

Office of the White House Press Secretary

NOTICE TO THE PRESS

The President has signed H.R. 14535 - Immigration and Nationality Act Amendments of 1976. This bill establishes uniformity in law regulating immigration from the Eastern and Western Hemispheres; to make certain amendments to the seven-category preference system and to labor certification standards; to bar issuance of immigrant visas to aliens who accept unauthorized employment in the United States; and to facilitate the granting of immigrant visas to Cuban refugees.

Currently, the Immigration and Nationality Act provides for an annual ceiling of 120,000 "special immigrant" visas for natives of independent Western Hemisphere countries.

H.R. 14535 will provide a safeguard to prevent the perpetuation of such situations by requiring that when a country or its dependent area has exhausted the 20,000 visa limitation in the preceding year, the statutory visa preference category percentage limitation that applies to the hemisphere would also apply to the country, e.g., if the statutory percentage limitation for visa preference category "one" was 20 percent for the hemisphere, it would also be 20 percent for that same category in the particular country.

Currently the Secretary of Labor is required to certify that immigrants entering the United States with occupational visas (professionals or scientists and artists of exceptional ability, or skilled and unskilled workers in short supply) or with non-preference visas will (1) fill a particular occupational shortage in the labor market, and (2) not affect the working conditions of similarly situated American workers.

The bill will retain the labor certification provision but require the Secretary to determine that "equally qualified" American workers are available in order to deny a labor certification for "members of the teaching profession or those who have exceptional ability in the arts and sciences."

The bill will facilitate the granting of immigrant visas to Cuban refugees by declaring that visas issued to them are not chargeable to the Western Hemisphere ceiling. Approximately 60,000 applications for adjustment of Cuban refugee status are pending.

Finally, the bill contains a "savings clause" under which all Western Hemisphere natives who have qualified to immigrate under the currently applicable provisions of law prior to the effective date of the bill will remain qualified to immigrate and eligible to receive visas even after the implementation of the amendments contained in the bill.

The bill will take effect on the first day of the month beginning sixty days after enactment.

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