

Key Provisions Related to Highly-Educated Workers	Securing Knowledge, Innovation and Leadership “SKIL Bill” (S. 2691)	Comprehensive Immigration Reform Act of 2006 “CIRA 2006”(S. 2611; 2612) Hagel-Martinez
H-1B Visas	<p>? Exempts professionals from the cap who have earned a U.S. master’s or higher degree AND those who have been awarded a medical specialty certification based on post-doctoral U.S. training and experience.</p> <p>?Modifies the existing 20,000 cap exemption to apply to those with a master’s or higher degree from an institution of higher education in a foreign country.</p> <p>?Restores H-1B1 numbers to the overall cap.</p> <p>?Raises the H-1B cap from 65,000 to 115,000. Creates a market-based cap.</p>	<p>? Exempts workers from the cap those who have earned a science, technology, engineering and math (STEM) master’s or higher degree, regardless of whether the degree was earned in the U.S. or abroad.</p> <p>?Raises the H-1B cap from 65,000 to 115,000. Creates a market-based cap.</p>
Employment Based Immigrant Visas (Green Cards)	<p>? Exempts from the cap professionals who have earned a U.S. master’s or higher degree AND those awarded a medical specialty certification based on post-doctoral U.S. training and experience.</p> <p>? Exempts from the cap those who have earned a science, technology, engineering or math (STEM) master’s or higher degree who have worked 3 years in the U.S. and professionals of extraordinary ability, outstanding researchers/professors and those who hold a national interest waiver.</p> <p>? Exempts spouse and minor children of employment-based professionals.</p> <p>? Provides special handling labor certification to those who hold a U.S. master’s or higher degree and medical specialty certifications based on post-doctoral U.S. training and experience.</p> <p>?Raises the cap to 290,000, allows unused visas to fall forward annually, recaptures unused visas from previous fiscal years 2001 to 2005.</p> <p>?Retains current green card allocation so that majority of visas (57%) go to highly-educated/skilled workers.</p>	<p>? Exempts from the cap those who have earned a STEM master’s or higher degree who have worked in the U.S. for 3 years and professionals of extraordinary ability, outstanding researchers/professors and those who hold a national interest waiver.</p> <p>?Exempts spouse and minor children of employment-based professionals.</p> <p>?Provides special handling labor certification to those who hold a U.S. STEM master’s or higher degree.</p> <p>?Raises the cap to 450,000 from fiscal years 2007 –2016. Cap returns to 290,000 in fiscal year 2017. Allows unused visas to fall forward annually, recaptures unused visas from previous fiscal years.</p> <p>?Reallocates green cards so only 30% of visas are reserved for the most highly-educated/skilled workers.</p>
Student Visas	<p>?Reallocates student classifications to: F-1, F-2, F-3 and F-4.</p> <p>?Creates a new F-1 visa to enable employers to start the green card process while the worker is on a U.S. STEM bachelor’s or higher degree during optional practical training (OPT) after graduation.</p> <p>?Extends OPT to 24 months for F-1, F-2 and F-4. Also F-1s receive elimination of the presumption of immigrant intent and the foreign residency requirement.</p> <p>?Students adjust through regular process.</p>	<p>?Creates a new F-4 student visa to enable employers to start the green card process while the worker is on a U.S. STEM master’s or higher degree during optional practical training (OPT) after graduation.</p> <p>?Extends F student OPT to 24 months.</p> <p>?Allows F-4s who do not have an immigrant visa available to them to pay a \$2,000 fee and file for legal permanent residence.</p>
Processing	<p>? Creates a pre-certification program to streamline the adjudication process for nonimmigrant and immigrant petition for employers with a track record of compliance.</p> <p>? Allows employers to pay a premium processing fee for expedited processing of employment-based immigrant petitions. Eliminates procedural delays at the Labor Department.</p> <p>? Allows L-1s pending in the labor certification or employment-based green card backlogs to extend stay until such time as a final decision is made on the foreign national’s lawful permanent residence.</p> <p>? Permits domestic visa revalidation/renewal, so that certain professionals working in the U.S. who have complied with all immigration laws do not have to leave the country to revalidate their visas.</p> <p>?Allows those sponsored for an EB-1, EB-2 or EB-3 who do not have an immigrant visa available to them to pay a \$500 application fee and file for legal permanent residence.</p>	