

117TH CONGRESS
1ST SESSION

H. R. 3983

To direct the Secretary of Homeland Security to issue regulations with respect to the optional practical training program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 17, 2021

Mr. CAWTHORN (for himself, Mr. TIFFANY, Mr. STEUBE, Ms. HERRELL, and Mr. WEBER of Texas) introduced the following bill; which was 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

A BILL

To direct the Secretary of Homeland Security to issue regulations with respect to the optional practical training program, 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 “Responsible Practical
5 Training Act of 2021”.

6 **SEC. 2. OPTIONAL PRACTICAL TRAINING PROGRAM.**

7 (a) IN GENERAL.—Not later than 90 days after the
8 date of the enactment of this Act and notwithstanding any

1 other provision of law, the Secretary of Homeland Security
2 shall issue such regulations as may be necessary to update
3 part 214.2(f)(10–12) of title 8, Code of Federal Regula-
4 tions, with respect to the optional practical training pro-
5 gram (or a successor program) to—

6 (1) limit such training program to six months
7 and end any extension of such training program;
8 and

9 (2) exclude aliens with a degree or working in
10 military related or other sensitive fields from such
11 training program.

12 (b) WAGE STUDY.—

13 (1) IN GENERAL.—Not later than one year
14 after the date of the enactment of this Act, and an-
15 nually thereafter, the Secretary of Labor shall con-
16 duct a wage analysis on the optional practical train-
17 ing program and curricular practical training (or
18 successor programs), including—

19 (A) information on the duties, hours, and
20 compensation of an alien working under such
21 programs; and

22 (B) a determination on the extent to which
23 employment under such programs has or has
24 not resulted in the payment of commensurate

1 wages to the alien, appropriate for the type and
2 location of such employment.

3 (2) PUBLICATION.—Not later than one year
4 after the first wage study under paragraph (1) is
5 conducted, and annually thereafter, the Secretary of
6 Labor shall publish the findings of the wage study
7 on the internet website of the Department of Labor.

8 (c) APPLICABILITY.—Any regulation issued under
9 subsection (a) shall not apply to an alien employed by a
10 legitimate employer under the optional practical training
11 program that has been recorded in the Student and Ex-
12 change Visitor Information System on the date on which
13 such regulations are issued under the optional practical
14 training program or an extension of such training program
15 on the date on which such regulations are issued.

16 (d) DEFINITIONS.—In this section:

17 (1) MILITARY RELATED OR OTHER SENSITIVE
18 FIELDS.—the term “military related or other sen-
19 sitive fields” includes nuclear engineering, underseas
20 warfare, cyber warfare, combat systems engineering,
21 military applied sciences, military information sys-
22 tems technology, strategic intelligence, general intel-
23 ligence, signal and geospatial intelligence, command
24 and control systems and operations, information op-
25 erations or joint information operations, information

1 or psychological warfare and military media rela-
2 tions, cyber or electronic operations and warfare, in-
3 telligence, command control and information oper-
4 ations, missile and space systems technology, muni-
5 tions systems or ordinance technology, radar com-
6 munications and systems technology, military sys-
7 tems and maintenance technology, low-observables
8 and stealth technology, nanotechnology or any other
9 field determined by the Under Secretary of Home-
10 land Security for Intelligence and Analysis to be a
11 military related or otherwise sensitive field.

12 (2) STUDENT AND EXCHANGE VISITOR INFOR-
13 MATION SYSTEM.—The term “Student and Ex-
14 change Visitor Information System” means the sys-
15 tem described in part 214.2 of title 8, Code of Fed-
16 eral Regulations, and used by the Student and Ex-
17 change Visitor Program (SEVP) to track and mon-
18 itor schools, exchange visitor programs, and F, M
19 and J nonimmigrants while they visit the United
20 States and participate in the United States edu-
21 cation system.

○