

117TH CONGRESS  
1ST SESSION

# H. R. 4179

To direct the Secretary of Labor, in coordination with other agencies, to conduct a study on the factors affecting the employment opportunities in the United States of immigrants and refugees who have professional credentials obtained in foreign countries, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2021

Mr. KATKO (for himself, Mr. CROW, Mrs. KIM of California, and Mr. GOTTHEIMER) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To direct the Secretary of Labor, in coordination with other agencies, to conduct a study on the factors affecting the employment opportunities in the United States of immigrants and refugees who have professional credentials obtained in foreign countries, 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 “Improving Opportuni-  
5       ties for New Americans Act of 2021”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) The United States has a long history of wel-  
4 coming individuals of diverse national backgrounds  
5 who legally travel to the United States seeking op-  
6 portunity and prosperity.

7 (2) Immigrants and refugees in the United  
8 States bring a diverse range of professional back-  
9 grounds that strengthens the workforce of the  
10 United States and benefits American businesses.

11 (3) The underutilization of the skills and expe-  
12 rience of immigrants and refugees, often referred to  
13 as brain waste, comes at a significant cost to the  
14 economy of the United States and to immigrant  
15 families.

16 (4) In 2016, researchers at the Migration Pol-  
17 icy Institute found that nearly 2 million immigrants  
18 and refugees with college degrees in the United  
19 States were relegated to low-skilled jobs or were un-  
20 able to find work.

21 (5) On an annual basis, this underutilization is  
22 estimated to result in more than \$10 billion in unre-  
23 alized tax receipts from Federal, State, and local  
24 governments, and over \$39 billion in unrealized  
25 wages for college-educated immigrants and refugees.

1           (6) Many factors contribute to brain waste, in-  
 2           cluding language barriers, limits on the recognition  
 3           of international degrees and credentials, the accessi-  
 4           bility of relicensing processes, and the availability of  
 5           professional networks and assistance in finding suit-  
 6           able employment.

7           (7) In the interest of strengthening the econ-  
 8           omy of the United States and ensuring consistent  
 9           opportunities for the realization of the full potential  
 10          of immigrant and refugee families, substantive ef-  
 11          forts must be made to analyze and address the scope  
 12          of brain waste in the United States.

13 **SEC. 3. STUDY ON FACTORS AFFECTING EMPLOYMENT OP-**  
 14 **PORTUNITIES FOR IMMIGRANTS AND REFU-**  
 15 **GEES WITH PROFESSIONAL CREDENTIALS**  
 16 **OBTAINED IN FOREIGN COUNTRIES.**

17       (a) STUDY REQUIRED.—

18           (1) IN GENERAL.—The Secretary of Labor shall  
 19           conduct a study on the factors affecting employment  
 20           opportunities in the United States for applicable im-  
 21           migrants and refugees with professional credentials  
 22           obtained in countries other than the United States.

23           (2) COORDINATION.—The Department of Labor  
 24           shall conduct this study in coordination with the  
 25           Secretary of State, the Secretary of Education, the

1 Secretary of Health and Human Services, the Sec-  
2 retary of Commerce, the Secretary of Homeland Se-  
3 curity, the Administrator of the Internal Revenue  
4 Service, and the Commissioner of the Social Security  
5 Administration.

6 (3) WORK WITH OTHER ENTITIES.—The Sec-  
7 retary of Labor shall seek to work with relevant non-  
8 profit organizations and State agencies to use the  
9 existing data and resources of such entities to con-  
10 duct the study in paragraph (1).

11 (4) LIMITATIONS ON DISCLOSURE.—Any infor-  
12 mation provided to the Secretary of Labor under  
13 this subsection shall be used only for the purposes  
14 of, and to the extent necessary to ensure the effi-  
15 cient operation of, the study described in paragraph  
16 (1). No such information shall be disclosed to any  
17 other person or entity except as provided in this sub-  
18 section.

19 (b) INCLUSIONS.—The study under subsection (a)(1)  
20 shall include the following:

21 (1) An analysis of the employment history of  
22 applicable immigrants and refugees admitted to the  
23 United States in the last 5 years. This analysis shall  
24 include, to the extent practicable, a comparison of  
25 the employment applicable immigrants and refugees

1 held prior to immigrating to the United States with  
2 the employment obtained in the United States, if  
3 any, since the arrival of such applicable immigrants  
4 and refugees. This analysis shall also note the occu-  
5 pational and professional credentials and academic  
6 degrees held by applicable immigrants and refugees  
7 prior to immigrating to the United States.

8 (2) An assessment of any barriers that prevent  
9 applicable immigrants and refugees from using occu-  
10 pational experience obtained outside the United  
11 States to obtain employment opportunities in the  
12 United States.

13 (3) An analysis of existing public and private  
14 resources assisting applicable immigrants and refu-  
15 gees who have professional experience and qualifica-  
16 tions obtained outside the United States with using  
17 such professional experience and qualifications to ob-  
18 tain skill-appropriate employment opportunities in  
19 the United States.

20 (4) Policy recommendations for better enabling  
21 applicable immigrants and refugees who have profes-  
22 sional experience and qualifications obtained outside  
23 the United States to use such professional experi-  
24 ence and qualifications to obtain skill-appropriate  
25 employment opportunities in the United States.

1 (c) REPORT.—Not later than 1 year after the date  
2 of the enactment of this Act, the Secretary of Labor shall  
3 submit to Congress and make publically available on the  
4 website of the Department of Labor a report that de-  
5 scribes the results of the study conducted under subsection  
6 (a)(1).

7 (d) DEFINITIONS.—

8 (1) APPLICABLE IMMIGRANTS AND REFU-  
9 GEES.—For the purposes of this section, the term  
10 “applicable immigrants and refugees” means individ-  
11 uals who are—

12 (A) not citizens or nationals of the United  
13 States but who are lawfully present and author-  
14 ized to be employed; or

15 (B) naturalized citizens born outside of the  
16 United States and its outlying possessions.

17 (2) OTHER TERMS.—Except as otherwise de-  
18 fined in this subsection, terms used in this section  
19 have the definitions given such terms under section  
20 101(a) of the Immigration and Nationality Act (8  
21 U.S.C. 1101(a)).

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