



Written by [Luis Miguel](#) on December 10, 2021

Republicans Introduce Bill to Reform H-1B Visa, Rein in Big Tech

Representative Jim Banks (R-Ind.), chairman of the Republican Study Committee, this week [introduced a new bill](#) that aims to reform the H-1B visa program, under which U.S. firms can temporarily hire foreign workers in specialty occupations. Critics of the program say it takes away job opportunities from Americans and undercuts citizens' wages.

Banks' [bill](#), titled the "American Tech Workforce Act of 2021," builds upon the Trump-era effort to curb the H-1B visa program, which has stirred controversy due to claims that large corporations, including Big Tech, are importing cheaper foreign tech workers to replace skilled white-collar U.S. citizens, who are paid higher salaries than their foreign counterparts.

Those who defend the program argue that it isn't used to deprive Americans of work, but only to fill gaps in the labor market.

The Banks proposal already has 11 co-sponsors, including Representatives Mary Miller, (R-Ill.), Madison Cawthorn (R-N.C.), Eric Crawford, (R-Ark.), Michael Burgess, (R-Texas), Beth Van Duyne, (R-Texas), and Doug LaMalfa, (R-Calif.).

If signed into law, the bill would set a wage floor for H-1B visa recipients equal to that being paid to American workers currently in the position, or \$110,000 — whichever is higher. It would also give priority to employers who offer higher wages, which the bill's Republican sponsors assert would give companies an incentive to offer higher wages in order to secure the limited visa spots.

The proposal would also do away with the Optional Practical Training (OPT) program, which lets foreign nationals who are in the country on student visas work in the United States for as many as three years if they possess certain qualifications in STEM fields. Critics of OPT say this gives companies another route by which they can give preference to cheap foreign labor over American workers.

The final part of the Banks bill would limit companies' ability to partner with third-party companies to fill H-1B visa slots.

"Big Tech is setting aside some of the most lucrative and valuable career opportunities in America, and giving them exclusively to foreign guest workers," Banks said in a statement. "They're cutting Americans out to save a few bucks. It's domestic outsourcing. This shocking disregard for American workers and their role in our nation's future is unpatriotic. We must fix Big Tech's incentives so they begin putting Americans first."



AP Images
Jim Banks



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This represents the latest effort to stop alleged abuse of the program. Under the Trump administration, the federal government published rules to change the methodology of the “prevailing wage” and the definition of “specialty occupation,” although those changes never went into effect.

Fox News notes:

Typically, companies can bring in up to 85,000 workers in a year under the program, and applicants come predominantly from India and China. The H-1B visa program has been a key target of immigration hawks for years, and a push against the abuse of the program has coincided with an increased crackdown by Republicans on Big Tech companies like Apple, Microsoft and Facebook — who make up some of the top recipients of the program.

It also shows how some Republicans are increasingly focusing not only on the question of illegal immigration, but also on the effects of some aspects of legal immigration and how they may harm American workers.

Banks’ legislation has earned the praise of influential immigration-reductionist groups, such as the American Principles Project (APP), the Federation for American Immigration Reform (FAIR), and NumbersUSA.

Rosemary Jenks, who serves as Director of Government Relations for NumbersUSA, said the bill “would help ensure that Big Tech companies can no longer use the H-1B program as a cheaper alternative to hiring American workers, which would also protect foreign workers who are too often exploited by unscrupulous employers.”

“This bill is an opportunity for all Representatives to make clear that they stand with American workers,” she added.

RJ Hauman, who leads government relations at FAIR, said his group was “thrilled” to support the bill.

“Remember, immigration policymaking should not be solely focused on border security, but also protecting American workers from unfair competition,” he stated. “Congressman Jim Banks understands this and we commend him for his leadership on the immigration issue.”

It isn’t only white-collar tech workers who want to see reform of the current work-visa system. *The New American* [previously reported](#) on a group of black agricultural workers who are seeing the big Mississippi farms that fired them in order to hire foreign workers from South Africa under the H-2A visa program.



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