

115TH CONGRESS
1ST SESSION

H. R. 3351

To amend the Immigration and Nationality Act to provide for the admission of certain health care workers as immigrants, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 20, 2017

Mr. SENSENBRENNER (for himself and Mr. CARTER of Georgia) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to provide for the admission of certain health care workers as immigrants, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Emergency Nursing
5 Supply Relief Act of 2017”.

6 **SEC. 2. HEALTH CARE WORKER SHORTAGE RELIEF.**

7 Section 203(b) of the Immigration and Nationality
8 Act (8 U.S.C. 1153(b)) is amended by adding at the end
9 the following:

10 “(7) HEALTHCARE WORKERS.—

1 “(A) IN GENERAL.—Subject to paragraph
2 (B), the numerical limitations set forth in sec-
3 tions 201(d) and 202(a) shall not apply to em-
4 ployment-based immigrants (and their family
5 members accompanying or following to join
6 under subsection (d)) who are—

7 “(i) members of the occupations listed
8 on Schedule A, Group I as defined in sec-
9 tion 656.5 of title 20, Code of Federal
10 Regulations (or any successor regulation
11 thereto);

12 “(ii) members of the occupations who
13 are required to submit health care worker
14 certificates pursuant to section
15 212(a)(5)(C); or

16 “(iii) members of the occupations who
17 provide certified statements pursuant to
18 section 212(r).

19 “(B) LIMITATION ON NUMBER OF VISAS.—
20 The Secretary of State may not issue more
21 than 8,000 immigrant visa numbers in any one
22 fiscal year (plus any available visa numbers
23 under this paragraph not used during any pre-
24 ceding fiscal year) to principal beneficiaries of
25 petitions pursuant to subparagraph (A).

1 “(C) REDUCTION.—The number described
2 in subparagraph (B) shall be reduced, for each
3 fiscal year, by the cumulative number of visas
4 actually used under paragraph (A) for the pre-
5 vious fiscal year.

6 “(D) LEGITIMACY OF EMPLOYER’S ABILITY
7 TO EMPLOY AND PAY WAGES.—Any petition
8 filed on behalf of an employment-based immi-
9 grant who qualifies under this paragraph must
10 be accompanied by evidence that the prospective
11 United States employer has the ability to pay
12 the proffered wage. The petitioner must dem-
13 onstrate this ability at the time the priority
14 date is established and continuing until the ben-
15 eficiary obtains lawful permanent residence.
16 Evidence of this ability shall be either in the
17 form of copies of annual reports, Federal tax
18 returns, or audited financial statements. In a
19 case where the prospective United States em-
20 ployer employs 100 or more workers, the Sec-
21 retary of Homeland Security shall accept a
22 statement from a financial officer of the organi-
23 zation as evidence of that prospective employ-
24 er’s ability to pay the proffered wage. In a case
25 where the prospective United States employer

1 does not employ 100 or more workers, the Sec-
2 retary may consider additional evidence, such as
3 profit/loss statements, bank account records, or
4 personnel records, that are submitted by the pe-
5 titioner or requested by the Secretary.”.

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