASK FORCE.

21 (a) ESTABLISHMENT.—Not later than 6 months after the date of enactment of this Act,
22 there shall be established an L Visa Interagency Task Force that consists of
23 representatives from the Department of Homeland Security, the Department of Justice,
24 and the Department of State. The Secretaries of each Department and each relevant
25 bureau of the Department of Homeland Security shall appoint designees to the L Visa
26 Interagency Task Force. The L Visa Interagency Task Force shall consult with other
27 agencies deemed appropriate.

28 (b) REPORT.—Not later than 6 months after the submission of the report by the
29 Inspector General of the Department of Homeland Security in accordance with section 6,
30 the L Visa Interagency Task Force shall report to the Committees on the Judiciary of the
31 House of Representatives and the Senate on the efforts to implement the
32 recommendations set forth by the Inspector General's report. The L Visa Interagency
33 Task Force shall note specific areas of agreement and disagreement, and make
34 recommendations to Congress on the findings of the Task Force, including any
35 suggestions for legislation. The Task Force shall also review other additional issues as
36 may be raised by the Inspector General's report or by the Task Force's own deliberations
37 regarding the policies and purposes of the visa program relative to national goals and
38 transnational commerce.

39 SEC. __17. EFFECTIVE DATE.

40 This subtitle and the amendments made by this subtitle shall take effect 180 days after
41 the date of enactment of this Act.

1 Subtitle B—H–1B Visa Reform

2 SEC. __21. SHORT TITLE.

3 This subtitle may be cited as the “H–1B Visa Reform Act of 2004”.

4 SEC. __22. TEMPORARY WORKER PROVISIONS.

5 (a) ATTESTATION REQUIREMENTS FOR H–1B WORKERS.—Section 212(n)(1)(E)(ii) of
6 the Immigration and Nationality Act (8 U.S.C. 1182(n)(1)(E)(ii)) is amended by striking
7 “October 1, 2003,”.

8 (b) H–1B EMPLOYER PETITIONS.—Section 214(c)(9) of the Immigration and
9 Nationality Act (8 U.S.C. 1184(c)(9)) is amended—

10 (1) in subparagraph (A), by striking “October 1, 2003”;

11 (2) in subparagraph (B), by striking “\$1,000” and inserting “\$1,500”; and

12 (3) in subparagraph (B), by inserting before the period “except that the fee shall
13 be half the amount for each such petition by any employer with not more than 25
14 full-time equivalent employees who are employed in the United States (determined
15 by including any affiliate or subsidiary of such employer)”.

16 SEC. __23. H–1B PREVAILING WAGE LEVEL.

17 Section 212(p) of the Immigration and Nationality Act (8 U.S.C. 1182(p)) is amended
18 by adding at the end the following:

19 “(3) The prevailing wage required to be paid pursuant to subsections (a)(5)(A),
20 (n)(1)(A)(i)(II), and (t)(1)(A)(i)(II) shall be 100 percent of the wage determined pursuant
21 to those sections.

22 “(4) Where the Secretary of Labor uses, or makes available to employers, a
23 governmental survey to determine the prevailing wage, such survey shall provide at least
24 4 levels of wages commensurate with experience, education, and the level of supervision.
25 Where an existing government survey has only 2 levels, 2 intermediate levels may be
26 created by dividing by 3, the difference between the 2 levels offered, adding the quotient
27 thus obtained to the first level and subtracting that quotient from the second level.”.

28 SEC. __24. DEPARTMENT OF LABOR
29 INVESTIGATIVE AUTHORITIES.

30 (a) SECRETARY OF LABOR INVESTIGATIVE AUTHORITY.—

31 (1) IN GENERAL.—Section 212(n)(2) of the Immigration and Nationality Act (8
32 U.S.C. 1182(n)(2)) is amended by inserting after subparagraph (F) the following:

33 “(G)(i) The Secretary of Labor may initiate an investigation of any employer that
34 employs nonimmigrants described in section 101(a)(15)(H)(i)(b) if the Secretary of Labor
35 has reasonable cause to believe that the employer is not in compliance with this
36 subsection. In the case of an investigation under this clause, the Secretary of Labor (or
37 the acting Secretary in the case of the absence of disability of the Secretary of Labor)

1 shall personally certify that reasonable cause exists and shall approve commencement of
2 the investigation. The investigation may be initiated for reasons other than completeness
3 and obvious inaccuracies by the employer in complying with this subsection .

4 “(ii) If the Secretary of Labor receives specific credible information from a source who
5 is likely to have knowledge of an employer’s practices or employment conditions, or an
6 employer’s compliance with the employer’s labor condition application under paragraph
7 (1), and whose identity is known to the Secretary of Labor, and such information
8 provides reasonable cause to believe that the employer has committed a willful failure to
9 meet a condition of paragraph (1)(A), (1)(B), (1)(C), (1)(E), (1)(F), or (1)(G)(i)(I), has
10 engaged in a pattern or practice of failures to meet such a condition, or has committed a
11 substantial failure to meet such a condition that affects multiple employees, the Secretary
12 of Labor may conduct an investigation into the alleged failure or failures. The Secretary
13 of Labor may withhold the identity of the source from the employer, and the source’s
14 identity shall not be subject to disclosure under section 552 of title 5, United states Code.

15 “(iii) The Secretary of Labor shall establish a procedure for any person desiring to
16 provide to the Secretary of Labor information described in clause (ii) that may be used, in
17 whole or in part, as the basis for the commencement of an investigation described in such
18 clause, to provide the information in writing on a form developed and provided by the
19 Secretary of Labor and completed by or on behalf of the person. The person may not be
20 an officer or employee of the Department of Labor, unless the information satisfies the
21 requirement of clause (iv)(II) (although an officer or employee of the Department of
22 Labor may complete the form on behalf of the person).

23 “(iv) Any investigation initiated or approved by the Secretary of Labor under clause
24 (ii) shall be based on information that satisfies the requirements of such clause and that—

25 “(I) originates from a source other than an officer or employee of the Department
26 of Labor; or

27 “(II) was lawfully obtained by the Secretary of Labor in the course of lawfully
28 conducting another Department of Labor investigation under this Act of any other
29 Act.

30 “(v) The receipt by the Secretary of Labor of information submitted by an employer to
31 the Attorney General or the Secretary of Labor for purposes of securing the employment
32 of a nonimmigrant described in section 101(a)(15)(H)(i)(b) shall not be considered a
33 receipt of information for purposes of clause (ii).

34 “(vi) No investigation described in clause (ii) (or hearing described in clause (viii)
35 based on such investigation) may be conducted with respect to information about a
36 failure to meet a condition described in clause (ii), unless the Secretary of Labor receives
37 the information not later than 12 months after the date of the alleged failure.

38 “(vii) The Secretary of Labor shall provide notice to an employer with respect to whom
39 there is reasonable cause to initiate an investigation described in clauses (i) or (ii), prior
40 to the commencement of an investigation under such clauses, of the intent to conduct an
41 investigation. The notice shall be provided in such a manner, and shall contain sufficient
42 detail, to permit the employer to respond to the allegations before an investigation is
43 commenced. The Secretary of Labor is not required to comply with this clause if the

1 Secretary of Labor determines that to do so would interfere with an effort by the
2 Secretary of Labor to secure compliance by the employer with the requirements of this
3 subsection. There shall be no judicial review of a determination by the Secretary of Labor
4 under this clause.

5 “(viii) An investigation under clauses (i) or (ii) may be conducted for a period of up to
6 60 days. If the Secretary of Labor determines after such an investigation that a reasonable
7 basis exists to make a finding that the employer has committed a willful failure to meet a
8 condition of paragraph (1)(A), (1)(B), (1)(C), (1)(E), (1)(F), or (1)(G)(i)(I), has engaged
9 in a pattern or practice of failures to meet such a condition, or has committed a
10 substantial failure to meet such a condition that affects multiple employees, the Secretary
11 of Labor shall provide for notice of such determination to the interested parties and an
12 opportunity for a hearing in accordance with section 556 of title 5, United States Code,
13 within 120 days after the date of the determination. If such a hearing is requested, the
14 Secretary of Labor shall make a finding concerning the matter by not later than 120 days
15 after the date of the hearing.”.

16 (2) RETROACTIVE.—The amendment made by paragraph (1) shall take effect as if
17 enacted on October 1, 2003.

18 (b) GOOD FAITH COMPLIANCE OR CONFORMITY.—Section 212(n)(2) of the Immigration
19 and Nationality Act (8 U.S.C. 1182(n)(2)) is amended—

20 (1) by redesignating subparagraph (H) as subparagraph (I); and

21 (2) by inserting after subparagraph (G), as added by subsection (a)(1), the
22 following:

23 “(H)(i) Except as provided in clauses (ii) and (iii), a person or entity is considered to
24 have complied with the requirements of this subsection, notwithstanding a technical or
25 procedural failure to meet such requirements, if there was a good faith attempt to comply
26 with the requirements.

27 “(ii) Clause (i) shall not apply if—

28 “(I) the Department of Labor (or another enforcement agency) has explained to
29 the person or entity the basis for the failure;

30 “(II) the person or entity has been provided a period of not less than 10 business
31 days (beginning after the date of the explanation) within which to correct the failure;
32 and

33 “(III) the person or entity has not corrected the failure voluntarily within such
34 period.

35 “(iii) A person or entity that, in the course of an investigation, is found to have
36 violated the prevailing wage requirements set forth in paragraph (1)(A), shall not be
37 assessed fines or other penalties for such violation if the person or entity can
38 establish that the manner in which the prevailing wage was calculated was consistent
39 with recognized industry standards and practices.

40 “(iv) Clauses (i) and (iii) shall not apply to a person or entity that has engaged in
41 or is engaging in a pattern or practice of willful violations this subsection.”.

1 (c) SECRETARY OF LABOR REPORT.—Not later than January 31 of each year, the
2 Secretary of Labor shall report to the Committees on the Judiciary of the Senate and the
3 House of Representatives on the investigations undertaken based on—

4 (1) the authorities described in clauses (i) and (ii) of section 212(n)(2)(G) of the
5 Immigration and Nationality Act (8 U.S.C. 1182(n)(2)(G)(i) and (ii)); and

6 (2) the expenditures by the Secretary of Labor described in section 286(v)(2)(D)
7 of the Immigration and Nationality Act (8 U.S.C. 1356(v)(2)(D)).

8 **SEC. __25. EXEMPTION OF CERTAIN ALIENS FROM**
9 **NUMERICAL LIMITATIONS ON H-1B**
10 **NONIMMIGRANTS.**

11 (a) IN GENERAL.—Section 214(g)(5) of the Immigration and Nationality Act (8 U.S.C.
12 1184(g)(5)) is amended—

13 (1) in the matter preceding subparagraph (A), by striking “is employed (or has
14 received an offer of employment) at”;

15 (2) in subparagraph (A)—

16 (A) by inserting “is employed (or has received an offer of employment) at”
17 before “an institution”; and

18 (B) by striking “or” at the end;

19 (3) in subparagraph (B)—

20 (A) by inserting “is employed (or has received an offer of employment) at”
21 before “a nonprofit”; and

22 (B) by striking the period and inserting “; or”; and

23 (4) by adding at the end the following:

24 “(C) has earned a master’s or higher degree from a United States institution of
25 higher education (as defined in section 101(a) of the Higher Education Act of 1965
26 (20 U.S.C. 1001(a)), until the number of aliens who are exempted from such
27 numerical limitation during such year exceeds 20,000.”.

28 (b) STATISTICS.—Beginning on the date of enactment of this Act, the Secretary of
29 Homeland Security shall maintain statistical information on the country of origin and
30 occupation of, educational level maintained by, and compensation paid to, each alien who
31 is issued a visa or otherwise provided nonimmigrant status and is exempt under section
32 214(g)(5) of the Immigration and Nationality Act (8 U.S.C. 1184(g)(5)) for each fiscal
33 year. The statistical information shall be included in the annual report to Congress under
34 section 416(c) of the American Competitiveness and Workforce Improvement Act of
35 1998 (Public Law 105–277; 112 Stat. 2681–655).

36 **SEC. __26. FRAUD PREVENTION AND DETECTION**
37 **FEE.**

1 (a) Imposition of Fee.—Section 214(c) of the Immigration and Nationality Act (8
2 U.S.C. 1184(c)) is amended by adding at the end the following:

3 “(12)(A) In addition to any other fees authorized by law, the Secretary of Homeland
4 Security shall impose a fraud prevention and detection fee on an employer filing a
5 petition under paragraph (1)—

6 “(i) initially to grant an alien nonimmigrant status described in subparagraph
7 (H)(i)(b) or (L) of section 101(a)(15); or

8 “(ii) to obtain authorization for an alien having such status to change employers.

9 “(B) In addition to any other fees authorized by law, the Secretary of State shall
10 impose a fraud prevention and detection fee on an alien filing an application abroad for a
11 visa authorizing admission to the United States as a nonimmigrant described in section
12 101(a)(15)(L), if the alien is covered under a blanket petition described in paragraph
13 (2)(A).

14 “(C) The amount of the fee imposed under subparagraph (A) or (B) shall be \$500.

15 “(D) The fee imposed under subparagraph (A) or (B) shall only apply to principal
16 aliens and not to the spouses or children who are accompanying or following to join such
17 principal aliens.

18 “(E) Fees collected under this paragraph shall be deposited in the Treasury in
19 accordance with section 286(v).”

20 (b) Establishment of Account; Use of Fees.—Section 286 of the Immigration and
21 Nationality Act (8 U.S.C. 1356) is amended by adding at the end the following:

22 “(v) H–1B and L Fraud Prevention and Detection Account.—

23 “(1) In general.—There is established in the general fund of the Treasury a
24 separate account, which shall be known as the ‘H–1B and L Fraud Prevention and
25 Detection Account’. Notwithstanding any other provision of law, there shall be
26 deposited as offsetting receipts into the account all fees collected under section
27 214(c)(12).

28 “(2) Use of fees to combat fraud.—

29 “(A) Secretary of state.—One-third of the amounts deposited into the H–1B
30 and L Fraud Prevention and Detection Account shall remain available to the
31 Secretary of State until expended for programs and activities at United States
32 embassies and consulates abroad—

33 “(i) to increase the number diplomatic security personnel assigned
34 exclusively to the function of preventing and detecting fraud by applicants
35 for visas described in subparagraph (H)(i) or (L) of section 101(a)(15);

36 “(ii) otherwise to prevent and detect such fraud pursuant to the terms of
37 a memorandum of understanding or other cooperative agreement between
38 the Secretary of State and the Secretary of Homeland Security; and

39 “(iii) upon request by the Secretary of Homeland Security, to assist such
40 Secretary in carrying out the fraud prevention and detection programs and

1 activities described in subparagraph (B).

2 “(B) Secretary of homeland security.—One-third of the amounts deposited
3 into the H–1B and L Fraud Prevention and Detection Account shall remain
4 available to the Secretary of Homeland Security until expended for programs
5 and activities to prevent and detect fraud with respect to petitions under
6 paragraph (1) or (2)(A) of section 214(c) to grant an alien nonimmigrant status
7 described in subparagraph (H)(i) or (L) of section 101(a)(15).

8 “(C) Secretary of labor.—One-third of the amounts deposited into the H–1B
9 and L Fraud Prevention and Detection Account shall remain available to the
10 Secretary of Labor until expended for enforcement programs and activities
11 described in section 212(n).

12 “(D) Consultation.—The Secretary of State, the Secretary of Homeland
13 Security, and the Secretary of Labor shall consult one another with respect to
14 the use of the funds in the H–1B and L Fraud Prevention and Detection
15 Account.”.

16 (c) Effective Date.—The amendments made by this section shall take effect on the date
17 of enactment of this Act, and the fees imposed under such amendments shall apply to
18 petitions under section 214(c) of the Immigration and Nationality Act, and applications
19 for nonimmigrant visas under section 222 of such Act, filed on or after the date that is 90
20 days after the date of the enactment of this Act.

21 **SEC. __27. CHANGE OF FEE FORMULA.**

22 Section 286(s) of the Immigration and Nationality Act (8 U.S.C. 1356(s)) is
23 amended—

24 (1) in paragraph (2), by striking “55 percent” and inserting “50 percent”;

25 (2) in paragraph (3), by striking “22 percent” and inserting “30 percent”;

26 (3) in paragraph (4)(A), by striking “15 percent” and inserting “10 percent”;

27 (4) in paragraph (5)—

28 (A) by striking “4 percent” and inserting “5 percent”; and

29 (B) by striking “Attorney General” each place that term appears and
30 inserting “Secretary of Homeland Security”; and

31 (5) in paragraph (6), by striking “Beginning with fiscal year 2000,” and all that
32 follows through “within a 7-day period.” and inserting “Beginning with fiscal year
33 2000, 5 percent of the amounts deposited into the H–1B Nonimmigrant Petitioner
34 Account shall remain available to the Secretary of Labor until expended for
35 decreasing the processing time for applications under section 212(n)(1).”.

36 **SEC. __28. GRANTS FOR JOB TRAINING FOR** 37 **EMPLOYMENT IN HIGH GROWTH INDUSTRIES.**

38 Section 414(c) of the American Competitiveness and Workforce Improvement Act of

1 1998 (112 Stat. 2681–653) is amended to read as follows:

2 “(c) JOB TRAINING GRANTS.—

3 “(1) IN GENERAL.—The Secretary of Labor shall use funds available under section
4 286(s)(2) of the Immigration and Nationality Act (8 U.S.C. 1356(s)(2)) to award
5 grants to eligible entities to provide job training and related activities for workers to
6 assist them in obtaining or upgrading employment in industries and economic
7 sectors identified pursuant to paragraph (4) that are projected to experience
8 significant growth and ensure that job training and related activities funded by such
9 grants are coordinated with the public workforce investment system.

10 “(2) USE OF FUNDS.—

11 “(A) TRAINING PROVIDED.—Funds under this subsection may be used to
12 provide job training services and related activities that are designed to assist
13 workers (including unemployed and employed workers) in gaining the skills
14 and competencies needed to obtain or upgrade career ladder employment
15 positions in the industries and economic sectors identified pursuant to
16 paragraph (4).

17 “(B) ENHANCED TRAINING PROGRAMS AND INFORMATION.—In order to
18 facilitate the provision of job training services described in subparagraph (A),
19 funds under this subsection may be used to assist in the development and
20 implementation of model activities such as developing appropriate curricula to
21 build core competencies and train workers, identifying and disseminating
22 career and skill information, and increasing the integration of community and
23 technical college activities with activities of businesses and the public
24 workforce investment system to meet the training needs for the industries and
25 economic sectors identified pursuant to paragraph (4).

26 “(3) ELIGIBLE ENTITIES.—Grants under this subsection may be awarded to
27 partnerships of private and public sector entities, which may include—

28 “(A) businesses or business-related nonprofit organizations, such as trade
29 associations;

30 “(B) education and training providers, including community colleges and
31 other community-based organizations; and

32 “(C) entities involved in administering the workforce investment system
33 established under title I of the Workforce Investment Act of 1998, and
34 economic development agencies.

35 “(4) HIGH GROWTH INDUSTRIES AND ECONOMIC SECTORS.—For purposes of this
36 subsection, the Secretary of Labor, in consultation with State workforce investment
37 boards, shall identify industries and economic sectors that are projected to
38 experience significant growth, taking into account appropriate factors, such as the
39 industries and sectors that—

40 “(A) are projected to add substantial numbers of new jobs to the economy;

41 “(B) are being transformed by technology and innovation requiring new skill

1 sets for workers;

2 “(C) are new and emerging businesses that are projected to grow; or

3 “(D) have a significant impact on the economy overall or on the growth of
4 other industries and economic sectors.

5 “(5) EQUITABLE DISTRIBUTION.—In awarding grants under this subsection, the
6 Secretary of Labor shall ensure an equitable distribution of such grants across
7 geographically diverse areas.

8 “(6) LEVERAGING OF RESOURCES AND AUTHORITY TO REQUIRE MATCH.—

9 “(A) LEVERAGING OF RESOURCES.—In awarding grants under this subsection,
10 the Secretary of Labor shall take into account, in addition to other factors the
11 Secretary determines are appropriate—

12 “(i) the extent to which resources other than the funds provided under
13 this subsection will be made available by the eligible entities applying for
14 grants to support the activities carried out under this subsection; and

15 “(ii) the ability of such entities to continue to carry out and expand such
16 activities after the expiration of the grants.

17 “(B) AUTHORITY TO REQUIRE MATCH.—The Secretary of Labor may require
18 the provision of specified levels of a matching share of cash or noncash
19 resources from resources other than the funds provided under this subsection
20 for projects funded under this subsection.

21 “(7) PERFORMANCE ACCOUNTABILITY.—The Secretary of Labor shall require
22 grantees to report on the employment outcomes obtained by workers receiving
23 training under this subsection using indicators of performance that are consistent
24 with other indicators used for employment and training programs administered by
25 the Secretary, such as entry into employment, retention in employment, and
26 increases in earnings. The Secretary of Labor may also require grantees to
27 participate in evaluations of projects carried out under this subsection.”.

28 **SEC. __29. NATIONAL SCIENCE FOUNDATION**
29 **LOW-INCOME SCHOLARSHIP PROGRAM.**

30 (a) EXPANSION OF ELIGIBILITY.—Section 414(d)(2)(A)(iii) of the American
31 Competitiveness and Workforce Improvement Act of 1998 (42 U.S.C.
32 1869c(d)(2)(A)(iii)) is amended by striking “or computer science.” and inserting
33 “computer science, or other technology and science programs designated by the
34 Director.”.

35 (b) INCREASE IN AWARD AMOUNT.—Section 414(d)(3) of the American
36 Competitiveness and Workforce Improvement Act of 1998 (42 U.S.C. 1869c(d)(3)) is
37 amended by striking “\$3,125 per year” and inserting “\$10,000 per year”.

38 (c) FUNDS.—Section 414(d)(4) of the American Competitiveness and Workforce
39 Improvement Act of 1998 (42 U.S.C. 1869c(d)(4)) is amended by adding at the end the
40 following: “The Director may use no more than 50 percent of such funds for

1 undergraduate programs for curriculum development, professional and workforce
2 development, and to advance technological education. Funds for these other programs
3 may be used for purposes other than scholarships.”.

4 (d) PUBLICATION OF ELIGIBLE PROGRAMS.—Section 414(d) of the American
5 Competitiveness and Workforce Improvement Act of 1998 (42 U.S.C. 1869c(d)) is
6 amended by adding at the end the following:

7 “(5) FEDERAL REGISTER.—Not later than 60 days after the date of enactment of
8 the L–1 Visa and H–1B Visa Reform Act, the Director shall publish in the Federal
9 Register a list of eligible programs of study.”.

10 SEC. __30. EFFECTIVE DATES.

11 (a) IN GENERAL.—Except as provided in subsection (b), this subtitle and the
12 amendments made by this subtitle shall take effect 90 days after the date of enactment of
13 this Act.

14 (b) EXCEPTIONS.—The amendments made by sections __22(b), __26(a), and __27 shall
15 take effect upon the date of enactment of this Act.
16