

HR 4378

Defend the American Dream Act of 2005

**Congress:** 109 (2005–2007, Ended)

**Chamber:** House

**Policy Area:** Immigration

**Introduced:** Nov 17, 2005

**Current Status:** Referred to the Subcommittee on Immigration, Border Security, and Claims.

**Latest Action:** Referred to the Subcommittee on Immigration, Border Security, and Claims. (Feb 6, 2006)

**Official Text:** <https://www.congress.gov/bill/109th-congress/house-bill/4378>

Sponsor

**Name:** Rep. Pascrell, Bill, Jr. [D-NJ-8]

**Party:** Democratic • **State:** NJ • **Chamber:** House

Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Kilpatrick, Carolyn C. [D-MI-13]	D · MI		Nov 17, 2005
Rep. Owens, Major R. [D-NY-11]	D · NY		Nov 17, 2005
Rep. Waters, Maxine [D-CA-35]	D · CA		Nov 17, 2005
Rep. DeLauro, Rosa L. [D-CT-3]	D · CT		Nov 18, 2005
Rep. Larson, John B. [D-CT-1]	D · CT		Nov 18, 2005

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Feb 6, 2006

Subjects & Policy Tags

**Policy Area:**

Immigration

Related Bills

No related bills are listed.

Defend the American Dream Act of 2005 - Amends the Immigration and Nationality Act to require employers of H-1B (specialty occupations) nonimmigrants to use one of three specified methods (whichever results in the highest wages) to determine wages for purposes of required wage attestations. Requires such employers who previously employed one or more H-1B nonimmigrants to submit with their labor condition application (LCA) a copy of the W-2 Wage and Tax Statement filed with respect to those nonimmigrants.

Extends to 180 days the period during which certain H-1B employers must show nondisplacement of U.S. workers. Requires such employers to actively engage in recruitment efforts. Prohibits such employers from outsourcing or otherwise contracting for the placement of an H-1B nonimmigrant with another employer, regardless of whether the other employer is H-1B dependent employer.

Sets forth prior notice requirements.

Reduces the period of H-1B authorized admission to three years.

Eliminates the exemption from H-1B numerical admission limitations for certain aliens with a U.S. master's or higher degree.

Revises the H-1B definition of "specialty occupation."

Triplies the H-1B petitioner fee.

Requires the Secretary of Labor to be responsible for investigations of wage complaints and allegations of fraud in the filing of LCAs.

Creates a private right of action for persons harmed by an employer's violation of labor condition requirements.

Applies the nondisplacement requirement to all H-1B employers.

## **Actions Timeline**

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- **Feb 6, 2006:** Referred to the Subcommittee on Immigration, Border Security, and Claims.
- **Nov 17, 2005:** Introduced in House
- **Nov 17, 2005:** Introduced in House
- **Nov 17, 2005:** Referred to the House Committee on the Judiciary.