

116TH CONGRESS
2D SESSION

H. R. 8046

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.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 14, 2020

Mr. KATKO (for himself and Mr. MCADAMS) introduced the following bill;
which was referred to the Committee on Education and Labor

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 2020”.

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

13 (1) An analysis of the employment history of
14 applicable immigrants and refugees admitted to the
15 United States in the last 5 years. This analysis shall
16 include, to the extent practicable, a comparison of
17 the employment applicable immigrants and refugees
18 held prior to immigrating to the United States with
19 the employment obtained in the United States, if
20 any, since the arrival of such applicable immigrants
21 and refugees. This analysis shall also note the occu-
22 pational and professional credentials and academic
23 degrees held by applicable immigrants and refugees
24 prior to immigrating to the United States.

1 (2) As assessment of any barriers that prevent
2 applicable immigrants and refugees from using occu-
3 pational experience obtained outside the United
4 States to obtain employment opportunities in the
5 United States.

6 (3) An analysis of existing public and private
7 resources assisting applicable immigrants and refu-
8 gees who have professional experience and qualifica-
9 tions obtained outside the United States with using
10 such professional experience and qualifications to ob-
11 tain skill-appropriate employment opportunities in
12 the United States.

13 (4) Policy recommendations for better enabling
14 applicable immigrants and refugees who have profes-
15 sional experience and qualifications obtained outside
16 the United States to use such professional experi-
17 ence and qualifications to obtain skill-appropriate
18 employment opportunities in the United States.

19 (c) REPORT.—Not later than 1 year after the date
20 of the enactment of this Act, the Secretary of Labor shall
21 submit to Congress and make publically available on the
22 website of the Department of Labor a report that de-
23 scribes the results of the study conducted under subsection
24 (a)(1).

25 (d) DEFINITIONS.—

1 (1) APPLICABLE IMMIGRANTS AND REFUGEEES.—For the purposes of this section, the term
2 “applicable immigrants and refugees” means individuals who are—
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4

5 (A) aliens that are lawfully present and
6 authorized to be employed; or

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

9 (2) OTHER TERMS.—Except as otherwise defined in this subsection, terms used in this section
10 have the definitions given such terms under section
11 101(a) of the Immigration and Nationality Act (8
12 U.S.C. 1101(a)).
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