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## **Bill Summary & Status** **105th Congress (1997 - 1998)** **S.1723** **CRS Summary**

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### **S.1723**

**Latest Title:** American Competitiveness Act

**Sponsor:** [Sen Abraham, Spencer](#) [MI] (introduced 3/6/1998)    [Cosponsors](#) (21)

**Latest Major Action:** 5/27/1998 Referred to House subcommittee. Status: Referred to the Subcommittee on Immigration and Claims.

**Senate Reports:** [105-186](#)

### **SUMMARY AS OF:**

5/18/1998--Passed Senate amended.    (There are 2 [other summaries](#))

American Competitiveness Act - Amends the Immigration and Nationality Act to establish an H1-C nonimmigrant category of nonphysician health care workers. (Removes such aliens from the H-1B skilled worker category.)

Increases H1-B visa levels through FY 2002, and makes available to such category a certain number of unused visas from specified other temporary visa categories. Establishes an annual H1-C visa allocation beginning with FY 1999.

(Sec. 4) Amends the Higher Education Act of 1965 to provide State grants for low-income students in higher education programs of mathematics, computer science, or engineering.

(Sec. 5) Revises and increases penalties for violations of the H1-B or H1-C programs. Transfers labor condition application authority from the Secretary to the Attorney General. Provides for: (1) probationary period employer spot checks; and (2) U.S. worker layoff protection. Sets forth prevailing wage criteria for professional athlete and academic or research institute employee categories.

Prohibits approval of an H1-B visa employer petition if such employer has knowledge or reasonable cause to know that assistance is being provided for nuclear weapons development in India or any other country.

(Sec. 6) Directs the Attorney General to submit specified quarterly and annual H1-B visa reports.

(Sec. 7) Directs the National Science Foundation to oversee a study and report on high-technology labor market needs.

(Sec. 8) Exempts employment-based immigrants from per country limitations if unused visas are available during a calendar quarter.

Authorizes nonimmigrant status extension for certain aliens who: (1) have petitions pending for employment-based immigrant status adjustment; and (2) are subject to per country limitations.

(Sec. 9) Authorizes H1-B aliens to accept academic honorarium payments for services on behalf of an institution of higher education or other nonprofit entity.

(Sec. 10) Provides special immigrant status for certain North Atlantic Treaty Organization (NATO) civilian employees and their dependents.

(Sec. 11) Provides: (1) whistleblower protection for an H1-B alien who files a labor violation complaint against an employer; and (2) that a successful complainant shall be allowed to seek other employment for the rest of his or her authorized stay.

(Sec. 12) Amends Federal law to require parental signatures on passport applications for children under the age of 16.

(Sec. 13) Requires the Secretary of Labor to provide job training demonstration programs under the Job Training Partnership Act for private industry councils or regional consortia.

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