

Practice Areas

BUSINESS

L-1 Visas

H-1B

H-1B Transfers

Visas

TN Visas (NAFTA)

Special Visas for Other Countries:

- Australia
- Chile / SingaporeE-1

E-1 Visas

E-2 Visas

PERM Labor Certification

HOSPITALS / HEALTHCARE

H-1C Visas

H-1B Visas for Doctors

FAMILY

Spouse / Fiancée Visas

Permanent Residence for Family
within U.S.

Naturalization /Citizenship

AMNESTY

GAO Encourages Reform of H-1B Visa Program

Posted: January 24th, 2011

Upcoming changes in law and regulation may be foreshadowed by a recent report to the U.S. Congress by the Government Accounting Office (the “GAO”) regarding the H-1B visa program for foreign specialty workers.

The [GAO Report on the H-1B Visa Program](#) contains a number of recommendations concerning reforms to the current H-1B visa program.

Among the suggestions the GAO made to Congress, were the following:

- Consider the creation of legal provisions for holding employers accountable to program requirements when they obtain H-1B workers through staffing companies.
- Consider the legal appropriateness of H-1B hiring by staffing companies.
- Consider changes to the “one size fits all” application process, tailoring applications to fit different needs or policy considerations pertinent to different sponsoring companies (particularly making the process easier for companies with a clean track record of responsible H-1B hiring).
- Consider allowing start-up companies to utilize H-1B hiring, particularly for technological talent necessary to get them off the ground.
- Consider establishing a policy regarding the appropriate use of the H-1B visa as a “bridge” to permanent residence.
- Consider possible additional exemptions from the cap limits on H-1B applications where appropriate to meet economic need.
- Consider adapting cap levels from year to year to fit economic need.
- Consider the appropriate goals and purposes of the H-1B program and consider re-examining all of its key provisions in relation to the goals and purposes.

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If you are an employer seeking to hire foreign skilled workers, and you need assistance of counsel, please call our offices at (847) 564-0712. You are also welcome to check out the pertinent section of [our Website](#) for more information.