

## HR 865

American Jobs First Act of 2021

**Congress:** 117 (2021–2023, Ended)

**Chamber:** House

**Policy Area:** Immigration

**Introduced:** Feb 5, 2021

**Current Status:** Referred to the Subcommittee on Immigration and Citizenship.

**Latest Action:** Referred to the Subcommittee on Immigration and Citizenship. (Apr 23, 2021)

**Official Text:** <https://www.congress.gov/bill/117th-congress/house-bill/865>

### Sponsor

**Name:** Rep. Brooks, Mo [R-AL-5]

**Party:** Republican • **State:** AL • **Chamber:** House

### Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Gaetz, Matt [R-FL-1]	R · FL		Feb 5, 2021
Rep. Gooden, Lance [R-TX-5]	R · TX		Feb 5, 2021
Rep. Gohmert, Louie [R-TX-1]	R · TX		Feb 8, 2021

### Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Referred To	Feb 5, 2021
Judiciary Committee	House	Referred to	Apr 23, 2021

### Subjects & Policy Tags

#### Policy Area:

Immigration

### Related Bills

Bill	Relationship	Last Action
117 HR 4644	Related bill	Nov 1, 2022: Referred to the Subcommittee on Immigration and Citizenship.

## American Jobs First Act of 2021

This bill imposes additional requirements related to the H-1B (specialty profession) nonimmigrant visas and repeals various immigration-related programs.

The bill repeals the diversity visa program, which makes immigrant visas available to aliens from countries with historically low rates of immigration to the United States. The bill also eliminates a program that provides temporary employment authorization to an F-1 student visa holder during or after the completion of the student's studies, unless Congress expressly authorizes such a program.

The bill's provisions relating to the H-1B program include

- requiring an H-1B employee to receive a wage that is at least the wage of the U.S. citizen or permanent resident who had the same job in the two years before the H-1B application was filed, where currently an H-1B worker may be paid the prevailing wage for the occupational classification in the area of employment;
- prohibiting an employer from hiring an H-1B employee if the employer has involuntarily separated without cause an employee in a substantially similar occupation in the two years before filing the H-1B application or will do so in the two years after the filing;
- prohibiting an employer from hiring an H-1B employee if there had been a strike or lockout related to salary or benefits in the two years before filing the H-1B application;
- increasing the maximum penalties for violating certain H-1B requirements; and
- prohibiting in some instances the use of nondisclosure agreements to prevent an employee from disclosing an employer's possible misuse of the H-1B program.

## Actions Timeline

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- **Apr 23, 2021:** Referred to the Subcommittee on Immigration and Citizenship.
- **Feb 5, 2021:** Introduced in House
- **Feb 5, 2021:** Referred to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.