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How Improving Policies Around Immigrants and Refugees Can Help the US Economy

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2024

MERRIMACK COLLEGE

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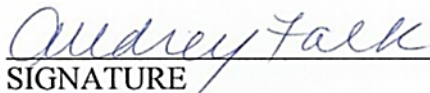
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US Economy

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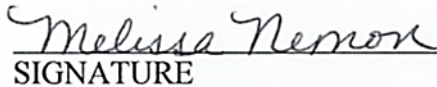
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Abstract

The United States (US) has been grappling with the issue of immigration for decades. Using mixed research methods, this capstone analyzes the current US immigration policies around work visas in the US, focusing on the challenges faced by employers who wish to sponsor foreign workers. The analysis found that the process of sponsoring a visa worker can take an average of 8.6 months and cost between \$7,000 to 15,000, which can be a significant barrier for many employers. Gaps in acceptance of credentialing contribute to the barrier for employers to engage highly skilled foreign workers fully. Additionally, the study found that immigrants contribute significantly to the increase in the US GDP. These findings suggest that there is a need for immigration work visa reform to reduce the burden on employers and create a more streamlined, fair process for immigrant workers to contribute to the US workforce. The capstone recommends practical solutions for achieving this goal. By implementing these recommendations, the US can further tap into a diverse pool of talent and improve its capacity for economic growth while offering immigrants a path to economic prosperity.

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How Improving Policies Around Immigrants and Refugees Can Help the US Economy

The US has a complex system of immigration laws, including those related to work visas. Work visas are authorizations to work in the US and are granted to foreign nationals who meet specific requirements set for by the US government. The process of obtaining a work visa can be lengthy and complex and requires extensive documentation and review by the federal immigration authorities. It is essential for employers and foreign workers to stay knowledgeable about the processes in order to maximize the opportunity for successful visa applications. Overall, the US immigration system plays a critical role in facilitating the entry of skilled foreign workers into the US job market. While the process may be challenging, obtaining a work visa can provide valuable opportunities for both employers and employees.

Immigration has been a contentious topic in the United States for decades. Workforce participation rates are high (the percentage of the population that is over 16 years of age and either employed or looking for employment), and unemployment is at a low of 3.7% (BLS, 2024). Given the current challenges, such as low birth rates for generations entering the workforce and low unemployment rates faced by the economy relating to the workforce, there is a growing need to explore new ways to improve workforce participation rates. Many refugees and asylum seekers come to the US, and one possible solution is to ease the pathway and processes for employers to utilize refugees and asylum seekers as valuable additions to their teams. When migrants are displaced from their home country and fleeing harm or persecution, they may be granted asylum by the host country as a form of legal protection. Asylum is a means of seeking protection from potential danger or harm in their country of origin. The host country offers a safe place for these individuals to live and work while they seek protection from persecution (Roy, 2023). This is based on one of five protected subjects: race, religion,

nationality, political affiliation, or membership in a particular social group (Roy, 2023). By streamlining the process for sponsoring asylum seekers or refugees, employers can tap into a diverse talent pool to improve their capacity while offering gainful employment, which will help immigrant families begin economic empowerment and insertion into the American culture. Recent immigration law proposals to update the processes have failed, thus leaving employers without new options for utilizing this possibility.

The purpose of this capstone will be to analyze the portions of the Immigration and Nationality Act that relate to immigrant workers, such as the EB-1 through EB-4 (EB1-4), and H1.B visa policies, and the I-765 Application for Employment, and assess areas for development or improvement in the utilization of skilled immigrant labor. The primary goal of this analysis is to identify areas that require reform to better serve the interests of immigrants and refugees who wish to work in the US. Additionally, this capstone will investigate the current challenges that employers face in attempting to hire immigrants. This capstone seeks to provide a comprehensive understanding of those challenges and their underlying causes. Through this process, this capstone hopes to develop a set of recommendations to reform immigration laws that are mutually beneficial to employers and those refugees that they could employ. Overall, this capstone seeks to contribute by providing practical recommendations for integrating refugees, asylum seekers, and immigrants into the US workforce through a streamlined process. The results of this capstone analysis will be a set of recommendations for improving existing policies and credentialing recognition to integrate and include more skilled immigrant labor to meet the growing workforce needs of the US.

Literature Review

Refugees are described in the US as people fleeing a country outside the US who are currently unsettled and were persecuted or fear persecution due to race, religion, nationality, political opinion, or membership in a particular social group. Asylum status is a form of protection by the US government for those individuals who meet the definition of a refugee but also are already in the country and are requesting admission at a point of entry (UCIS, 2024).

The Council on Foreign Relations outlines the process for seeking asylum in their May 2023 article, including where seekers come from, how the process has changed over the years, why people are permitted or denied asylum, and statistics to show trends over the decades (Roy, 2023). This source provides relevant historical, trend, and process information (Roy, 2023). Using this analysis for what has been identified as barriers to the process and what the statistical impacts are of asylum seekers, can help shape policy reform.

According to the Annual Flow Report released in November 2023 by Irene Gibson (Gibson, 2023), 25,519 people were admitted into the US in 2022 under refugee status and 36,615 as asylees. The report further describes the Presidential authority that sets the annual allowance for refugees for each fiscal year, noting that President Trump set the rate at an all-time low of 15,000 for 2021, which was even lower than the 2020 rate of 18,000. Gibson (2023) notes that as a result of this action, staffing and budgets were also not reallocated for the processing of refugees and asylum seekers. When President Biden made an emergency declaration that raised the allocation to 62,500 for the remainder of fiscal year 2021 and subsequently raised it to 125,000 for fiscal year 2022, this was only one of the steps needed to be able to process more people through this system. Since staff and budgets were reallocated during President Trump's authority, as well as additional vetting and screening policies implemented, redistributing those

resources took time and was not as immediate as President Biden's order to raise the numbers. These factors have created delays in processing applications, creating the lower numbers indicated in the Gibson report.

According to the US Census Reports from 2022, the census reflected 28,352 foreign-born civilian workers at least 16 years of age who have lived in the US for less than one year. Of those workers, the Census Bureau reflects the industries represented by this population (US Census, 2022).

The US Census Bureau's foreign-born workforce from the year prior to 2022 is an essential source of information that provides insights into the types of work in which recent immigrants are skilled (US Census, 2022). This report is meaningful because it helps policymakers, employers, and other stakeholders to understand the skills and abilities of the foreign-born workforce. This data demonstrates that a majority of foreign-born workers who are new residents of the US (within one year) are working in professional and STEM fields, with leisure, hospitality, and services represented in a much lower percentage, and agriculture being one of the lowest numbers represented by those surveyed. For employers, the Census data from this report can help identify potential candidates who may be a good fit for positions within their firms. This Census report provides crucial information to inform policy decisions regarding workers from the foreign-born workforce.

Economic Contributions of Skilled Immigrants

According to the 2020 report published by the Federal Reserve Bank of Dallas, immigrants' workforce participation rates are 4% higher than the native population of native US residents (Pia et al., 2020). Workers born outside of the US have a lower likelihood of being unemployed, and despite earning less on average than those who are native to the US,

immigrants' earnings increase more quickly over time. Furthermore, immigrants have a higher probability of being self-employed and starting businesses (Pia et al., 2020). They also have a tendency to live in rapidly developing regions with higher salaries and employment prospects. Because of their overrepresentation in STEM professions (West, 2011), immigrants have a significant effect on innovation and creativity. When these facts are viewed together, they have the ability to enhance their capacity to infuse energy and activity into the US economy (Orrenius, 2020).

In a report published in 2020 on Immigration and Entrepreneurship by the National Bureau of Economic Research, one of the critical points demonstrated that immigrants create more jobs overall by expanding the labor demand through entrepreneurship more than they take jobs from native workers (Azoulay et al., 2020). The newly documented information has the potential to solve current questions where factual data, such as natural experiments and long-term historical analysis, frequently reveal more favorable economic impacts from immigration than perspectives that focus on labor supply. Based on the data reflected in this report, the assumptions made by those who are against the employment of immigrant workers are factually inaccurate, with the report providing evidence that contradicts the theory on which many of these individuals base their opinions (Azoulay et al., 2020). The data presented in the report also suggests that immigrant workers have a positive impact on the economy and that the arguments against their employment lack factual support. Therefore, the report serves as the opposite view to the belief that immigrant workers have a negative impact on the economy by adding human and social capital with individuals who are statistically highly educated and have high occupational attainment.

Challenges to Labor Market Integration

In *The Inclusion of Highly Skilled Immigrants* by Elsabel Rincon (2018), the author outlined the challenges that highly skilled immigrants face in utilizing their talents and education to the fullest extent and provided solutions on how better to provide mentorship and integration strategies to improve this process, thus positively impacting the economy for both the employer and immigrant (Rincon, 2018). The author mentions that immigrants who have a bachelor's degree or higher often find themselves unemployed or underemployed after migrating to the United States due to credentialing policies with degree transfer of credits and language barriers, resulting in lower wages and talent waste (Rincon, 2018). This waste often occurs in fields where there are worker shortages, and the workforce does not have enough entrants into that field. If programs were fully developed, employers would have the tools to better incorporate immigrant professionals into their company while offering the support and mentorship to help them be successful in their fields of expertise.

Aside from the credentialing issue, the process of integrating immigrants into communities poses numerous social challenges, including cultural, language, and acceptance issues, which can make the integration process more difficult and complex. Cultural differences can lead to misunderstandings and conflicts, while language barriers can hinder communication and limit access to information and resources. Language is a particularly significant barrier in smaller cities and rural areas with limited access to multi-lingual services and offices of the federal and state governments. Additionally, immigrants may face challenges related to being welcomed and accepted into their new communities, which can impact their sense of belonging and well-being. Addressing these social issues is another crucial piece to ensuring the successful integration of immigrants into their new communities. According to the Journal of Migration and

Human Security's report in 2017, the assets that immigrants bring with them to the US contribute to the country's youthfulness, dynamism, and entrepreneurial spirit (Bloemraad, 2017). As the US moves forward, it is essential to ensure that immigrants, refugees, and asylum-seekers have a say in shaping integration policies and how they are implemented. In the event that the federal government does not prioritize integration policy, there is the opportunity for state and local governments to work in collaboration with social groups and non-profits to achieve this goal.

Integration policies and initiatives have been promoted in a number of local units of government across the US, primarily in gateway cities. Instead of waiting for the federal government to adopt sound policies that are effective, many cities and some states have developed programs, offices, and resources dedicated to immigrant affairs (Bloemraad, 2017). While this is a positive move toward progress on this front, there are still significant barriers in most areas of the US to the integration of immigrant workers.

US Employment Trends

In an Abraham and Kearney report from 2020, the decline in the US workforce can be attributed to multiple factors, including historically low birth rates, aging population, increased participation in disability insurance programs, increased population with prison records, increase in opioid use, lack of childcare, increased import competition, and growth of occupational licensing requirements (Abraham & Kearney, 2020). Programs to support expungement clinics, increased educational opportunities, and childcare initiatives all help support higher workforce participation rates but do not solve the overall fact that there is an aging population with fewer births over the past few decades, leading to a shortage of talent to support our US economy.

The US is facing an unprecedented worker shortage. A significant impact on reducing the deficit of skilled workers could be achieved if credentialing for immigrant workers were

simplified to transfer degrees and certifications. According to the 2019 Migration Policy Institute fact sheet, over two million college-educated immigrants nationwide were underemployed, in that they worked in jobs that required no higher-level education than a high school diploma (Orrenius, et al., 2019). Additionally, the fact sheet points out that sixty percent of college-educated immigrants have a master's degree versus only fifty-three percent of US-born college graduates. This phenomenon, characterized as brain waste, was outlined by Kimberly Alva-Chavers Gardner in her paper highlighting this very subject (Alva-Chavers Gardner, 2022). According to research, highly skilled immigrants often face brain waste, which can be caused by credentialing challenges with degrees and certifications and the federal and local policies that do not allow their validation, as well as language barriers and cultural differences (Alva-Chavers Gardner, 2022). This report further outlines statistics obtained from Batalova and Fix report from 2021 documenting that 48% of all immigrants arriving in the prior five years have a bachelor's degree or higher, while 33% of US citizens have the same degree or higher (Batalova & Fix, 2021).

Current Policies

Firms in the United States can hire foreign workers through the H-1B visa program, which allows individuals to work in the country for a specified duration of time (UCIS, 2024). The H-1B visa is considered a "nonimmigrant" visa since it does not provide permanent residency status to the visa holder. Typically, these visas are issued for a three-year period and can be renewed once, allowing the individual to stay in the United States for a maximum of six years. Workers can start the process to become a permanent resident while employed under the H-1B visa. These types of visas are tied to the specific company that employs the worker. They come with costs ranging from \$1710 to \$6460, not including attorney fees (Glennon, 2021). The

distinction between migrant workers and refugee workers is distinguished by the thought that refugees are brought in for humanitarian reasons, and migrant (visa) workers are brought in for purely economic reasons (Ruhs, 2019). The word that distinguishes them apart is the intent. In this report by Ruhs (2019), he suggests that high-income countries should provide financial assistance to help low-income countries transition to those high-skilled refugees who want to move to the high-income country. Ruhs (2019) also supposed that combining humanitarian intent with mutually beneficial economic intent will provide the best policy to marry immigration opportunities to refugee policies.

If an employer wants to sponsor an immigrant worker for permanent US residence, the course that is required is handled through the EB1-4 process (UCIS, 2024). An employer who wishes to sponsor a foreign national to become a permanent resident based on a permanent job offer forces the employer and the foreign national to go through a multi-step process.

In most cases, the process starts with the employer obtaining an approval Application for Permanent Labor Certification from the US Department of Labor (DOL). In areas where the federal government does not have physical offices, this usually starts with an internet search or a series of phone calls and often ends with the employer engaging an attorney at a significant cost to handle this complex matter.

Four types of classifications exist to identify your potential employee: EB-1 who are considered priority workers defined as aliens with extraordinary ability in the sciences, arts, education, business, or athletics (eg. outstanding professors and researchers, which are defined as multinational executives and managers); EB-2 are professionals with advanced degrees or persons with exceptional ability defined as aliens who, because of their exceptional ability in the sciences, arts, or business, will substantially benefit the national economy, cultural, or

educational interests or welfare of the US (aliens who are members of professions holding advanced degrees or the equivalent); EB-3 who are professional or skilled workers, or professionals with a baccalaureate degree identified as aliens capable of performing skilled labor requiring at least 2 years of training or experience for which qualified workers are not available in the US (eg. aliens capable of performing unskilled labor for which qualified workers are not available in the US); EB-4 who are identified as special immigrants such as religious workers, Panama Canal company employees, Canal Zone government employees, US Government in Canal Zone employees, certain physicians, and others (UCIS, 2024).

Once the labor certification has been approved by the Department of Labor (DOL), the employer proceeds with the process by submitting the Immigration Petition for Alien Worker to the US Citizen and Immigration Services (UCIS) on behalf of the prospective employee. This process costs anywhere from \$700 to \$2500 in filing fees, not including attorney costs, which bring the total to \$7,000 to \$15,000 per sponsored visa (NFAP Policy Brief, 2022), and can take an average of 8.6 months (Rogers, 2024).

The proposed bi-partisan Senate Bill H.R. 815 of 2024, sponsored by Democratic Senators Kyrsten Sinema (AZ) and Chris Murphy (CT), along with Republican Senator James Lankford (OK), was written in an effort to treat migrants fairly, fix the asylum system, support border communities, and enhance border security, all while reasserting control of the borders. This legislation's passing would fix several of the matters relating to asylum seekers and refugees by speeding up processing times, assuring unaccompanied minors have legal representation, closing loopholes exploited by criminals, and offering mechanisms for temporary border closing when capacity is overwhelming the system (Sinema, 2024). The improvements in processing can help refugees enter the workforce and find gainful employment much quicker. This would be a

significant first step to addressing some of the barriers for refugees, with hopes for additional changes in legislation.

Issues with the Immigrant Work Visa Policies

Some examples of evidence that demonstrate the problems in immigration work visa policies include the length and complexity of the process. According to the National Foundation for American Policy, the average processing time for an H-1B visa application increased from 45 days in 2016 to 90 days in 2020 (NFAP Policy Brief, 2022). This delay can cause significant issues for employers who need to fill critical skill gaps quickly. Another demonstration of the problems that the policy analysis revealed includes the limited availability of visas. With a hard cap on the number of visas issued determined as set by the current US President, the demand for visas has far exceeded the supply. In 2022, 65,000 H-1B visas were available, and one hundred percent of them were filled (NFAP Policy Brief, 2022). This National Foundation for American Policy (NAFP) report identified that 72% of highly skilled foreign workers were turned away from a work visa simply because of the availability or sheer number of visas allowed, not meeting the requests (NFAP Policy Brief, 2022). Another factor implicated in the analysis is the high cost of the visa application, in addition to the legal costs and fees associated with our current work visa process. The total cost for an employer to sponsor an H-1B work visa can range from \$7,500 to \$15,000 (NFAP Policy Brief, 2022). In this same report by the NAFP, the US is losing talent to other countries due to the challenges faced by foreign workers, having a significant negative impact on the US economy and innovation.

Guiding Theories and Frameworks

Conflict Theory is a sociological perspective that argues that society is characterized by various inequalities and conflicts resulting from differences in power and resources (Nickerson,

2023). In the context of immigration, power balances are prevalent, particularly with refugees and asylum seekers. Immigrants are often at the mercy of those policymakers who represent the roles within the government immigration system, and they rarely have an influence on the integration systems.

Once refugees and asylum seekers arrive on US soil, they are subjected to a complex, expensive, and grueling process of detention and processing. During this time, they are also expected to assimilate into American culture and the predominant English language, which can be difficult, isolating, and daunting. This assimilation is often enforced through various measures, including language and cultural training programs.

Employers who hire refugees and asylum seekers also find themselves at a disadvantage in this power struggle, as the process is complicated, rigid, and expensive. While the employer has some power over the workers that they employ, they are still ultimately subject to the rules and regulations of the government agencies that oversee immigration at the federal level. This means that employers have little to say about the process or timeframe and may face challenges in integrating these workers into their organizations.

The power imbalance that exists between refugees, asylum seekers, employers, and the government agencies that oversee immigration can have significant consequences. It can create a situation where these individuals are vulnerable to mistreatment and exploitation, mainly if they are not aware of their rights. It can also create a situation where employers cannot fully utilize the skills and talents of these workers, which can ultimately harm their businesses and the US economy as a whole. Acknowledging these power imbalances and working toward creating a more equitable and just system for all involved is important.

Another theory framing this discussion is the Human Capital Theory. Human Capital Theory is a widely accepted economic theory that hypothesizes that individuals' productivity and earnings in the labor market are determined by their skills, knowledge, and education (Phillips & Pittman, 2009). In other words, the more a person invests in their human capital, the more productive and valuable they become in the labor market (WGU, 2019). However, immigrants face several challenges in transferring their human capital to the US labor market.

One of the most significant challenges that immigrants face is credential recognition. Immigrants' professional qualifications and certifications obtained in their home country may not be recognized in the US. This can be due to differences in educational systems, licensing requirements, accreditation standards, and the lack of fluidity between nations. As a result, immigrants may find themselves unable to work in their chosen field or may have to undergo costly and time-consuming retraining programs.

Another challenge that immigrants face when leveraging their human capital is language proficiency. English is the dominant language in the US, and immigrants who do not speak English fluently may find it challenging to communicate effectively with employers, colleagues, customers, educators, and community service providers. This can be a significant barrier to employment and career advancement, as many jobs require strong communication skills, and most written materials are only available in English.

Cultural differences also play a role in the challenges that immigrants face in transferring their human capital to the US workforce. Immigrants may be unfamiliar with cultural norms and workplace customs in the US, which can make it challenging to navigate the job market and build professional relationships. Additionally, cultural differences can impact how employers perceive immigrants, which can lead to discrimination and bias in the hiring process.

Overall, the challenges immigrants face in transferring their human capital to the US labor market have significant consequences for individuals and the broader community.

Immigrants who are unable to utilize their skills and education may find themselves working in low-paying and low-skilled jobs, which can lead to lower productivity and earnings. It also can be a loss for the US economy, as it fails to fully utilize the skills and talents of its immigrant population.

While Human Capital Theory also holds true for immigrants, the challenges they face in transferring their human capital to the US labor market can be significant (Kim, 2015).

Addressing these challenges will require a multi-faceted approach that includes improving credential recognition processes, providing language and cultural training programs for both native and immigrant workers, addressing discrimination and bias in the hiring process, and educating the public as a whole to the benefit of the immigrant labor force to overcome misconceptions. By doing so, we can help immigrants fully utilize their skills and education, which can benefit both the individuals and the entire US economy.

Social Integration and Well-Being

Besides the economic benefits of adding to the US workforce numbers, the Federal Reserve Bank of Dallas has published a report titled “How Does Immigration Fit into the Future of the US Labor Market?”, which explains how immigrants contribute to booming areas by easing workforce shortages and being consumers themselves, that support other area businesses (Orrenius et al., 2020).

Communities that have diversity in their populations are often rated as more pleasant and desirable places to live, and diversity increases community pride (West, 2011). Communities with an open and accepting culture toward immigration typically experience more innovation,

with the West reporting that nearly a quarter of international patents filed in 2006 were done so by foreign-born people living in the US (Orrenius et al., 2020). The economic impact of immigration on the US suggests that it increases the income of US natives, or Gross Domestic Product (GDP) per capita. However, the benefits are unevenly distributed, with most of the overall gain in the GDP impacting immigrant workers as earnings, while the immigration surplus benefits owners of capital and complementary workers. Native-born workers and earlier immigrants with similar skill profiles are less likely to see a direct economic increase but more social quality of life increase. Despite that clear point, most evidence suggests that immigration has had no effect on the labor market outcomes of the US native-born population overall, except for subgroups of workers in which immigrants have historically been most concentrated. (Orrenius et al., 2020).

Methodology

The purpose of this capstone was to explore current policies while suggesting areas for employers to streamline the process. To accomplish this, the research method used in this capstone was secondary data analysis, which is a research method that involves analyzing data collected by someone else for a different purpose. Secondary data analysis can help researchers answer new research questions or test new hypotheses without the need for additional data collection.

To analyze patterns and trends in the data to see how employers are impacted, I reviewed data sets from various sources, including the US government agencies such as the Census Bureau and Citizenship and Immigration Services, the Federal Reserve Bank, the US Chamber of Commerce, and non-profit organizations who have published data on the subject. The review of these sources has helped me to gain insight into the ways in which current policies and

regulations impact employers who want to sponsor immigrants. In addition, I have reviewed proposed changes in legislation and reviewed bipartisan language to improve the current laws.

The data analysis revealed several areas where current policies could be streamlined to improve the process for employer sponsors. These included reducing the time and cost associated with sponsoring an immigrant, simplifying the application process, and providing more support to employers. Based on these findings, I suggested several changes to current policies that could improve the process for employer sponsors while ensuring that the needs of immigrants are met.

The secondary data analysis provided a comprehensive view of the impact of current immigration policies on employers who sponsor immigrants. Through this analysis, I was able to identify current deficiencies in policies and suggest areas for reform that could lead to a more efficient and effective for employer sponsors.

Policies

The policy I plan to address in this capstone is the Immigration and Nationality Act (INA), a federal law governing immigration in the United States. It outlines the legal requirements and procedures for foreign nationals to enter and stay in the country, including the criteria for obtaining visas, permanent residency, and citizenship (Immigration and Nationality Act, 2024). The INA has been amended many times since its enactment in 1952, reflecting changes in US immigration policy and the evolving needs of the country. For example, the Immigration Reform and Control Act of 1986 legalized many undocumented immigrants who had been living and working in the US for years while also increasing enforcement measures to prevent further illegal immigration (UCIS, 2024).

Analysis Criteria

Several criteria were used to assess the effectiveness and impact of the immigration laws and policies as they relate to immigrant labor and employers who sponsor or would like to sponsor this population. Efficiency, precisely the speed and cost of the application process for the visas, permanent residency sponsorship, and citizenship, were assessed, along with how easily these could be obtained and in what timeframe. The visa application process evaluated the steps and documents involved in obtaining a visa, including the application process, documentation requirements, cost, and processing times. The permanent residency sponsorship process was assessed to see how complex this process is, the forms needed, who can initiate the process, the costs, and the timeframe for processing. The location of services provided and the agencies involved were noted, as some urban gateway communities have agencies to help, but smaller cities and rural areas had limited capacity to assist with the process. The economic impact was another criterion analyzed, as was the extent to which the policies benefit or harm the economy, including the impact on native US workers, businesses, and our communities. These criteria were used to evaluate the effectiveness of the current immigration policies to suggest areas for improvement. By examining the policies through these lenses, it was possible to gain a comprehensive understanding of their impact on immigrants and society as a whole and identify areas where reform is needed to ensure that the needs of all stakeholders are met.

Materials

For this capstone, I used primarily secondary data sources to collect information. Since this was a policy analysis, the data was obtained from sources who published the data for other reasons or research. The US Citizenship and Immigration Services department (UCIS), which takes the lead on immigration and citizenship matters on behalf of the federal government,

provided the details on the laws, policies, and procedures, and also has some limited statistics, application, and processing forms with instructions. They are the source for the most accurate, up-to-date information on the steps for immigration matters as well as the relevant laws, as they provide quarterly updates.

The US Census Bureau provided much of the statistical data used on demographics, migration patterns, employment, country of origin, socioeconomic status and geographic location, which gets updated every 10 years.

The Federal Reserve Bank provides data and research relating to economic matters. Their various branches address current economic barriers, access to capital, business, and industry insights, with recommendations for improving the economic climate in the US.

Several non-profits with long and extensive track records, such as the Migration Policy Institute and the American Immigration Council, have dedicated their missions to providing resources, including research and data relating to migration patterns and related matters. I used secondary assessment reports from long-standing institutions such as the Brookings Institution and the Pew Research Center. All authors' credibility was evaluated through their respective institutions releasing the reports to ensure the reliability of the information that I used.

Procedure

The process for conducting my policy analysis was multiple steps. I started by collecting secondary data from a variety of research sources on the overall theme of immigration law relating to the workforce. I then gathered data on topics such as the demographics of immigrants, the economic impact of immigration, and the experiences of asylum seekers, refugees, and immigrant workers. This is the point where I began searching the US Census Bureau and the Federal Reserve Bank. The reviews of the policies, laws, and processes came directly from the

UCIS once I had some data from the other sources. I collected this data from publicly available sources, including government and non-profit websites, libraries, and organization databases.

Once I collected the data, I processed and organized it in meaningful categories, moving sources in and out of folders as I exhausted what information was relevant to my paper and what was not. I used a spreadsheet to organize the data into tables, and folders in my browser favorites to keep track so I could quickly locate all sources. I labeled my information using a naming convention that made it easy to identify patterns and trends. I used statistical analysis tools such as Excel and GIS (Geographical et al.) story maps as provided by the Census Bureau to analyze and interpret the data.

Finally, I prioritized my findings based on their relevance to the policy review on immigration law reform relating to the workforce. I focused on findings that were most relevant to my original research question and had the most significance to the policies. I also made sure to include any information that was counterintuitive to show the balance through the insights of all perspectives.

Results

Costs and Fees

The cost to file an application to obtain an EB-1, 2 or 3 visa starts at \$950 for each style, for those living in the US, plus the \$1440 for the application fee, in addition to the \$85 biometric fee for those applicants ages 14-79, totaling \$2475 not including any legal assistance costs (UCIS, n.d.). The cost for those not already living in the US is less by \$1287 at \$1188 (UCIS, 2024). The cost for an EB-4 visa application is \$200 less at \$2275 than the application fees for EB1-3 for those who are residing in the US, and those not residing in the US are \$990 for the EB-4 (UCIS, n.d.).

H1-B visa applications require the applicant to enter the lottery system for a fee paid by the employer, which was \$10 until 2024 when it rose to \$215 (UCIS, n.d.). If the applicant is selected, they either pay \$480 if their sponsor is a non-profit organization or small business, or \$750 for larger businesses, in addition to a \$500 fraud fee that all sponsors pay (UCIS, n.d.). Employers pay the American Competitiveness and Workforce Improvement Act Training Fee (ACWIA). For business employers with 1-25 full-time employees (FTEs), the fee is \$750 (UCIS, n.d.). For employers 26 or more FTEs, the fee is \$1500. Some non-profits, educational institutes, and government research agencies are exempt from the ACWIA fee (UCIS, n.d.). Companies with over 50 employees with over half the H1-B status pay an additional \$4000 fee. A premium processing fee to expedite a request costs \$2805 (UCIS, n.d.). Additional fees for those participating in the asylum program range from \$0-600 depending on the workforce size at a sponsoring employer, and special circumstance fees apply to a number of other situations, in addition to the application fees (UCIS, n.d.).

Timeline and Sponsoring

The processing times for applying for the EB-1 visa show the average amount of time for processing is 4 months, because EB-1s are not required to wait for a visa to become available (Gibson, 2023). EB2-3 visas show the average at ranging from 8-32 months, with the opportunity to expedite this with premium processing. EB-4 visas have an average processing time of 7.7 months for the first phase of the application, and then they have to wait for a visa to become available, with times varying based on the applicant's home country (Gibson, 2023). The I-765 application for employment authorization takes an average of an additional 6.7 months to process (Rogers, n.d.).

Besides the timeline to complete the application process, await the visa's availability, and move and transition the newly hired employee, HB-1 sponsor employers are required to provide continued reporting to the Foreign Labor Data Certification Center during the visa's duration (USDOL, n.d.). The reports include employment status, wage information, position title, and position description.

Credentialing and Requirements

The EB-1 visa is a first preference visa for outstanding professors and researchers, and certain other executives, reserved for people who have extraordinary ability in their field of expertise (UCIS, n.d.). In order to qualify for the EB-1 visa, applicants must demonstrate that they meet at least three of the ten criteria set forth by UCIS (or two or more for professors and researchers). Alternatively, they can provide evidence of a one-time achievement such as a Pulitzer Prize or Olympic medal, as well as evidence showing that they will continue to work in their area of expertise. In an EB-1 visa, an offer of employment is not required to obtain this visa (UCIS, n.d.). This type of visa is designated for individuals who have already achieved extraordinary success in their field of expertise and are seeking to continue their work in the US (UCIS, n.d.).

An EB-2 visa is similar to the EB-1, except the candidate must hold an advanced degree, or possess exceptional ability based on at least five years of post-baccalaureate work experience in a specialty field, have proof of the credential and documentation from current or former employers to support the exceptional abilities (UCIS, n.d.). Additionally, the EB-2 visa requires an offer from a US employer, along with a labor certification from the US Department of Labor (USDOL) to show there are no qualified US workers available to fill the position (UCIS, n.d.).

The EB-3 visa is known as the third preference visa, and is reserved for individuals who are skilled workers, professionals, or other workers (UCIS, n.d.). It has three subcategories, each with its own credentialing criteria. Skilled workers are defined as persons whose job requires a minimum of two years of training or experience, and the job opportunity must meet the educational, training, or experience requirements of the applicant. Professionals are those whose job requires at least a US baccalaureate or foreign equivalent degree and are members of the profession (having the necessary licenses or certifications to practice in their field). The third subcategory includes other workers who are performing unskilled labor requiring less than two years of training or experience that is not temporary or seasonal in nature (UCIS, n.d.). For any of the EB-3 categories, the person must have an offer from a US employer that is willing to sponsor their application. The employer must obtain a certification from the USDOL stating there are no qualified US workers available to fill the position (UCIS, n.d.).

EB-4 visas are employment-based fourth preference visa that is available if a person falls under one of the categories of the following: religious workers, special immigrant juveniles, certain broadcasters, certain retired officers or employees of a G-4 international organization, employees of the US government who are abroad (and their family members), members of the US armed forces, Panama Canal company or Canal Zone government employees, certain physicians practicing in the US as of January 9, 1978, or non-citizens who have supplied information regarding a criminal organization or enterprise or a terrorist organization or enterprise or operation (UCIS, n.d.). Under some categories in the EB-4, your employer files the visa application, but in other categories, a person must self-petition on their own behalf (UCIS, n.d.)

For H1-B visas, employers must sponsor the person and file their application with UCIS. Prerequisites include licensure in the state where the person will be employed for occupations such as healthcare, finance, law, or technology professionals (DOL, n.d.). A bachelor's degree or equivalent is required by any individual being sponsored for this type of visa. The person also needs an unrestricted license to work in that profession from their home country or a US-accredited school, pass all appropriate examinations, and document competency in English (USDOL, n.d.).

I-765 applications are a different type of document that applies to many visa-seeking foreign nationals, in that they are the application for employment authorization needed by a foreign national used to apply for work while awaiting approval of certain types of visas, or a green card, which is a permanent residence status that many immigrants seek to remain in the US and become citizens. A green card is a permanent resident card that allows foreign nationals to live and work permanently in the US and provides their pathway to citizenship (UCIS, n.d.). The process to obtain a green card can be sponsored by family and employers, including a pathway for refugees and asylum seekers, as well as a diversity lottery for selection from a variety of countries. The process includes documentation, biometrics contribution of fingerprints and other identifying information, and attending an interview with UCIS. The additional step of the I-765 is required for asylum seekers and refugees, as well as many others seeking immigrant work authorization in the US.

A toll-free hotline is available for help from the UCIS over the phone; the website has all forms, policies, and many statistics available for self-help. There are 88 field offices located without the US, in addition to multiple Application Support Centers and Asylum Offices (UCIS, n.d.).

Discussion

Immigration reform can often be a hotly debated topic in the US. In this capstone, I explored streamlining the immigration process for employer-sponsored visas, immigration credentialing reform, and the effects on the labor market, determining how changes to the system could impact the availability and qualifications of workers in different industries.

This research supports the analysis results that show that the policies have deficiencies. According to the report released by the Migration Policy Institute, the lack of a standardized and streamlined process for credentialing acceptance and transfer is a significant barrier for immigrant workers (Rabben, 2013). The report found that many foreign-educated workers face challenges in having their credentials recognized in the US, which can lead to underemployment and loss of economic potential. Exploring this information lends itself to supporting a worldwide credentialing system to provide widespread acceptance of licenses, certifications, and degrees to support migrating foreign workers' transition into the US. This would allow employers to fill a larger number of the eight million job vacancies (US BLS, 2023) than what is being filled from the current US labor pool.

Characteristics of immigration work policies found from this analysis include the time and cost involved in sponsoring a visa worker, the challenges faced by employers who wish to sponsor foreign workers, and the impact of immigration on the US GDP. The process of sponsoring a foreign worker can take months, and the costs are exorbitant, which can be a significant barrier for many employers. Additionally, the study found that immigrants contribute significantly to the US GDP. These characteristics suggest that there is a need for immigration work visa policy reform to reduce the burden on employers and create a more streamlined, fair process for immigrant workers to contribute to the US workforce. Another issue found in the

policy review involves the acceptance of degrees, licenses, and certifications for foreign sources. As certain occupations require these to legally work in the US in those fields, this lack of universal acceptance can make it difficult to determine which workers are eligible for sponsorship and can lead to inconsistencies in the application process (Rabben, 2013). The lack of consistency in credentialing and transfer policies has shown that it can result in a loss of skilled workers due to an inability to transfer licenses, certifications, or other credentials to the US. Overall, the deficiencies in the current immigration work visa policies regarding credentialing acceptance and transfer highlight the need for reform to create a more standardized, transparent, and efficient process. Gaps in acceptance in credentialing make it difficult for immigrants to use their education and experience to work in fields where they are already trained (Rabben, 2013).

Many sources of data were sought for this capstone. Statistical data regarding the US population and its workforce demographics indicate that the largest decline is within men between 16-24, theorizing that the decline is due to factors such as incarceration, addiction, inability to meet credentialing requirements (background checks, etc.), as well as housing, transportation, and childcare that affect all populations (Abraham & Kearney, 2020). Based on the data provided and policies analyzed, it is evident there is a need to address an increase in US workforce participation, with increasing immigration being the most viable option to help the economy in this way. The data relating to foreign-born workers dispels the notion that a majority of immigrant workers were based in unskilled or low-skilled industry sectors. The data retrieved from the Census Bureau indicated that a majority of the foreign-born workers who immigrated in the year prior to the data set in 2022 were in the professional or STEM fields (Census, 2022). This data dispels any thoughts that a majority of immigrant workers were based in agriculture or

tourism, as those numbers are much lower. Investigating the process of acquiring a work visa in the US was retrieved through the UCIS (UCIS, 2024) and the US State Department (US State Department, 2023) websites, which outlined the step-by-step (lengthy) process to acquiring any category of work visa. Recent years of 2017-2021 showed the lowest number of work visas issued in US history until a slight rebound was shown in 2022 (Gibson, 2023), which was based on presidential policies during those time periods. Immigrant workers are often underpaid despite many work programs requiring a prevailing wage (Costa, 2021). There are many work programs that have no category in prevailing wage; therefore, employers use this as a legal loophole to underpay visa workers (Costa, 2021). The US Department of Justice addresses this by providing information to employers to explain how to follow the law and not exploit those visa workers (US Justice Department, 2024).

Costs for employers to sponsor a foreign-born worker can run between \$7,000-\$15,000 if you include all legal and ancillary fees (NFAP Policy Brief, 2022) and can take nearly nine months to complete the process (Elizabeth Rogers, 2024). There is no guarantee that a sponsored worker will be approved. In 2021, there were 1.5 million computer-related jobs available in the US, and about 56,000 of the H-1B visas filled in these jobs, which translates to 30 times more jobs available in this field than visas have filled (NFAP Policy Brief, 2022).

After completing this capstone project, I have concluded that there is a significant need for policy changes to support the immigrant workforce in the US and benefit the economy. Immigrants have been an essential part of the US workforce for decades, and they play a vital role in driving the economy forward. However, the current immigration system in our country is outdated and inadequate in meeting the current workforce needs to bolster the economy.

To support this position, several policy alternatives could be considered. First, the government can provide more support in the area of staffing to support employers wishing to sponsor workers; that could be achieved by a budget allocation to the current department for urban areas and in the form of grants to qualifying non-profits who can fill the need in areas of the country that are not near federal facilities and resources. By providing funding and support to support employers, the cost and timeframe could be reduced, and more employers would be likely to participate in sponsoring immigrant workers. Legal resources and support for translators and language education for employers ready to accept immigrant workers would also be helpful. These resources provide the wraparound services needed to make utilizing this labor force successful.

Secondly, federal policymakers can work toward creating a more streamlined and efficient system that provides smoother processes and creates less complicated forms and documents. The documents are unnecessarily complex, so simplifying makes sense so that both applicants and the staff who process these documents have an easier time completing them.

Policy makers have expand (and contracted) the number of H-1B visas available to highly skilled workers and creating a pathway for employment for refugees and asylum seekers who are already in the country in a shorter timeframe. Since the statistics noted earlier showed a significant need for additional visas, this would be a logical next step.

Lastly, policymakers can work toward providing financial and technical support to communities through their local governments, economic development, and social services partners to create more inclusive communities that welcome and embrace immigrants. Collaborative efforts could be rewarded through a grant process to develop programs to support the local communities that plan to support the immigrant labor force. This should include

initiatives and resource materials provided by the federal government for public education and information campaigns to bust the myths and combat discrimination.

To address the credentialing issue, proposed solutions include creating a globally recognized credentialing system that is accepted by all countries. This would allow immigrants to utilize their education and experience in any country to which they migrate.

Creating a globally recognized credentialing system would have numerous benefits, including making it easier for immigrants to find work in their field and reducing the time and cost involved in the credentialing process. It would also promote diversity in the workplace and help fill the skills gap in various industries, and this system is essential for improving the work visa process for immigrants. The proposed solution of creating this system would benefit both individual immigrants and the countries where they choose to live.

Supporting new initiatives such as the Bridge Visa proposed by the Migration Policy Institute would allow a path forward for legal employment that spans all skill levels and bridges the temporary to permanent divide for visa workers (Chishti, 2024). This program supports visa workers if they desire to become permanent US citizens, provided they have been gainfully employed during the entire time period of the temporary visa.

Policy changes are needed to support the immigrant workforce and help the US economy. By implementing these policy alternatives, we can create a more just and equitable society that benefits all members of the community. Successful reform in these areas could have a significant impact on each business, as well as the US economy. Businesses would be able to hire the skilled workers they need more efficiently, which would lead to increased productivity and economic growth. It would also help alleviate the labor shortages many industries face, such as the science, technology, engineering, mathematics, and healthcare sectors. Opponents of immigration reform

could be concerned that improving the process for acquiring work visas could lead to an influx of foreign workers who would be taking jobs away from American citizens. Proponents of the reform argue that the work visa program is necessary to fill jobs that cannot be filled by American workers due to a shortage of workers. According to the US Bureau of Labor, there are 8.8 million job vacancies in the US as of the end of February 2024 (US BLS, 2024).

The benefits of reforming immigration work visas and credentialing include filling the skills gap, promoting economic growth, ensuring diversity in the workforce, and encouraging a high transition to entrepreneurship. Additionally, a proposed worldwide credentialing system would make it easier for immigrants to have their education and skills recognized in their new country of residence.

Filling the skills gap is one of the most significant benefits of immigration reform. Many industries in the US have a shortage of skilled workers, and immigrants can help fill this gap. By attracting skilled workers from other countries, the US can improve its productivity and competitiveness.

Promoting economic growth is another benefit of immigration reform. Immigrants contribute to the economy by starting businesses, paying taxes, and consuming goods and services. By creating jobs and increasing demand for goods and services, immigrants can help stimulate economic growth.

Ensuring diversity in the workforce is also a critical benefit of immigration reform. The US can create a more diverse and inclusive workforce by attracting immigrants from different backgrounds and cultures. This can lead to new ideas, perspectives and approaches to problem-solving, which can ultimately benefit the economy.

Encouraging a high transition to entrepreneurship is another significant benefit of immigration reform. Many immigrants come to the US with an entrepreneurial and innovative spirit, as well as a desire to start their own businesses. By providing opportunities for immigrants to start businesses, the US can support creating jobs and stimulating economic growth.

Finally, a proposed worldwide credentialing system would make it easier for immigrants to have their education and skills recognized in their new country of residence. This would allow skilled immigrants to work in their chosen, trained field and contribute to the US economy much quicker than the current transition allows.

Example Interventions

The Center for Global Development published a report using Germany's example of partnering with sub-Saharan Africa to train and upskill young workers, then migrate them to enter the German workforce, supporting the impacts of legal labor migration. Thirty participants were surveyed to learn of their experience of finding legal migration pathways into Germany. Training and apprenticeships were offered to migrants and to those preparing to migrate, even working with the governments of the migrants to make for a win-win for all participants. This program shows how global migration can provide economic empowerment on all fronts by taking the lead and working with countries with more population growth than they have resources. This report shows how a partnership can work to solve the overpopulation of one country and assist another country in solving its labor shortages. It demonstrates how promoting transparent migration can be a win-win for all parties involved (Clemens et al., 2019).

Lutheran Immigration and Refugees Service is an organization that supports employers in hiring, retaining, and resettling refugees. Along with a non-profit named Tent, it co-authored the US Employers' Guide to Hiring Refugees, a toolkit that provides a step-by-step process for

employers to assist in navigating the related immigration laws. This toolkit was developed in partnership with the Tent Partnership for Refugees, which has spent over 20 years supporting refugee career entry and advancement (Tent & Lutheran Immigration and Refugees Service, 2021).

Limitations of the Project

Research for this project was daunting from the perspective that there is a significant amount of information available on this subject. The process of weeding through it to culminate meaningful and relevant resources was extremely labor-intensive and time-consuming. As a policy review, this capstone focuses on a narrow aspect of the immigration system and may not provide a comprehensive overview of the entire system. In addition, the data varies over a number of years, so the trends are difficult to follow.

Implications for Future Projects

My capstone project addresses critical issues surrounding the integration of refugees, asylum seekers, and immigrants into the US workforce. The project has highlighted the challenges faced by these groups and identified areas where immigration law reform is necessary to improve access to an underutilized labor force. In doing so, the project has created awareness about the need to create communities that are diverse and accepting of immigrants, and the need to support employers with better resources to utilize immigrant workers.

To expand on the ideas presented here, future projects could focus on developing practical solutions to the challenges faced by employers attempting to sponsor asylum seekers, refugees, or immigrants when attempting to grow their businesses by adding to their workforce. This could include more opportunities for training and support for all involved, as well as to create awareness of the benefits of diversity in the workplace and our communities.

To engage more people and create more learning, future projects could leverage digital platforms and social media to create information and education campaigns to reach a broader audience. For example, content creators could create short videos on the benefits of diversity in a community or in an organization, instructional videos could support the application process, and more podcasts could deliver educational materials.

Additional policy matters, as a result of this capstone, could focus on what it would look like for the federal government to offer tax incentives for employers who hire refugees or asylum seekers, and the financial implication and cost-benefit analysis of such a program. Additionally, we could research and create a proactive program in a country that experiences significant immigrant numbers and where systems could be put in place to attract skilled and credentialed workers who happen to bring more innovation and creativity. The research could explore transportation options, how trailing spouses and families are assisted, and transitional solutions to help with housing, schools, and other necessities.

My capstone has made significant contributions to the community engagement field by addressing critical issues relating to immigrants in the labor force. Expanding on this material to develop practical solutions to the challenges noted here will be in the mindset of those who are exposed to this information. By focusing more on the perspective of the employer and the benefit to workforce participation and to the economy, I provided a different thought process than is often discussed on the subject of immigrant workers.

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