then underwent the country's first peaceful transfer of power via an election since independence. I commend President Saakashvili on his leadership in that transition.

The Georgian people are to be congratulated for a credible election. I am encouraged by Georgia's continued positive attitude toward NATO integration and its determination to be a modern democracy. However, the Georgian Dream coalition must be reminded that the most effective way for Georgia to join NATO is through continued development of democracy and the rule of law.

First, there has been increasing pressure on President Saakashvili to resign prior to the constitutional end of his term in October 2013. While the new majority may see this as a logical next step to finalizing the transfer of power, attempting to coerce a sitting head of state to give up their constitutional mandate before its expiration would run contrary to the principles of democratic governance and the rule of law.

Second, on November 7, the prosecutor's office arrested three members of the resigned government, charged with unspecified abuses of power.

Georgia has made enormous progress in its democratic and political development over the past 2 months, progress which very few predicted would or could happen so quickly and completely. In light of that, I would encourage the new leadership of Georgia to take these concerns seriously. It is incumbent upon the Georgian Government to ensure that the new Parliament consolidates the democratic process, not a political agenda.

AMERICA NEEDS A FARM BILL

(Mr. WELCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELCH. Mr. Speaker, it's been 141 days. That's how long it's been since the House Agriculture Committee, on a bipartisan basis, passed the farm bill by a vote of 35–11. That's the high watermark of bipartisanship in this Congress. It represents something that is too lacking in Washington today: a serious attempt at progress through bipartisan work.

We need a farm bill. America needs a farm bill. Our farmers, our folks dependent on nutrition programs, our folks who are farming and want to conserve the land, they're entitled to have Congress act.

You know, it's one thing to vote ''yes'' and it's one thing to vote ''no,'' but it is unacceptable not to vote at all.

The decision on whether we will vote on a farm bill is up to the leadership. They owe it to each one of us so we can be accountable to the people we represent and give America a farm bill. There is absolutely no excuse for Congress to not even try to do its job, which will occur when a farm bill is brought to the floor.

STEM JOBS ACT OF 2012

Mr. ISSA. Mr. Speaker, pursuant to House Resolution 821, I call up the bill (H.R. 6429) to amend the Immigration and Nationality Act to promote innovation, investment, and research in the United States, to eliminate the diversity immigrant program, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. DOLD). Pursuant to House Resolution 821, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112–34, modified by the amendment printed in House Report 112–697, is adopted. The bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 6429

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''STEM Jobs Act of 2012''.

SEC. 2. IMMIGRANT VISAS FOR CERTAIN ADVANCED STEM GRADUATES.

(a) WORLDWIDE LEVEL OF IMMIGRATION.—Section 201(d)(2) of the Immigration and Nationality Act (8 U.S.C. 1151(d)(2)) is amended by adding at the end the following:

''(D)(i) In addition to the increase provided under subparagraph (C), the number computed under this paragraph for fiscal year 2014 and subsequent fiscal years shall be further increased by the number specified in clause (ii), to be used in accordance with paragraphs (6) and (7) of section 203(b), except that—

''(I) immigrant visa numbers made available under this subparagraph but not required for the classes specified in paragraphs (6) and (7) of section 203(b) shall not be counted for purposes of subsection (c)(3)(C); and

''(II) for purposes of paragraphs (1) through (5) of section 203(b), the increase under this subparagraph shall not be counted for purposes of computing any percentage of the worldwide level under this subsection.

''(ii) The number specified in this clause is 55,000, reduced for any fiscal year by the number by which the number of visas under section 201(e) would have been reduced in that year pursuant to section 203(d) of the Nicaraguan Adjustment and Central American Relief Act (8 U.S.C. 1151 note) if section 201(e) had not been repealed by section 3 of the STEM Jobs Act of 2012.

''(iii) Immigrant visa numbers made available under this subparagraph for fiscal year 2014, but not used for the classes specified in paragraphs (6) and (7) of section 203(b) in such year, may be made available in subsequent years as if they were included in the number specified in clause (ii) only to the extent of the cumulative number of petitions under section 204(a)(1)(F), and applications for a labor certification under section 212(a)(5)(A), filed in fiscal year 2014 with respect to aliens seeking a visa under paragraph (6) or (7) of section 203(b) up to, but not exceeding, the number specified in clause (ii) for such year. Such immigrant visa numbers may only be made available in fiscal years after fiscal year 2014 in connection with a petition under section 204(a)(1)(F), or an application for a labor certification under section 212(a)(5)(A), that was filed in fiscal year 2014.

''(iv) Immigrant visa numbers made available under this subparagraph for fiscal year 2015, but not used for the classes specified in paragraphs (6) and (7) of section 203(b) during such year, may be made available in subsequent years as if they were included in the number specified in clause (ii) only to the extent of the cumulative number of petitions under section 204(a)(1)(F), and applications for a labor certification under section 212(a)(5)(A), filed in fiscal year 2015 with respect to aliens seeking a visa under paragraph (6) or (7) of section 203(b) up to, but not exceeding, the number specified in clause (ii) for such year. Such immigrant visa numbers may only be made available in fiscal years after fiscal year 2015 in connection with a petition under section 204(a)(1)(F), or an application for a labor certification under section 212(a)(5)(A), that was filed in fiscal year 2015.

''(v) Immigrant visa numbers made available under this subparagraph for fiscal year 2016, but not used for the classes specified in paragraphs (6) and (7) of section 203(b) in such year, may be made available in subsequent years as if they were included in the number specified in clause (ii), but only—

''(I) to the extent of the cumulative number of petitions under section 204(a)(1)(F), and applications for a labor certification under section 212(a)(5)(A), filed in fiscal year 2016 with respect to aliens seeking a visa under paragraph (6) or (7) of section 203(b) up to, but not exceeding, the number specified in clause (ii) for such year;

''(II) if the immigrant visa numbers used under this subparagraph for fiscal year 2015 with respect to aliens seeking a visa under paragraph (6) or (7) of section 203(b) were less than the number specified in clause (ii) for such year; and

''(III) if the processing standards set forth in sections 204(a)(1)(F)(ii) and 212(a)(5)(A)(vi) were not met in fiscal year 2016.

Such immigrant visa numbers may only be made available in fiscal years after fiscal year 2016 in connection with a petition under section 204(a)(1)(F), or an application for a labor certification under section 212(a)(5)(A), that was filed in fiscal year 2016.

''(vi) Immigrant visa numbers made available under this subparagraph for fiscal year 2017, but not used for the classes specified in paragraphs (6) and (7) of section 203(b) in such year, may be made available in subsequent years as if they were included in the number specified in clause (ii), but only—

''(I) to the extent of the cumulative number of petitions under section 204(a)(1)(F), and applications for a labor certification under section 212(a)(5)(A), filed in fiscal year 2017 with respect to aliens seeking a visa under paragraph (6) or (7) of section 203(b) up to, but not exceeding, the number specified in clause (ii) for such year;

''(II) if the immigrant visa numbers used under this subparagraph for fiscal year 2016 with respect to aliens seeking a visa under paragraph (6) or (7) of section 203(b) were less than the number specified in clause (ii) for such year; and

''(III) if the processing standards set forth in sections 204(a)(1)(F)(ii) and 212(a)(5)(A)(vi) were not met in fiscal year 2017.

Such immigrant visa numbers may only be made available in fiscal years after fiscal year 2016 in connection with a petition under section 204(a)(1)(F), or an application for a labor certification under section 212(a)(5)(A), that was filed in fiscal year 2017.''.

(b) NUMERICAL LIMITATION TO ANY SINGLE FOREIGN STATE.—Section 202(a)(5)(A) of such Act (8 U.S.C. 1152(a)(5)(A)) is amended by striking ''or (5)'' and inserting ''(5), (6), or (7)''.

(c) PREFERENCE ALLOCATION FOR EMPLOYMENT-BASED IMMIGRANTS.—Section 203(b) of such Act (8 U.S.C. 1153(b)) is amended—

(1) by redesignating paragraph (6) as paragraph (8); and

(2) by inserting after paragraph (5) the following:

''(6) ALIENS HOLDING DOCTORATE DEGREES FROM U.S. DOCTORAL INSTITUTIONS OF HIGHER EDUCATION IN SCIENCE, TECHNOLOGY, ENGINEERING, OR MATHEMATICS.—

''(A) IN GENERAL.—Visas shall be made available, in a number not to exceed the number specified in section 201(d)(2)(D)(ii), to qualified immigrants who—

''(i) hold a doctorate degree in a field of science, technology, engineering, or mathematics from a United States doctoral institution of higher education; and

''(ii) have taken all doctoral courses in a field of science, technology, engineering, or mathematics, including all courses taken by correspondence (including courses offered by telecommunications) or by distance education, while physically present in the United States.

''(B) DEFINITIONS.—For purposes of this paragraph, paragraph (7), and sections 101(a)(15)(F)(i)(I) and 212(a)(5)(A)(iii)(III):

''(i) The term 'distance education' has the meaning given such term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

''(ii) The term 'field of science, technology, engineering, or mathematics' means a field included in the Department of Education's Classification of Instructional Programs taxonomy within the summary groups of computer and information sciences and support services, engineering, mathematics and statistics, and physical sciences.

''(iii) The term 'United States doctoral institution of higher education' means an institution that—

''(I) is described in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) or is a proprietary institution of higher education (as defined in section 102(b) of such Act (20 U.S.C. 1002(b)));

''(II) was classified by the Carnegie Foundation for the Advancement of Teaching on January 1, 2012, as a doctorate-granting university with a very high or high level of research activity or classified by the National Science Foundation after the date of enactment of this paragraph, pursuant to an application by the institution, as having equivalent research activity to those institutions that had been classified by the Carnegie Foundation as being doctorate-granting universities with a very high or high level of research activity;

''(III) has been in existence for at least 10 years; and

''(IV) is accredited by an accrediting body that is itself accredited either by the Department of Education or by the Council for Higher Education Accreditation.

''(C) LABOR CERTIFICATION REQUIRED.—

''(i) IN GENERAL.—Subject to clause (ii), the Secretary of Homeland Security may not approve a petition filed for classification of an alien under subparagraph (A) unless the Secretary of Homeland Security is in receipt of a determination made by the Secretary of Labor pursuant to the provisions of section 212(a)(5)(A), except that the Secretary of Homeland Security may, when the Secretary deems it to be in the national interest, waive this requirement.

''(ii) REQUIREMENT DEEMED SATISFIED.—The requirement of clause (i) shall be deemed satisfied with respect to an employer and an alien in a case in which a certification made under section 212(a)(5)(A)(i) has already been obtained with respect to the alien by that employer.

''(7) ALIENS HOLDING MASTER'S DEGREES FROM U.S. DOCTORAL INSTITUTIONS OF HIGHER EDUCATION IN SCIENCE, TECHNOLOGY, ENGINEERING, OR MATHEMATICS.—

''(A) IN GENERAL.—Any visas not required for the class specified in paragraph (6) shall be made available to the class of aliens who—

''(i) hold a master's degree in a field of science, technology, engineering, or mathematics from a United States doctoral institution of higher education that was either part of a master's program that required at least 2 years of enrollment or part of a 5-year combined baccalaureate-master's degree program in such field;

''(ii) have taken all master's degree courses in a field of science, technology, engineering, or mathematics, including all courses taken by correspondence (including courses offered by telecommunications) or by distance education, while physically present in the United States; and

''(iii) hold a baccalaureate degree in a field of science, technology, engineering, or mathematics or in a field included in the Department of Education's Classification of Instructional Programs taxonomy within the summary group of biological and biomedical sciences.

''(B) LABOR CERTIFICATION REQUIRED.—

''(i) IN GENERAL.—Subject to clause (ii), the Secretary of Homeland Security may not approve a petition filed for classification of an alien under subparagraph (A) unless the Secretary of Homeland Security is in receipt of a determination made by the Secretary of Labor pursuant to the provisions of section 212(a)(5)(A), except that the Secretary of Homeland Security may, when the Secretary deems it to be in the national interest, waive this requirement.

''(ii) REQUIREMENT DEEMED SATISFIED.—The requirement of clause (i) shall be deemed satisfied with respect to an employer and an alien in a case in which a certification made under section 212(a)(5)(A)(i) has already been obtained with respect to the alien by that employer.

''(C) DEFINITIONS.—The definitions in paragraph (6)(B) shall apply for purposes of this paragraph.''.

(d) PROCEDURE FOR GRANTING IMMIGRANT STATUS.—Section 204(a)(1)(F) of such Act (8 U.S.C. 1154(a)(1)(F)) is amended—

(1) by striking ''(F)'' and inserting ''(F)(i)'';

(2) by striking ''or 203(b)(3)'' and inserting ''203(b)(3), 203(b)(6), or 203(b)(7)'';

(3) by striking ''Attorney General'' and inserting ''Secretary of Homeland Security''; and

(4) by adding at the end the following:

''(ii) The following processing standards shall apply with respect to petitions under clause (i) relating to alien beneficiaries qualifying under paragraph (6) or (7) of section 203(b):

''(I) The Secretary of Homeland Security shall adjudicate such petitions not later than 60 days after the date on which the petition is filed. In the event that additional information or documentation is requested by the Secretary during such 60-day period, the Secretary shall adjudicate the petition not later than 30 days after the date on which such information or documentation is received.

''(II) The petitioner shall be notified in writing within 30 days of the date of filing if the petition does not meet the standards for approval. If the petition does not meet such standards, the notice shall include the reasons therefore and the Secretary shall provide an opportunity for the prompt resubmission of a modified petition.''.

(e) LABOR CERTIFICATION AND QUALIFICATION FOR CERTAIN IMMIGRANTS.—Section 212(a)(5) of such Act (8 U.S.C. 1182(a)(5)) is amended—

(1) in subparagraph (A)—

(A) in clause (ii)—

(i) in subclause (I), by striking '', or'' at the end and inserting a semicolon;

(ii) in subclause (II), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

''(III) holds a doctorate degree in a field of science, technology, engineering, or mathematics from a United States doctoral institution of higher education (as defined in section 203(b)(6)(B)(iii)).'';

(B) by redesignating clauses (ii) through (iv) as clauses (iii) through (v), respectively;

(C) by inserting after clause (i) the following:

''(ii) JOB ORDER.—

''(I) IN GENERAL.—An employer who files an application under clause (i) shall submit a job order for the labor the alien seeks to perform to the State workforce agency in the State in which the alien seeks to perform the labor. The State workforce agency shall post the job order on its official agency website for a minimum of 30 days and not later than 3 days after receipt using the employment statistics system authorized under section 15 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.).

''(II) LINKS.—The Secretary of Labor shall include links to the official websites of all State workforce agencies on a single webpage of the official website of the Department of Labor.''; and

(D) by adding at the end the following:

''(vi) PROCESSING STANDARDS FOR ALIEN BENEFICIARIES QUALIFYING UNDER PARAGRAPHS (6) AND (7) OF SECTION 203(B).—The following processing standards shall apply with respect to applications under clause (i) relating to alien beneficiaries qualifying under paragraph (6) or (7) of section 203(b):

''(I) The Secretary of Labor shall adjudicate such applications not later than 180 days after the date on which the application is filed. In the event that additional information or documentation is requested by the Secretary during such 180-day period, the Secretary shall adjudicate the application not later than 60 days after the date on which such information or documentation is received.

''(II) The applicant shall be notified in writing within 60 days of the date of filing if the application does not meet the standards for approval. If the application does not meet such standards, the notice shall include the reasons therefore and the Secretary shall provide an opportunity for the prompt resubmission of a modified application.''; and

(2) in subparagraph (D), by striking ''(2) or (3)'' and inserting ''(2), (3), (6), or (7)''.

(f) GAO STUDY.—Not later than June 30, 2018, the Comptroller General of the United States shall provide to the Congress the results of a study on the use by the National Science Foundation of the classification authority provided under section 203(b)(6)(B)(iii)(II) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(6)(B)(iii)(II)), as added by this section.

(g) PUBLIC INFORMATION.—The Secretary of Homeland Security shall make available to the public on the official website of the Department of Homeland Security, and shall update not less than monthly, the following information (which shall be organized according to month and fiscal year) with respect to aliens granted status under paragraph (6) or (7) of section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)), as added by this section:

(1) The name, city, and State of each employer who petitioned pursuant to either of such paragraphs on behalf of one or more aliens who were granted status in the month and fiscal year to date.

(2) The number of aliens granted status under either of such paragraphs in the month and fiscal year to date based upon a petition filed by such employer.

(3) The occupations for which such alien or aliens were sought by such employer and the job titles listed by such employer on the petition.

(h) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013, and shall apply with respect to fiscal years beginning on or after such date.

''Nothing in the preceding sentence shall be construed to prohibit the Secretary of Homeland Security from accepting before such date petitions under section 204(a)(1)(F) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(F)) relating to alien beneficiaries qualifying under paragraph (6) or (7) of section 203(b) of such Act (8 U.S.C. 1153(b)) (as added by this section).''.

SEC. 3. ELIMINATION OF DIVERSITY IMMIGRANT PROGRAM.

(a) WORLDWIDE LEVEL OF DIVERSITY IMMIGRANTS.—Section 201 of the Immigration and Nationality Act (8 U.S.C. 1151) is amended—

(1) in subsection (a)—

(A) by inserting ''and'' at the end of paragraph (1);

(B) by striking ''; and'' at the end of paragraph (2) and inserting a period; and

(C) by striking paragraph (3); and

(2) by striking subsection (e).

(b) ALLOCATION OF DIVERSITY IMMIGRANT VISAS.—Section 203 of such Act (8 U.S.C. 1153) is amended—

(1) by striking subsection (c);

(2) in subsection (d), by striking ''(a), (b), or (c),'' and inserting ''(a) or (b),'';

(3) in subsection (e), by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(4) in subsection (f), by striking ''(a), (b), or (c)'' and inserting ''(a) or (b)''; and

(5) in subsection (g), by striking ''(a), (b), and (c)'' and inserting ''(a) and (b)''.

(c) PROCEDURE FOR GRANTING IMMIGRANT STATUS.—Section 204 of such Act (8 U.S.C. 1154) is amended—

(1) by striking subsection (a)(1)(I); and

(2) in subsection (e), by striking ''(a), (b), or (c)'' and inserting ''(a) or (b)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013, and shall apply with respect to fiscal years beginning on or after such date.

SEC. 4. PERMANENT PRIORITY DATES.

(a) IN GENERAL.—Section 203 of the Immigration and Nationality Act (8 U.S.C. 1153) is amended by adding at the end the following:

''(i) PERMANENT PRIORITY DATES.—

''(1) IN GENERAL.—Subject to subsection (h)(3) and paragraph (2), the priority date for any employment-based petition shall be the date of filing of the petition with the Secretary of Homeland Security (or the Secretary of State, if applicable), unless the filing of the petition was preceded by the filing of a labor certification with the Secretary of Labor, in which case that date shall constitute the priority date.

''(2) SUBSEQUENT EMPLOYMENT-BASED PETITIONS.—Subject to subsection (h)(3), an alien who is the beneficiary of any employment-based petition that was approvable when filed (including self-petitioners) shall retain the priority date assigned with respect to that petition in the consideration of any subsequently filed employment-based petition (including self-petitions).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2013, and shall apply to aliens who are a beneficiary of a classification petition pending on or after such date.

SEC. 5. STUDENT VISA REFORM.

(a) IN GENERAL.—Section 101(a)(15)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)) is amended to read as follows:

''(F) an alien—

''(i) who—

''(I) is a bona fide student qualified to pursue a full course of study in a field of science, technology, engineering, or mathematics (as defined in section 203(b)(6)(B)(ii)) leading to a bachelors or graduate degree and who seeks to enter the United States for the purpose of pursuing such a course of study consistent with section 214(m) at an institution of higher education (as described in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) or a proprietary institution of higher education (as defined in section 102(b) of such Act (20 U.S.C. 1002(b))) in the United States, particularly designated by the alien and approved by the Secretary of Homeland Security, after consultation with the Secretary of Education, which institution shall have agreed to report to the Secretary of Homeland Security the termination of attendance of each nonimmigrant student, and if any such institution fails to make reports promptly the approval shall be withdrawn; or

''(II) is engaged in temporary employment for optional practical training related to such alien's area of study following completion of the course of study described in subclause (I);

''(ii) who has a residence in a foreign country which the alien has no intention of abandoning, who is a bona fide student qualified to pursue a full course of study, and who seeks to enter the United States temporarily and solely for the purpose of pursuing such a course of study consistent with section 214(m) at an established college, university, seminary, conservatory, academic high school, elementary school, or other academic institution or in a language training program in the United States, particularly designated by the alien and approved by the Secretary of Homeland Security, after consultation with the Secretary of Education, which institution of learning or place of study shall have agreed to report to the Secretary of Homeland Security the termination of attendance of each nonimmigrant student, and if any such institution of learning or place of study fails to make reports promptly the approval shall be withdrawn;

''(iii) who is the spouse or minor child of an alien described in clause (i) or (ii) if accompanying or following to join such an alien; or

''(iv) who is a national of Canada or Mexico, who maintains actual residence and place of abode in the country of nationality, who is described in clause (i) or (ii) except that the alien's qualifications for and actual course of study may be full or part-time, and who commutes to the United States institution or place of study from Canada or Mexico.''.

(b) ADMISSION.—Section 214(b) of the Immigration and Nationality Act (8 U.S.C. 1184(b)) is amended by inserting ''(F)(i),'' before ''(L) or (V)''.

(c) CONFORMING AMENDMENT.—Section 214(m)(1) of the Immigration and Nationality Act (8 U.S.C. 1184(m)(1)) is amended, in the matter preceding subparagraph (A), by striking ''(i) or (iii)'' and inserting ''(i), (ii), or (iv)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013, and shall apply to nonimmigrants who possess or are granted status under section 101(a)(15)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)) on or after such date.

SEC. 6. EXPANSION OF THE "V" NONIMMIGRANT VISA PROGRAM FOR SPOUSES AND CHILDREN OF PERMANENT RESIDENTS AWAITING THE AVAILABILITY OF AN IMMIGRANT VISA.

(a) IN GENERAL.—Section 101(a)(15)(V) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(V)) is amended—

(1) in the matter preceding clause (i), by striking ''that was filed with the Attorney General under section 204 on or before the date of the enactment of the Legal Immigration Family Equity Act,'';

(2) in clause (i), by striking ''3 years or more;'' and inserting ''1 year or more;'' ; and

(3) in clause (ii), by striking ''3 years or more have'' and inserting ''1 year or more has''.

(b) PROVISIONS AFFECTING NONIMMIGRANT STATUS.—Section 214(q) of the Immigration and Nationality Act (8 U.S.C. 1184(q)) is amended—

(1) by striking paragraphs (2) and (3);

(2) in paragraph (1)—

(A) in subparagraph (A), by striking ''the Attorney General'' and all that follows through ''; and'' and inserting ''the alien may not be authorized to engage in employment in the United States during the period of authorized admission as such a nonimmigrant; and''; and

(B) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively; and

(3) by striking ''(q)(1)'' and inserting ''(q)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013, and shall apply to an alien who—

(1) applies for nonimmigrant status under section 101(a)(15)(V) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(V)) on or after such date; and

(2) is the beneficiary of a classification petition filed under section 204 of the Immigration and Nationality Act (8 U.S.C. 1154) before, on, or after such date.

SEC. 7. EXTENSION OF GUARANTEE FEES FOR GOVERNMENT-SPONSORED HOUSING ENTERPRISES AND FHA.

(a) GSEs.—Subsection (f) of section 1327 of the Housing and Community Development Act of 1992 (12 U.S.C. 4547) is amended by striking ''October 1, 2021'' and inserting ''October 1, 2022''.

(b) FHA.—Subsection (b) of section 402 of the Temporary Payroll Tax Cut Continuation Act of 2011 (Public Law 112–78; 125 Stat. 1289) is amended by striking ''October 1, 2021'' and inserting ''October 1, 2022''.

The SPEAKER pro tempore. The gentleman from California (Mr. ISSA) and the gentleman from Michigan (Mr. CONYERS) each will control 45 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 6429, as amended, under current consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, when it comes to STEM fields, this is long overdue. This is not the first time we have considered it, but as we go into the lame duck session, I'd like the American people to understand why this is so important. For more than 2 years, the national campaigns have talked in terms of jobs. STEM means jobs, Mr. Speaker.

Many years ago, Thomas Friedman wrote about an experience of being a speaker at a commencement, and he watched one after another individuals cross receiving their masters and doctorate degrees in science, in math, and in engineering. The amazing thing is, one after another had names that were almost impossible to pronounce in some cases, and, clearly, the majority of these engineers and scientists came from other countries and were being told they must return to them. He made the statement in his op-ed that, in fact, at the end, rather than just a diploma, they should be given a diploma and a green card. Mr. Speaker, I agree with Thomas Friedman on this subject.

For each person we welcome to America with one of these high degrees, we create jobs, net jobs. We create opportunity for expansion of the kinds of businesses that, in fact, Americans are prepared to work in, but often we do not have enough engineers, scientists, or math professionals. This shortage, particularly at the masters and doctorate level, is well documented.

This is not something in which Republicans and Democrats are on different sides; this is something we agree on. There is some controversy, as you might imagine; there always is. Some would cling to a lottery that allows 55,000 immigrants to come for no reason other than they asked and they got

a lottery. Those 55,000 are, in fact, an example of a great many of our immigrants. Only 5 percent of immigration visas today are based on skills of education and other capacities—only 5 percent.

□ 0920

I support other categories of immigration, including those fleeing the tyranny of their own countries, those in fact who would be killed if they remained, or tortured; and I certainly agree that family reunification continues to be an important part of our immigration system. But today what we're dealing with is the ability to make a profound difference of 55,000 opportunity jobs.

We often hear about opportunity scholarships, Mr. Speaker. Opportunity jobs is what we're talking about today—jobs that are in great demand. In this high unemployment era, STEM jobs can be not just below 4, but in some cases below 2, percent. The truth is if you're qualified and you have these kinds of advanced degrees, the jobs are far greater than the qualified applicants.

Three-quarters of likely voters support strongly this type of legislation, and, I believe, properly understood, that for each STEM immigration visa, the fact is that you would gain net jobs, that by bringing in these 55,000, we could drop hundreds of thousands of people from the unemployment rolls because they could become employed. The benefit to our economy is undeniable. The controversy here today will simply be, are we willing to act and act now. Many say that little good happens in a lame-duck session. In this case, I believe both in the House and hopefully in the Senate we can in fact say, not true.

Some of the groups that have strongly come out in support of this legislation include: the Institute for Electrical and Electronics Engineers, an area of shortage; the U.S. Chamber of Commerce, an area of commerce; Compete America; the Information Technology Industry Council; and the Society for Human Resource Management. And, I might say, the industry I came from, the Consumer Electronics Association, has long supported these kinds of investments in America.

This bill has the support of the large majority of the House of Representatives, and on a bipartisan basis. Last September, by an overwhelming vote, more than 100 votes to spare, the STEM Jobs Act passed under suspension.

To protect American jobs, employers who hire STEM graduates must advertise for the position before they can ask for them, and they must in fact make their jobs available to all existing American workers. In fact, these protections have long meant that after all that advertising, employers often enter the H–1B, attempt to get a temporary worker; but in fact for permanent opportunities and permanent growth, we should have more permanent jobs than simply a guest technology worker.

More importantly, I think it's universally recognized by both my colleagues on the other side and by my colleagues that if you have somebody who's going to benefit America, having them benefit America for a short time and then go home and in fact compete against America is not in America's best interests.

In fact, an Assistant Secretary of State for Visa Services has testified that the diversity fraud in the system that we are attempting to take these slots from is so huge as to in fact make it effectively worthless. In those hearings and many others, we've determined that we do have an opportunity, on a net basis, no net-new immigrants but in fact a selection of the ones that Americans want would be the best.

There are many other provisions in this bill, but I want to touch on one, which is family reunification. Under this bill, we're going to set aside what has been a bad idea for a long time: people who just because of our bureaucracy often wait for family reunification. Americans, with green cards or fully naturalized citizens, often wait for many years to be reunited. Under this bill, I believe broadly supported, we're going to change that. We're going to make it to where after 1 year, if there are no other impediments to their coming, they may wait with their families here for final status. We believe that this is the best solution to a problem where we have had pervasive slowness in the process and it's to the detriment of families being together.

So although there will be additional comments, and I intend to make additional comments, I want to close simply by saying one thing: I was an employer. I knew that in fact technology and people who could apply it allowed my company to compete globally. I knew that in fact there were never enough of those people. I always had an open mind to hire if I found a smart engineer or a smart scientist.

Mr. Speaker, we can only gain by asking as many people who are smart and who create opportunities far beyond just their own to be part of our society. It's smart in business. It's smart in America.

I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield myself as much time as I may consume.

I want to begin by pointing out that the same poison pill that defeated this bill on suspension is now being brought up again with the same poison pill that pits immigrant and minority communities against one another and makes the legislation, therefore, unworkable.

Rather than simply creating green cards for STEM graduates, the majority insists that we must pay for the new visas by completely eliminating Diversity Visas, a longstanding legal immigration program. The elimination of the Diversity Visa program will drastically reduce immigration from African nations because immigrants from Africa normally comprise half the Diversity Visa program's annual beneficiaries.

Rather than reaching out to minority and immigrant communities, the majority is for some reason steamrolling through a bill that we otherwise agree with that cuts visas for minorities and signals their continued support for a Grover Norquist-style ''no new green cards'' pledge that says you can't create a green card for one person without taking one away from someone else.

Even worse, it is shamefully designed to reduce the overall level of legal immigration. Under current law, unused visas in one immigration category roll over to immigrants in other categories who are stuck in decades-long green card backlogs. But H.R. 6429 doesn't do this, thereby ensuring that unused visas are wasted and legal immigrants must continue to suffer in long backlogs. This is a naked attempt to satisfy anti-immigrant groups that have long lobbied for reduced levels of legal immigration.

If this is a new strategy on immigration, it sure looks a lot like the old one. A zero-sum rule means our immigration system can never be fixed. We would not be able to craft solutions for the DREAMers who were brought here as children, for the agricultural workers growing the food on our tables, or for the American families whose loved ones are stuck in decades-long green card backlogs.

We're not fooled by the majority's assertion that this latest version of the bill actually helps families. In reality, the provision that the majority touts is a step backwards from the LIFE Act enacted under a Republican Congress in 2000. Under that act, undocumented spouses and children of lawful permanent residents were able to obtain V visas and eventually adjust their status to lawful permanent residents. The bill offered such family members protection from removal and explicitly granted work authorization.

In contrast, the provision that my colleagues herald this morning as helping families grants certain spouses and children who have already waited abroad for over a year temporary V visas. There is no work authorization, and undocumented family members would be excluded altogether from participating in this program.

□ 0930

While the majority bill provides permanent green cards for businesses, it provides nuclear families with nothing more than temporary visas without work authorization—and then, only after a 1-year separation. And to undocumented children and spouses of lawful permanent residents, the bill offers nothing at all.

So I regret that this legislation was brought to the floor without any committee process, without any opportunity for amendment, and without

any input from those on this side of the aisle. I hope that in the coming Congress the majority will cast aside this political theater and join me in the hard work of finding workable bipartisan solutions to fix our immigration system.

Mr. Speaker, I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, to my colleague from Michigan, 1990 is a longstanding part of our 236-year history. 1990 is a long part of 236 years. And 55,000 out of 1 million immigrant visas is a large part. I think on this side of the aisle we know better. We know that in fact this is a relatively recent provision, the 55,000 Diversity Visa. And clearly, America continues to be the most generous Nation on Earth when it comes to welcoming people to our country.

I yield such time as he may consume to my colleague and classmate coming to Congress, the distinguished gentleman from Arizona (Mr. FLAKE), a cosponsor of the bill.

Mr. FLAKE. I appreciate this bill coming up. This has been long, long overdue. Many of us have been working on this issue for years.

Several years ago, when I first got to Congress, I met with some CEOs of major tech corporations who told me that they have to follow the talent wherever it goes. Some 65 percent of Ph.D. graduates in the STEM fields actually are foreign born. They come, are educated here, and then return home or return somewhere else to compete against us. We ought to be rolling out the red carpet for them to stay. In fact, what I was told is we should staple a green card to their diploma.

And so I introduced three Congresses ago and every Congress since then the Staple Act, which would do essentially that. It would, basically, get rid of the quotas we have on those who come here, are educated in our universities, and receive Ph.D.s in the STEM field. This legislation is similar in that respect to the Staple Act, and I support it. There's no reason we ought to force those to return home or elsewhere who are willing to stay here and create jobs. We ought to roll out the red carpet. As I say, we ought to staple the green card to their diploma and welcome them here and have them create jobs. That's why I'm glad that this legislation is before us. I support it, and urge my colleagues to do so as well.

Mr. CONYERS. Mr. Speaker, I am pleased now to yield 5 minutes to the ranking member of the Immigration Subcommittee, who represents the place where many of these techs come from, Silicon Valley, Ms. ZOE LOFGREN.

Ms. ZOE LOFGREN of California. Mr. Speaker, I have long been a champion of creating a green card program for foreign students with advanced STEM degrees from America's great research universities. Coming from Silicon Valley, I'm fortunate enough to see firsthand the new technologies, the new companies, the new jobs that such innovators create every day in the district I represent.

There's no question that a STEM green card program is the right thing to do for our country. For that reason, it pains me greatly to say I can't support this flawed bill. I can't support a bill that pits immigrant communities against each other, that sets a terrible precedent for addressing our broken immigration system that is indefensibly designed to reduce immigration while purporting to increase it, and that harms American workers. I certainly admire the gentleman from Arizona on his Staple Act. I know that he has pushed for this over the Congresses. But his Staple Act did not eliminate the Diversity Visa program, as this does.

Our colleagues on the other side of the aisle say that a STEM visa program is critical to the future of this country—and I agree. But if that's true, why poison the bill with an unrelated provision to eliminate the Diversity Visa program? There's no reason that giving a green card to one person should mean taking one away from someone else, but that is exactly what the bill asks us to do.

My colleagues are fond of saying they support legal immigration, but this bill shows quite the opposite. Supporters of legal immigration would not have to kill one immigration program to benefit another; nor would they agree to a Grover Norquist-style ''no new immigration'' pledge that will continue to strangle our immigration system for years to come. If we were to accept a zero-sum premise, how could we craft meaningful solutions for farmers and agricultural workers; for DREAMers, who were brought here as children; or for those families with loved ones waiting abroad in decades-long queues?

This bill, however, is even worse than that. It is actually designed to reduce legal immigration. Taking 55,000 green cards from one category and putting them in another may seem like an even trade, but it is not if the new category is drafted to ensure that green cards go unused.

According to the National Science Foundation, American universities currently graduate about 30,000 foreign students with degrees that would qualify them for green cards under this bill. Assuming every single one of them wanted to stay and could find an employer willing to offer them a permanent job, which is certainly not the case, that would still leave 25,000 green cards unused. This bill shamefully prevents those green cards from being used to help other employment and family-based immigrants suffering in long backlogs. And I would note that those who have their labor certification based on a bachelor of science degree, if you're born in India, you're facing a 70-year wait. Yet this bill would not allow the traditional policy of having visas trickle down when they are unused. That's not the way the immigration system works. I believe the only reason the bill was written in this fashion is to satisfy anti-immigrant organizations who have long lobbied for reduced levels of immigration.

In an attempt to appear more pro-immigrant, the authors point to a new ''family-friendly'' position. But looks can be deceiving. Currently, a lack of green cards means that a category of family-based immigrant—the spouses and minor children of U.S. permanent residents—have to wait about 2 years overseas before they can rejoin their families.

Instead of providing critical green cards to these nuclear families, the STEM bill offers temporary V visas with three significant catches: the family members must first spend at least 1 year overseas; unlike the original V visa, created by a Republican Congress in 2000, the new visas prohibit family members already here from participating; and unlike the original V visa, recipients are prohibited from working.

With all the talk about moving forward on immigration, this is a step back from where Republicans were just 12 years ago. When I hear allegations of fraud in this program, I just have to say that is absurd. In the year 2007, the General Accountability Office found no documented evidence that Diversity Visa immigrants posed a terrorist or other threat. The DV recipients go through the same immigration, criminal, and national security background checks that everyone goes through when they seek lawful permanent residence.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. CONYERS. I yield the gentlelady an additional 1 minute.

Ms. ZOE LOFGREN of California. In fact, the State Department was the first to use facial recognition technology to reduce fraud.

Finally, I would say that this does not do enough to protect workers. I'll give you an example. Computer and information science research scientists in level one for labor certification may be paid $86,736. That's what's in the labor cert. But their median income in Silicon Valley is $133,000. So we have an idea that we shouldn't underpay the foreign scientists. We should pay them the same as Americans. This bill fails in that way.

□ 0940

Finally, I would note that the Competitive Enterprise Institute has come out against this bill because it has these extraneous and divisive provisions. We need to move beyond the politics of zero-sum immigration. Those policies are holding America back. They are holding our prosperity hostage.

I will place into the RECORD the Competitive Enterprise Institute letter in opposition to this bill.

[From the Competitive Enterprise Institute]

STEM JOBS ACT A STEP BACKWARD ON IMMIGRATION REFORM, WARNS FREE MARKET GROUP

WASHINGTON DC.—Nov. 29, 2012—This Friday, the House of Representatives will vote

on the STEM Jobs Act (H.R. 6429). The bill would allocate 55,000 green cards for foreign-born graduates of U.S. universities with Doctorate and Master's degrees in science, technology, engineering, and mathematics (STEM) fields, but it also eliminates all 55,000 visas under the Diversity Visa Program.

The Competitive Enterprise Institute (CEI) warned that the bill will actually hurt legal immigration. CEI immigration policy analyst David Bier released this statement on the legislation:

Not only does this bill seek to make immigration reform into a zero-sum game in which each winner must be matched with a loser, it seeks to use the illusion of immigration reform to decrease immigration. Its proponents know there are not enough foreign-born STEM graduates to fill demand for this new visa and have refused to allow unused visas to be reallocated to other categories.

The bill also violates employer privacy by creating an internet list of those who hire these immigrants, making them potential targets for harassment, and it undermines immigrant self-sufficiency by barring spouses of legal residents from work while they wait for green cards.

This bill sets a dangerous precedent that conservative reform means eliminating visas for the less-educated to give them to the highly-educated. Truly free market immigration reform should expand visas for both categories of immigrants. The false dichotomy the STEM Jobs Act creates will only make America's immigration system more discriminatory and restrict avenues for legal immigration—which inevitably leads to more of the illegal kind.

Mr. ISSA. Mr. Speaker, I will be placing in the RECORD information from the U.K.'s U.S. Embassy, as current enough actually to include, ''Condolences for Deaths in Benghazi'' on the same page as it says, ''Diversity Visa Fraud'' warning. I also will be including a press release from the Embassy of the United States in Dublin, Ireland, that starts off by saying, ''U.S. Embassy Dublin Issues Caution About Diversity Visa Email Scams,'' and other information, to show the pervasiveness of this fraud.

CONDOLENCES FOR DEATHS IN BENGHAZI

14 September 2012—If you would like to send us an electronic condolence message that we can forward to Washington to be shared with the victims' families, please use this form.

PRESS RELEASE, EMBASSY OF THE UNITED STATES, DUBLIN, IRELAND

U.S. EMBASSY DUBLIN ISSUES CAUTION ABOUT DIVERSITY VISA EMAIL SCAMS

The U.S. Embassy in Dublin advises residents of Ireland about a widespread Diversity Visa (DV lottery) scam and to use caution when working with private entities to apply for visas to the United States. Reports of fraudulent emails, websites, and print advertisements offering visa services are on the rise. UNDER NO CIRCUMSTANCES should anyone send any money to any address for participation in the DV Lottery.

One widespread DV lottery scam email instructs recipients to send money via Western Union to a fictitious person at the U.S. Embassy in London. If you have received this email, you have been targeted by con artists. UNDER NO CIRCUMSTANCES should anyone send any money to any address for participation in the DV Lottery. The Department of State's Kentucky Consular Center (KCC) does not/not send email notifications to DV entrants informing them of their winning entries.

Successful DV–2011 applicants already have been notified by KCC by letter, not by email.

DV–2011 entrants also can check the status of their entries at http://www.dvlottery.state.gov until June 30, 2012. Entrants will not be asked to send money to the KCC or any U.S. embassy or consulate.

Entrants who completed the online DV–2012 entries will not receive notification letters from KCC. Rather, they must check the status of their entries themselves through the Entrant Status Check available at http://www.dvlottery.state.gov between May 1, 2011, and June 30, 2012.

Many private websites offer legitimate services to assist individuals in applying for visas, but some illegitimate entities claim to provide ''visa services'' as a cover for scams or identity theft. Some of these websites may attempt to charge a fee for providing forms and information about immigration procedures that are available to the public at no charge on the Department of State (www.state.gov) and travel.state.gov websites, or through the U.S. Embassy website at dublin.usembassy.gov/.

The only official way to register for the DV program is directly through the official U.S. Department of State website during the specified, limited-time registration period.

The DV program offers up to 55,000 visa slots annually for people who wish to apply for immigration to the United States. Applicants selected in the random drawing are notified by the U.S. Department of State and are provided with instructions on how to proceed to the next step in the process. No other organization or private company is authorized by the U.S. Department of State to notify DV program applicants of their winning entries or the next steps in the process of applying for their immigrant visas. Anyone who wishes to apply for a U.S. visa should use caution before sending via email any personal information such as credit card and bank account numbers.

Images of U.S. emblems such as flags, eagles, monuments, or official seals do not necessarily indicate a U.S. Government website. A domain name of ''.gov'' ensures that a website is a legitimate U.S. Government site where the information is free and up-to-date. Complaints about unwanted emails that may be scams can be sent to the U.S. Department of Justice at www.usdoj.gov/spam.htm.

With that, I yield 3 minutes to the distinguished incoming chairman of the full Committee on Foreign Affairs and a long-time expert on this subject, Mr. ROYCE.

Mr. ROYCE. Mr. Speaker, I rise in support of this STEM Jobs Act. Clearly, the focus on this provision is to try to bring people with skills here to the United States.

Graduates of American universities in science and in technology and engineering and math, these STEM fields, are, frankly, behind many of the innovations, many of the new businesses that are part of our present and future economic growth. If we want to look at jobs, this is where those new patents, those new ideas will come from that help create jobs. So we have talented students from around the world that contribute to the graduate STEM programs of our universities.

We are trying to focus on a way to make sure our immigration system here puts our interests first as a country.

We have the most generous level of legal immigration in the world, but when you think about it, we select only 5 percent of our immigrants based on the skills and education that they bring to America. Clearly, what we're trying to do is to make certain that these foreign graduates of U.S. universities in the STEM fields, because they're in such great demand here, many of them of course end up on years-long green card waiting lists and, as a result, many of them give up and go to work for one of our global competitors. So our focus is: What can we do to accelerate this?

This bill alters our current immigration system to encourage job creation by increasing the proportion of new entrants with high levels of education, with high levels of skills.

We know that skilled immigrants contribute mightily to the rising U.S. standard of living. They bring capital, as I say, they bring new ideas, and they produce new companies here. So, with this bill we can help grow innovation and we can create the jobs in this country. We've got plenty of examples, frankly, in California of IT firms that are founded by immigrants from China and from India that were educated here in our institutions.

This legislation also contains a family reunification provision, which allows graduates' spouses and children to live in the U.S. while waiting for their green card application to be processed.

One of the things that seems pretty clear to me is that, because we roll over the green cards every year for the next 4 years to make sure that they all are used, that, in point of fact, we believe that more of them will be used than under the Diversity lottery where they're not rolled over. So I think it's quite the opposite. I think we, in fact, focus here on exactly the type of skilled immigration that's most likely to create jobs here in the United States.

So I would urge my colleagues to support this bill in order to help our economy grow.

Mr. CONYERS. Mr. Speaker, I'm pleased to yield 30 seconds to the gentlewoman from California (Ms. LOFGREN).

Ms. ZOE LOFGREN of California. I just want to address the fraud warning issue. This is a warning to applicants not to be scammed; it wasn't a warning that there was fraud.

The idea that you would try, as a terrorist, to come in to be in a pool of 20 million people—it's been that high—and be in a lottery that only awards 55,000 is almost as absurd as the ''terror baby'' suggestion of a few years ago.

I would just note that the rollover of visas actually is so restrictive that you only roll over if you apply that year. This will not even cure the backlog. It is a fraud.

Mr. CONYERS. Mr. Speaker, I now yield 5 minutes to a senior member of the House Judiciary Committee, the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank the distinguished gentleman.

I think the difference with my friends on the other side of the aisle is their lack of recollecting that America has always viewed immigration as good. In fact, I heard a very potent story this morning about the restoring of the Statue of Liberty that so many of us as children have had the opportunity to climb to the very top and be reminded of the welcoming of the huddled poor. That's what this debate is all about, Mr. Speaker.

I want to thank the chairman for yielding to me, and I just want to deviate for a moment in this time of economic tension just to remind people that tomorrow is World AIDS Day. I want to congratulate the Thomas Street clinic in my district and remind people that 25 million people have died since 1981. I just wanted to acknowledge those individuals as we begin this very important debate.

We are respectful of immigrants. Even in the Democratic Caucus, and I would imagine in the Conference—my good friend who is now managing had an immigrant history. Yesterday, we elected a son of immigrants to be the vice chair of the Democratic Caucus. He told a very potent story about his grandfather coming here to the United States of America. I can assure you that he did not come with massive degrees, but he built a foundation for his country and for his family.

Now, I am very much in support of the STEM process and premise, which is to give opportunity to those who have studied in our universities, research institutions. Why wouldn't I? Having had children who have had the opportunity to attend some of the best institutions in this country, having had my children meet some of those very students, from Harvard to the University of North Carolina and Duke, I am well aware of the importance of this. But I would raise the question of whether or not we can judge the Diversity visas, where people have come from places like Bangladesh and Uzbekistan, Germany, Ethiopia—one of our strongest allies in Africa—Liberia, with an African woman as President, the first on that continent, South Africa. Or maybe we would choose to ignore our friends in Israel, where Diversity visas were received; or Albania, where we went to war to ensure the integrity and the saving of those people; or Hungary or Iceland or maybe our strong ally Turkey. That's what Diversity visas represent.

There is no reason to borrow from Peter to pay Paul. In fact, if my friends would really pay attention to the recent charge of the November 6 election, they would know that what America needs is comprehensive immigration reform. If I might, in this debate of deficit reduction and the need for increased revenue, we know that if you had comprehensive immigration reform over 10 years, you would introduce into the economy $1.5 trillion. That's a reason to come to the floor right now and vote this bill down and start in the next week and put on the floor the bills that LUIS GUTIERREZ and myself and ZOE LOFGREN and JOHN CONYERS and many others—at one time, Senator MCCAIN wanted to put on the floor of the Senate and the House.

My concern is that we tried to come in a bipartisan manner. I introduced legislation—an amendment, rather—in the markup to say that let's study this issue of fraud with the Diversity visas, or let's assess what it is, because we have evidence that, in fact, the alleged fraud was because of a computer error, not the people who are applying.

□ 0950

Mr. Speaker, 15 million have applied. Only 50,000 have been able to get the Diversity Visa. And of those, some of them are African immigrants, 50 percent of them; but they equal only 1 percent of the legal permanent residents.

This whole question of terrorism just troubles me. I went to the Rules Committee in a spirit of bipartisanship to say, eliminate the provision on Diversity Visas. We can then support you. Keep the underlying premise of this legislation. I even asked that the rollover be extended because there's no evidence that you can get 55,000 in 4 years.

If you are serious about creating jobs—I am serious about creating jobs. My colleagues are serious about creating jobs. But I am disappointed that we would classify the Diversity Visa as bringing in ne'er-do-wells, people we don't want. Because I will tell you that America was built on the ne'er-do-wells—maybe those of us who came as slaves or indentured servants, who came in the late 1800s with not any money in their pocket but who were determined to serve this Nation.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. CONYERS. I yield the gentlelady 1 additional minute.

Ms. JACKSON LEE of Texas. I thank the gentleman.

I recall the story of my colleague whose grandfather served in World War I. As soon as he got here, he was willing to shed his blood for this country.

I am on the Homeland Security Committee, Mr. Speaker. I would not want to jeopardize one inch of this Nation's security; but I can assure you, if we look to 9/11, there was no one there with a Diversity Visa. The terrorists had student visas, and they were overstays.

Former Congressman Bruce Morrison, who introduced this, said that Diversity Visas are at the heart of the definition of America. And as my friend and colleague from California, Congresswoman LOFGREN said, Who that was a terrorist would want to stand in line and provide all of the information that they needed to provide to get a Diversity Visa?

I will enter into the RECORD a letter from the Archbishop of Los Angeles, the chairman of the U.S. Conference of Catholic Bishops Committee on Migration, who absolutely opposes H.R. 6429, a church that believes in the Beatitudes, as we all do.

COMMITTEE ON MIGRATION C/O MIGRATION AND REFUGEE SERVICES, USCCB,

Washington DC, November 28, 2012.

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the U.S. Conference of Catholic Bishops (USCCB), I write to oppose H.R. 6429, legislation that would eliminate the existing Diversity Visa program and its 55,000 permanent immigration visas in order to provide visas to foreign graduates of American universities with expertise in science, technology, engineering, and mathematics (STEM).

To be clear, USCCB is not opposed to an increase in STEM visas. We prefer to see Congress authorize additional visas for this purpose, however, rather than eliminate existing immigrant visa programs. Our nation should not limit itself in attracting newcomers who can help contribute to our economic and cultural growth. And it certainly should not eliminate the Diversity Visa program, which is one of the few avenues available for many would-be immigrants from some African and European countries to immigrate to the United States.

While we appreciate the spirit of an unrelated provision in the bill that would permit some beneficiaries of family-based immigration petitioners to live in the United States while awaiting their priority dates, we believe that persons granted such a status should also be granted work authorization, as has been done in the past, so they can support themselves during this period.

H.R. 6429 falls well short of what is needed to repair our flawed immigration system. Indeed, we believe it would represent a setback compared to current law in that, for the first time in more than a generation, it would eliminate a category of legal immigration. We look forward to working with you and your colleagues in the House of Representatives to achieve comprehensive immigration reform in the near future.

Thank you for your consideration of our views.

Sincerely,

MOST REVEREND JOSÉ H. GOMEZ,
Archbishop of Los Angeles, Chairman,
USCCB Committee on Migration.

The SPEAKER pro tempore. The time of the gentlewoman has again expired.

Mr. CONYERS. I yield the gentlewoman 30 additional seconds.

Ms. JACKSON LEE of Texas. I can only say, the Catholic Church does not want terrorists to roam this Nation.

And if we look closely at this allegation of fraud, we will find computer error. We will find that with the decades of Diversity Visas, as they were introduced with Bruce Morrison, we will find that this is not the cause of any cancer of terrorism. If we go into our hearts, we will know that Diversity Visas reflect the language written so eloquently by the poet for the Statue of Liberty and that is: ''Give me your tired, your poor.'' Those are the great Americans.

And I can assure you that in my constituency, Mr. Speaker, the diverse 18th Congressional District in the city of Houston, they reflect what America is. They are building the jobs.

I ask my colleagues to oppose this, and let us get back to the drawing board for a conference on immigration reform.

Mr. Speaker, I rise today to oppose H. Res. 821 the Rule providing for the consideration of H.R. 6429 ''STEM Jobs Act,'' an ill-conceived bill that eliminates the Diversity Immigration Visa Program in order to increase the amount of visas available for STEM applicants.

As a senior Member of the Judiciary Committee I have long advocated for the Diversity Immigration Visa program. Earlier this year, during a Judiciary Committee mark up of a bill which was also designed to kill the Diversity program, I offered an amendment that directed the Secretaries of Homeland Security and State to report to Congress on steps that could be taken to further eliminate fraud and security risks in the Diversity Visa program. Rather than vote to fix the program and defend legal immigration and diversity in our immigrant pool, every Republican on the Committee who was present voted down the amendment.

On Wednesday, I once again offered amendments in Rules Committee to protect the Diversity Visa Program, and once again the Republican majority on the Committee voted against it.

Nearly 15 million people, representing about 20 million with family members included, registered late last year for the 2012 Diversity Visa Program under which only 50,000 visa winners were to be selected via random selection process.

Each year, diversity visa winners make up about 4 percent of all Legal Permanent Resident, LPR, admissions.

Unlike every other visa program, its express purpose is to help us develop a racially, ethnically, and culturally-diverse population. It serves a unique purpose and it works. In recent years, African immigrants have comprised about 50 percent of the DV program's beneficiaries, however only 1 percent of legal permanent residents recipients.

Diversity Visa immigrants succeed and contribute to the U.S. economy. According to the Congressional Research Service, in FY 2009 Diversity Visa immigrants were 2.5 times more likely to report managerial and professional occupations than all other lawful permanent residents.

The Diversity Visa program promotes respect for U.S. immigration laws. It reduces incentives for illegal immigration by encouraging prospective immigrants to wait until they win a visa, as opposed to attempting to enter without permission.

CHANCE FOR THE AMERICAN DREAM

the Diversity Visa sustains the American Dream in parts of the world where it represents the only realistic opportunity for immigrating to the U.S.

Former Rep. Bruce Morrison—one of the architects of the Diversity Visa—testified in 2005 that the program advances a principle that is ''at the heart of the definition of America;'' the principle that ''all nationalities are welcome.''

Ambassador Johnny Young, Executive Director of Migration and Refugee Services, U.S. Conference of Catholic Bishops, testified at a 2011 Judiciary Committee hearing: ''The Program engenders hope abroad for those that are all too often without it—hope for a better life, hope for reunification with family in the United States, and hope for a chance to use their God-given skills and talents.''

NO SIGNIFCANT EVIDENCE OF A SECURITY RISK

No substantive evidence has been given that the Diversity Program poses a significant risk to our national security. There are organizations like Numbers USA who are not just advocating against illegal immigration but also wish to place caps on or decrease legal immigration as well.

As former Congressman Bruce Morrison testified in 2005: ''[I]t is absurd to think that a lottery would be the vehicle of choice for terrorists.'' 12 to 20 million people enter the Diversity Visa lottery each year and no more than 50,000 visas are available.

In 2007, GAO ''found no documented evidence that DV immigrants . . . posed a terrorist or other threat.''

Diversity Visa recipients go through the same immigration, criminal, and national security background checks that all people applying for Lawful Permanent Residence undergo. They also are interviewed by State Department and Department of Homeland Security personnel.

FRAUD

Since the State Department OIG first raised concerns about fraud in 1993, significant changes have been made. In 2004, State implemented an electronic registration system. This allows State to use facial and name recognition software to identify duplicate applications and to share date with intelligence and law enforcement agencies for necessary immigration and security checks.

In 2012 there was an incident where 20,000 people were erroneously notified that they were finalists in the Diversity program. They would have the opportunity to enter the lottery. The OIG investigated and found this was due to a computer error. There was no evidence of intentional fraud, as a safety precaution and because of the principle of fairness the State Department did the lottery again.

The Diversity Visa program has led the way in applying cutting edge technology to reduce fraud and increase security. The program was one of the first in the government to use facial recognition software to analyze digital photographs.

I join the vast majority of my Democratic colleagues in supporting an expansion of the STEM program. H.R. 6429 attempt to increase the STEM Visa program is an admirable one; however, I firmly believe it should not come at the expense of the Diversity Immigration Visa Program and should include a broader range of institutions.

America's ability to extend its arms and welcome immigrants is more than a cultural tradition; it is a fundamental promise of our democracy. The Diversity Immigration Visa Program is designed to give a very small diverse percentage of immigrants the opportunity to attain a green card and live the American dream. It's a popular program, it's a successful program and it reflects core American values of inclusion and opportunity.

DIVERSITY VISA PROGRAM (DV–2012)—SELECTED ENTRANTS

The Kentucky Consular Center in Williamsburg, Kentucky has registered and notified the winners of the DV–2012 diversity lottery. The diversity lottery was conducted under the terms of section 203(c) of the Immigration and Nationality Act and makes available *50,000 permanent resident visas annually to persons from countries with low rates of immigration to the United States. Approximately 100,021 applicants have been registered and notified and may now make an application for an immigrant visa. Since it is likely that some of the first *50,000 persons registered will not pursue their cases to visa issuance, this larger figure should insure that all DV–2012 numbers will be used during fiscal year 2012 (October 1, 2011 until September 30, 2012).

Applicants registered for the DV–2012 program were selected at random from 14,768,658 qualified entries (19,672,268 with derivatives) received during the 30-day application period that ran from noon on October 5, 2010, until noon, November 3, 2010. The visas have been apportioned among six geographic regions with a maximum of seven percent available to persons born in any single country. During the visa interview, principal applicants must provide proof of a high school education or its equivalent, or show two years of work experience in an occupation that requires at least two years of training or experience within the past five years. Those selected will need to act on their immigrant visa applications quickly. Applicants should follow the instructions in their notification letter and must fully complete the information requested.

Registrants living legally in the United States who wish to apply for adjustment of their status must contact U.S. Citizenship and Immigration Services for information on the requirements and procedures. Once the total *50,000 visa numbers have been used, the program for fiscal year 2012 will end. Selected applicants who do not receive visas by September 30, 2012 will derive no further benefit from their DV–2012 registration. Similarly, spouses and children accompanying or following to join DV–2012 principal applicants are only entitled to derivative diversity visa status until September 30, 2012.

Only participants in the DV–2012 program who were selected for further processing have been notified. Those who have not received notification were not selected. They may try for the upcoming DV–2013 lottery if they wish. The dates for the registration period for the DV–2013 lottery program are expected to be widely publicized at some point during the coming months.

*The Nicaraguan and Central American Relief Act (NACARA) passed by Congress in November 1997 stipulated that up to 5,000 of the 55,000 annually-allocated diversity visas be made available for use under the NACARA program. The reduction of the limit of available visas to 50,000 began with DV–2000.

The following is the statistical breakdown by country of chargeability of those selected for the DV–2012 program.

DIVERSITY 2012

AFRICA	
ALGERIA	1,799
ANGOLA	42
BENIN	511
BOTSWANA	7
BURKINA FASO	226
BURUNDI	56
CAMEROON	3,374
CAPE VERDE	9
CENTRAL AFRICAN REP.	3
CHAD	33
COMOROS	9
CONGO	105
CONGO, DEMOCRATIC REPUBLIC OF THE	3,445
COTE D'IVOIRE	553
DJIBOUTI	38
EGYPT	4,664
EQUATORIAL GUINEA	4
ERITREA	670
ETHIOPIA	4,902
GABON	48
GAMBIA, THE	113
GHANA	5,832
GUINEA	899
GUINEA-BISSAU	3
KENYA	4,720

DIVERSITY 2012—Continued

LESOTHO	8
LIBERIA	2,101
LIBYA	136
MADAGASCAR	17
MALAWI	16
MALI	76
MAURITANIA	29
MAURITIUS	59
MOROCCO	1,890
MOZAMBIQUE	13
NAMIBIA	10
NIGER	32
NIGERIA	6,024
RWANDA	333
SAO TOME AND PRINCIPE	0
SENEGAL	270
SEYCHELLES	6
SIERRA LEONE	3,397
SOMALIA	175
SOUTH AFRICA	833
SUDAN	757
SWAZILAND	0
TANZANIA	175
TOGO	845
TUNISIA	113
UGANDA	418
ZAMBIA	79
ZIMBABWE	123
ASIA	
AFGHANISTAN	109
BAHRAIN	29
BANGLADESH	2,373
BHUTAN	5
BRUNEI	0
BURMA	370
CAMBODIA	596
HONG KONG SPECIAL ADMIN. REGION	54
INDONESIA	256
IRAN	4,453
IRAQ	153
ISRAEL	175
JAPAN	435
JORDAN	152
NORTH KOREA	0
KUWAIT	108
LAOS	1
LEBANON	274
MALAYSIA	118
MALDIVES	0
MONGOLIA	209
NEPAL	3,258
OMAN	11
QATAR	19
SAUDI ARABIA	217
SINGAPORE	45
SRI LANKA	708
SYRIA	160
TAIWAN	391
THAILAND	73
TIMOR-LESTE	9
UNITED ARAB EMIRATES	92
YEMEN	149
EUROPE	
ALBANIA	1,508
ANDORRA	1
ARMENIA	998
AUSTRIA	130
AZERBAIJAN	304
BELARUS	493
BELGIUM	105
BOSNIA & HERZEGOVINA	83
BULGARIA	883
CROATIA	107
CYPRUS	26
CZECH REPUBLIC	104
DENMARK	73
ESTONIA	49
FINLAND	91
FRANCE	574
French Polynesia	7
New Caledonia	1
GEORGIA	620
GERMANY	1,709
GREECE	105
HUNGARY	325
ICELAND	56
IRELAND	213
ITALY	529
KAZAKHSTAN	434
KOSOVO	137
KYRGYZSTAN	321
LATVIA	83
LIECHTENSTEIN	0
LITHUANIA	258

DIVERSITY 2012—Continued

LUXEMBOURG	8
MACEDONIA	160
MALTA	20
MOLDOVA	1,238
MONACO	3
MONTENEGRO	18
NETHERLANDS	149
Aruba	4
Curacao	19
St. Maarten	2
NORTHERN IRELAND	59
NORWAY	84
PORTUGAL	66
Macau	19
ROMANIA	1,327
RUSSIA	2,353
SAN MARINO	1
SERBIA	298
SLOVAKIA	80
SLOVENIA	16
SPAIN	232
SWEDEN	200
SWITZERLAND	229
TAJIKISTAN	270
TURKEY	3,077
TURKMENISTAN	143
UKRAINE	5,799
UZBEKISTAN	4,800
VATICAN CITY	0
NORTH AMERICA	
BAHAMAS, THE	15
OCEANIA	
AUSTRALIA	900
Christmas Island	3
Cocos Islands	1
FIJI	628
KIRIBATI	14
MARSHALL ISLANDS	4
MICRONESIA, FEDERATED STATES OF	2
NAURU	5
NEW ZEALAND	309
Cook Islands	6
Niue	14
PALAU	5
PAPUA NEW GUINEA	0
SAMOA	0
SOLOMON ISLANDS	0
TONGA	93
TUVALU	0
VANUATU	8
WESTERN SAMOA	9
SOUTH AMERICA, CENTRAL AMERICA, AND THE CARIBBEAN	
ANTIGUA AND BARBUDA	9
ARGENTINA	101
BARBADOS	25
BELIZE	9
BOLIVIA	84
CHILE	43
COSTA RICA	43
CUBA	292
DOMINICA	18
GRENADA	24
GUYANA	26
HONDURAS	80
NICARAGUA	49
PANAMA	21
PARAGUAY	17
SAINT KITTS AND NEVIS	7
SAINT LUCIA	4
SAINT VINCENT AND THE GRENADINES	16
SURINAME	15
TRINIDAD AND TOBAGO	175
URUGUAY	19
VENEZUELA	925

Natives of the following countries were not eligible to participate in DV–2012: Brazil, Canada, China (mainland-born, excluding Hong Kong S.A.R. and Taiwan), Colombia, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, India, Jamaica, Mexico, Pakistan, Peru, the Philippines, Poland, South Korea, United Kingdom (except Northern Ireland) and its dependent territories, and Vietnam.

Mr. ISSA. Mr. Speaker, correcting the record appears to be important here. So I want to note that earlier, the minority said that there was no GAO study. Well, I beg to differ. A September 2012 report to Congress entitled ''Border Security,'' on its request, on page 19:

Because the program does not require a U.S.-based petitioner, it is particularly susceptible to fraud. Diversity Visa fraud is rampant in parts of South Asia, Africa, and Eastern Europe, and is particularly acute in areas where few individuals have independent access to the Internet.

U.S. GOVERNMENT ACCOUNTABILITY OFFICE

REPORT TO CONGRESSIONAL REQUESTERS, SEPTEMBER 2012

BORDER SECURITY

STATE COULD ENHANCE VISA FRAUD PREVENTION BY STRATEGICALLY USING RESOURCES AND TRAINING

Diversity Visas: The Diversity Visa Program was established through the Immigration Act of 1990 and provides up to 55,000 immigrant visas annually to aliens from countries with low rates of immigration to the United States. Aliens register for the diversity visa lottery for free online and applicants are randomly selected for interviews through a lottery process. Upon being selected, a winner must apply for a visa, be interviewed, and be found eligible for the diversity visa. All countries are eligible for the Diversity Visa Program except those from which more than 50,000 immigrants have come to the United States over the preceding 5 years. In 2011, approximately 16.5 million people applied for the program and about 107,000 (7 percent) were selected for further processing. Of those selected, 75,000 were interviewed at posts for a diversity visa, and approximately 50,000 received visas. Because the program does not require a U.S.-based petitioner, it is particularly susceptible to fraud. Diversity visa fraud is rampant in parts of South Asia, Africa, and Eastern Europe, and is particularly acute in areas where few individuals have independent access to the Internet. A typical scenario includes visa facilitators, travel agents, or Internet café operators who help would-be applicants submit an entry for a fee. Many of these facilitators withhold the confirmation information that the entrant must use to retrieve his or her selection status. To access the lottery notification, the facilitators may require winning applicants to either pay an additional exorbitant fee or agree to enter into a marriage with another of the facilitator's paying clients solely for the purpose of extending immigration benefits.

The gentlelady from Houston mentioned in depth the question of diversity. Mr. Speaker, 55,000—and perhaps more in the future—STEM graduates will bring diversity of employment. The highest levels of unemployment in America are in the African American community and other minority communities. That's the diversity we need to work on. The diversity of unemployment needs to be turned around. That's what the STEM bill is about, helping employ Americans.

I now yield 4 minutes to the gentleman from Florida (Mr. DIAZ-BALART), one of the hardest working and most distinguished Members when it comes to immigration reform.

Mr. DIAZ-BALART. Mr. Speaker, let me first thank the gentleman from California (Mr. ISSA), and I applaud the Republican leadership for bringing this important bill to the floor.

I think it's important that we bring down the decibels and that we talk about facts. This is an issue where passions are very high, but I think it's important to bring down the decibels a little bit and speak about some of the facts.

Look, we know that America is home to some of the best universities on the planet; and because of that, people from around the world, students from around the world, young people from around the world come to study in our universities. Then, unfortunately, when they're done, we, in essence, show them the door out; and they have to leave the country. And they leave the country then and become the best, the toughest competitors to American enterprise. They create jobs elsewhere—not in the United States. Talking about outsourcing, this is the mother of all outsourcing.

So what does this bill do? It tries to solve that issue. It tries to keep those individuals here. Those are the facts. Now, I would like to see a large number of that. And I think all of us should be talking about maybe we can expand those numbers. And that, I think, would be a wonderful debate to have.

Now, not only does this bill do that, but it also promotes a smarter immigration system that helps maintain our competitive edge, and it also helps keep families together. Ensuring that spouses and minor children remain together is simply the right thing to do; is it not? Is that not something that is a compassionate principle of the vast majority of the Members of the House, keeping families together? Of course it is. This bill helps to do that.

Mr. Speaker, we've heard a lot of blame on this issue on the floor today and, frankly, for years. And on immigration reform. And everybody knows my position on immigration reform.

It has been talked about for years with a lot of inflammatory rhetoric. And I will tell you, from Republicans and Democrats alike, the reality is that both sides are to blame for the broken immigration system that we currently have; and both sides need to come together—finally lowering the rhetoric—to find lasting, permanent solutions.

This bill is an important step in the right direction. It helps address and fix a very important part of the broken immigration system. It does not, Mr. Speaker, solve all the problems. It is not the panacea. It does not solve all the problems, but it takes a huge step in an area that we've been talking about in the House here for years—and both Republicans and Democrats have failed to deal with. This bill deals with that important part. So I'm glad this legislation is finally being considered by this body.

I commend the House leadership for their commitment to this issue. And I look forward, Mr. Speaker, to continuing to bring other issues, other issues to fix our grossly broken immigration system that is broken from A to Z. I look forward to bringing other issues; but in order to do so, Mr. Speaker, we need to lower the decibels. We need to talk about the facts.

The American people want us to finally fix this issue. They want us to come up with real solutions. As I mentioned before, nobody's claiming that this fixes everything; but it's a step in the right direction. It fixes a part of the problem.

I look forward to working with my colleagues on the Democratic side and my Republican colleagues on other such fixes. But I commend this House. I commend Mr. ISSA. I commend the Republican leadership for taking an important step forward.

Mr. CONYERS. Mr. Speaker, no one's worked harder on this issue than Mr. GUTIERREZ, the gentleman from Illinois; and I am pleased to yield him 3 minutes.

Mr. GUTIERREZ. I thank the gentleman from Michigan.

We've heard about how important STEM visas are. And we don't want to debate the point; they're important. That's why when we have the real immigration debate, the debate that will result in the signature of the President, the debate that starts in January when Congress is sworn in, that's why we will have STEM visas in that bill.

So everyone agrees STEM visas are important; and if you didn't know this before the last election, I hope you know it now. The American people want us to fix our immigration system.

But the more important message I got from the election is that American people say that we can solve the immigration issue if Republicans and Democrats work together, put aside bitterness, come to the table in an honest manner. It's not enough to talk about lowering the rhetoric. If we do it in an honest manner, a transparent manner, we can solve the tough problems of immigration and put it at the top of our list.

□ 1000

We need to approach immigration as a faucet of America's past, present, and future, and solve the problems we have with our current immigration mess like adults: honestly and openly and in a bipartisan manner. We need to stop scoring cheap political points and playing games with immigration and start working together, not bringing bills without ever discussing and negotiating with the other side of the aisle. That's not the way to be comprehensive. This is why it is so disappointing that the majority has decided to undermine an area of bipartisan agreement on STEM visas by loading up the measure with provisions that are a slap in the face to the core values and the rich tradition of immigrants to the United States of America.

If you support this bill, you're saying that one group of immigrants is better than another, that one type of educated, degree-holding person and their work is more important than others. In order to give visas to those with Ph.D.s and master's degrees, Republicans make two demands. First, we take away visas and the only means of legal immigration from 50,000 people who may not have Ph.D.s and master's degrees. Talk about picking winners and losers. My dad, if he had been an immigrant from Ireland or Nigeria or Taiwan, would have been told, No, America is not for you under this bill, Mr. GUTIERREZ. It's like when they used to hang up signs in America saying, ''Help wanted. Irish need not apply.'' They were part of the diversity program today that they want to kill.

The second thing this bill requires is that we treat the families of those with Ph.D.s and master's degrees differently than we treat the families of those who don't have doctorates. If you have a master's or a Ph.D., we say, Please, come to America. Bring your wife, bring your husband, bring your kids. We'll give them all permission to work. Automatic work permits for spouses, no waiting for STEM-degree holders. But if you don't have a Ph.D. or a master's degree, we're going to take away your wife's ability to work legally. We may let her in 6 months earlier, but—

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CONYERS. I yield 30 seconds to the gentleman from Illinois.

Mr. GUTIERREZ. It's as though they said to my father, Let's check your education record, Mr. GUTIERREZ. Oh, no doctor before your name, no fancy initials, Mr. GUTIERREZ, after your name? Well, Mr. GUTIERREZ, you and the kids stay home. You can't work.

That is not America. There was no special line for Ph.D. and master's degree holders on Ellis Island. There was no asterisks on the Statue of Liberty that said IQ must be there in a higher standard. They are saying my father—and I resent it—was too stupid to make it, but he put two kids through college, and one in the House of Representatives.

Mr. ISSA. Mr. Speaker, I might note for the gentleman that, in fact, there are more than 12,000 African students studying in STEM fields here in the United States at the advanced level, and almost 1,500 Nigerian-specific students alone getting graduate-level degrees in STEM fields in America at this time.

With that, I yield 1 minute to the gentleman from Iowa, a member of the Immigration Subcommittee, Mr. KING.

Mr. KING of Iowa. I thank the gentleman from California for yielding to me.

I point out, Mr. Speaker, that I have served on the Immigration Subcommittee for 10 years. In that period of time, I've sat in on dozens and scores and perhaps hundreds of hearings during that period of time, and gathered information and a knowledge base on these issues.

I walked into this issue as a freshman Member of Congress 10 years ago with this statement: the immigration policy that we have in this country needs to be designed to enhance the economic, the social, and the cultural well-being of the United States of America. In fact, every country's immigration policy should fit that standard.

We can have debates about the definitions of those three words that are part of that direction, but what's going on here is eliminating a really foolish policy that we've had, and I have long been for the repeal of the Diversity Visa lottery program, and I have long been for setting up a system so that we can promote the economic, social, and cultural well-being of the United States through our policies.

In some of the information in hearings, we only control with our immigration policy—depending on whose numbers you want to look at—between 7 percent and 11 percent of the legal immigrants coming into this country on merit.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ISSA. I yield the gentleman an additional 15 seconds.

Mr. KING of Iowa. I thank the gentleman.

We only control between 7 percent and 11 percent of the legal immigration into this country on merit. The rest of that doesn't have anything to do with merit and how they contribute to the U.S. This bill does do that.

I support H.R. 6429, and I urge my colleagues to vote in favor of it.

Mr. CONYERS. Mr. Speaker, I'm pleased to yield 3 minutes to the gentleman from New York, who's worked on this issue, Congressman JOSE SERRANO.

Mr. SERRANO. I thank the gentleman.

Let's understand what is happening here today. This bill doesn't increase available visas. It merely transfers them from one program to another. But it eliminates a Diversity Visa program that allows people from all over the world to come here.

Sometimes I wish I could be not only a member of this party, but an adviser to that party, to tell them that they miss opportunities. Here they have the first immigration statement that they can make after the people spoke November 6. What do they do? They destroy a great program—because they just can't help themselves.

What we need is not a piecemeal approach. What we need is not to say that we will only take certain people with college degrees and with ''doctor'' in front of their names and the rest we will reduce those visas. No. What we need is to say that we have an immigration issue in this country. We have 11 million people who are in this country, who want to stay in this country, and who do a lot for this country. Rather than be dealing with this approach today, we should seriously be speaking about comprehensive immigration reform.

To say to those 11 million people, we understand who you are, and we're going to help you to speak English; we understand who you are, and we're going to make sure you pay your taxes; we're going to make sure that you're applying to be a part of this country and you haven't broken the law. But if you came here to work and if you came here with children and if you came here with your parents a long time ago, we want you to stay. That was clear.

If there was any analysis that came from November 6, it is that the American people want comprehensive immigration reform. That is what we need to do, not a piecemeal approach that pits one group of people against the other. If this is an indication of what's coming as people evolve on the issue, as we're hearing on the talk shows, that they're evolving on the issue of immigration, if this is evolving, we're in deep trouble again.

Mr. ISSA. Mr. Speaker, it is now my honor to yield 1 minute to my distinguished colleague from the State of Virginia, the majority leader of the House, and a strong advocate for this and other immigration reform, Mr. CANTOR.

Mr. CANTOR. Mr. Speaker, I thank the gentleman from California.

Mr. Speaker, we all agree that getting our economy moving again needs to be our top priority, but jobs will not take off until American businesses have the workers they need to drive innovation and growth.

The immigrants who come to this country for school and for work have always been key players in driving our Nation's economy. Unfortunately, current immigration policies are preventing American businesses from hiring foreign students who earn advanced degrees in science, technology, engineering, and math from our best universities.

From growing startups to U.S. multinationals, American employers are desperate for qualified STEM workers, no matter where they're from. Microsoft, for example, has over 6,000 job openings waiting to be filled by scientists, researchers, engineers, and developers. For now, these openings and many others will remain vacant because too few American students are graduating with STEM degrees, and foreign STEM graduates can't get the visas they need.

Every year, the U.S. invests in educating thousands of foreign students in STEM fields at our top universities only to send them back to compete against us. Chairman LAMAR SMITH, along with Congressman RAUL LABRADOR, Congressman BOB GOODLATTE, and, of course, the chairman from California, Mr. ISSA, have all been working on this, and we've now put forward the measure before us to spur job creation by providing a pathway for American-educated foreign graduates with advanced STEM degrees to work here and contribute to our economy.

□ 1010

This bill also keeps immigrant families together by letting the husbands, wives, and minor children of immigrant workers wait in the U.S. with their families for their green cards.

The STEM Jobs Act reallocates existing visas currently distributed through a random lottery and directs them, instead, to the highly skilled foreign graduates of U.S. universities who have enormous potential to help grow our economy, which is our top priority.

The Partnership for a New American Economy found that every immigrant with an advanced STEM degree, working for a U.S. company, creates about three new American jobs, and one-quarter of all STEM-focused companies in the U.S. count at least one immigrant as a founder. At American multinationals like Qualcomm, Merck, GE, and Cisco, immigrants filed up to 72 percent of the patents filed, giving those businesses a competitive edge and helping them expand and create jobs here at home. Our commitment to foreign STEM graduates is a commitment to American job creation.

Foreign students are drawn to our shores by our world-class universities, and they want to stay because they know, in America, there is immense opportunity. We need to bet on the students who bet on America. We are a Nation that was built by people who risked everything for the promise of opportunity, and we must continue to be that Nation. We must make sure that U.S. companies can hire the top foreign talent we are educating instead of sending those graduates into a bureaucratic maze—or worse, to our competitors.

This is a commonsense solution that should have bipartisan support. Let's pass the STEM Jobs Act to make sure diplomas come with green cards, not with a spot on a government waiting list.

Mr. CONYERS. I yield 3 minutes to a member of the Judiciary Committee, the distinguished gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Deeply embedded in this legislation is a poison pill, and for that reason and others, I rise in opposition to H.R. 6429. It eliminates the Diversity Immigrant Visa program while failing to address the broader problems of the immigration system.

Highly skilled immigrants contribute much to the U.S. economy through new businesses and jobs. Indeed, STEM visas should be the cornerstone of a 21st century immigration system that meets our economic needs; but the STEM Jobs Act unnecessarily eliminates the Diversity Immigrant Visa program, which provides 55,000 visas annually to immigrants who are underrepresented in the U.S. immigration system.

Because roughly half of these immigrants are blacks from Africa, eliminating these visas disproportionately affects them. African immigrants are also disadvantaged by a system that perpetuates their exclusion. For instance, Africans are unable to take advantage of immigrant visas issued in the family preference category because few Africans have existing family ties in the United States. Eliminating the Diversity Visa program harms America's diversity, which is both important and necessary.

It is alarming that Republican supporters of this bill view immigration as a zero-sum game in which we can only grant STEM visas by eliminating Diversity visas. That is racist—if not in its intent, then certainly in its effect. Republicans just received historically low votes from minorities in the past election, yet they want to create an immigration system that gives visas with one hand while taking visas away from minorities with the other. H.R. 6429 fixes one problem while creating others, undermining a program that is critical to our Nation's diversity. It is a Trojan horse, and the ugly head of racism will rear its ugly head if this Trojan horse, H.R. 6429, becomes law.

What America needs is an immigration system that creates opportunities for new Americans, unites families, and provides for a robust system for enforcement. Because this bill fails to address these larger challenges while eliminating an important program for enhancing diversity, I plan to vote against it, and I urge my colleagues to do the same.

Mr. ISSA. Mr. Speaker, I would inquire if the gentleman's statement about the ugly head of racism was in reference to those of us who authored this bill.

The SPEAKER pro tempore. The Chair will not render an advisory opinion regarding the meaning of words spoken in debate.

Mr. JOHNSON of Georgia. Will the gentleman yield?

Mr. ISSA. I yield the gentleman 10 seconds.

Mr. JOHNSON of Georgia. I am not accusing anybody of racism. I don't know what is in the heads of those who support this bill, but if it's not racist in its intent, it's certainly racist in its effect.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

As I previously said, more than 12,000 African citizens will be eligible under this today, and more than 1,500 Nigerian citizens will be eligible under this today. Out of 1 million people who get to come to this country today, it's amazing that a program so fraught with fraud and recognized for fraud would somehow not be the logical place to expand the merit-based opportunity.

Mr. Speaker, as a point of personal privilege, I must tell you that I went to college with a lot of people from around the world. They were very diverse, and the grad students were very diverse. I am personally insulted that anyone would use even loosely the term ''racism'' as part of a statement related to merit-based advanced degrees.

I've been at university graduations. The people graduating and walking across the aisle are extremely diverse, and I believe the gentleman needs to go to a few college graduations and see master's and Ph.D. candidates if he is going to refer to this in any way as racist.

With that, I yield 2 minutes to the distinguished gentleman from Pennsylvania (Mr. FITZPATRICK).

Mr. FITZPATRICK. I thank the gentleman.

Mr. Speaker, I rise in support of this legislation, the STEM Jobs Act. This is a bill which will provide much-needed employment-based immigration reform and which will help position our economy for success in the 21st century.

The STEM fields of science, technology, engineering, and math must be encouraged in our own schools as well as in the new populations of innovators who want to participate in our economy. These high-tech jobs help support many middle class communities, which are the bedrock of the American economy, including the communities of Bucks County, Pennsylvania, from which I hail.

While we continue to encourage STEM education here at home and while still protecting American workers, we must also welcome those who earned advanced degrees in a STEM field from an American university and who want to become part of our economy. This is exactly what the STEM Jobs Act accomplishes.

As we engage these high-tech innovators in our economy, the STEM Jobs Act also rightly recognizes the need to support and to prioritize families. The pro-family expansion of the V Nonimmigrant Visa program within this bill is an important element of a fair immigration system.

The STEM Jobs Act appropriately prioritizes jobs and families. It's a very good bill. It's a fair bill for the 21st century. I encourage my colleagues to support it.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 30 seconds to the gentlelady from California (Ms. ZOE LOFGREN).

Ms. ZOE LOFGREN of California. I thank the gentleman for yielding.

I think it's important that we have the facts from the National Science Foundation on immigration from Africa.

According to NSF, there are about 13,000 students from Africa. The vast majority of them are bachelor's degree candidates who are not eligible for visas under this bill, and the vast majority of those in graduate school are not in STEM fields. Again, they're not eligible for visas under this bill.

Mr. ISSA. I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY).

□ 1020

Mr. CONNOLLY of Virginia. Mr. Speaker, I thank my colleague, my friend from Michigan.

Mr. Speaker, this is the second time this bill has been brought before this House for consideration, so it's clear my Republican friends recognize the urgency for expanding the number of visas for high-skilled workers, particularly students with STEM graduate degrees—a worthy goal.

Yet rather than simply increase the number of visas, my Republican colleagues once again are presenting us with a false choice. Just like the previous bill, which failed, this one deceptively expands the number of STEM visas, but only at the expense of the successful Diversity Visa program, which has been the primary pathway used by generations of immigrants in American history.

This bill not only eliminates that program, but it would also reduce the total number of available visas by preventing unused slots from rolling over to be transferred to another visa program. That just shows my colleagues still haven't gotten it from the recent election in which immigrants and minorities played a growing role, and it casts doubt on whether we're going to be able to come together to achieve meaningful immigration reform, frankly, with that attitude.

The business community, particularly the high-tech employers in my district in northern Virginia, they get it about the need to expand the STEM program. But here again, this bill fails the reasonability test by creating a new process in which employers have to file an application with the State or Federal Government to certify that issuing that STEM visa is in the national interest. Talk about unnecessary regulation. And now the manager's amendment delays implementation of the bill by a year. We already know the economic benefits of expanding the high-skilled visa pool, and employers have said we can't afford to wait any longer.

Mr. Speaker, this does not have to be a zero-sum game. If my Republican colleagues truly want to help our employers and our economy, we could bring up a clean version of this bill, one for example which was introduced by the gentlewoman from California (Ms. ZOE LOFGREN). Or we could bring up another bipartisan bill, the Startup 2.0 Act, which I am proud to cosponsor with our colleague, MICHAEL GRIMM of New York. That would not only expand the number of visas for STEM graduates, but also those entrepreneurs looking to start up a business and create jobs right here in America.

Here is an opportunity for us to fulfill the mandate from the election and actually compromise on something that will benefit the economy. This bill, sadly, does not meet that test.

Mr. ISSA. Mr. Speaker, the truth is persistent. According to DHS, where they study student tracking, this is their source, not mine, I will read verbatim once again for the gentlelady from California: There are more than 12,000 African students studying in STEM fields in the United States.

Of course, some currently could be undergraduate.

Almost 1,500 Nigerian students alone are getting a graduate-level education in STEM fields.

Yes, this bill will encourage those able to go on and get graduate degrees in STEM fields to do so because, yes, that's going to give them an opportunity. But don't we want the best and the brightest? Isn't that the goal? Isn't job creation the goal?

With that, I yield 3 minutes to the gentleman from Arkansas (Mr. GRIFFIN).

Mr. GRIFFIN of Arkansas. Mr. Speaker, I thank the chairman. I rise today in support of the STEM Jobs Act, and I thank Chairman SMITH for his leadership as chairman of the Judiciary Committee.

This is a critical piece of legislation that narrowly failed to pass when the House considered it in September, and I'm very pleased that we're considering it again here today.

Over the past few weeks when I was back in my district, the job creators in central Arkansas that I spoke with emphasized the need to once again bring this bill up, and I want to share a little bit about those conversations.

First of all, Welspun Tubular is in my district. It made the pipe for the Keystone XL pipeline. They need advanced STEM graduates to train workers.

Power Technology is a company that needs highly skilled workers to design, develop, and manufacture laser products. They say that they need this bill passed.

These companies have struggled to find the specific talent they need, and this bill would help them create jobs. This is a jobs bill. I want to emphasize that this bill will not take away from American jobs. These STEM visas will be made available only for foreign graduates of U.S. universities with advanced STEM degrees—Ph.D.s in the first instance, followed by foreign-born graduates of master's degree programs of which we have a shortage. Companies that offer jobs to foreign STEM graduates also must have certified that there are no American workers able, willing, or qualified and available for the job.

We are currently educating highly skilled Ph.D.s and master's and sending them back home to compete against us after they graduate. Where I'm from, that's like recruiting the best football players from Texas, teaching them the Arkansas offense, and then sending them back to Texas to compete against us. That doesn't make any sense, and people get that. Let's fix it. Let's pass this bill.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Speaker, I thank the gentleman for yielding and for his leadership.

Mr. Speaker, in the wake of the November elections, there has been a growing consensus that it is time to undertake comprehensive immigration reform. There are many good reform proposals out there; but, unfortunately, this is not one of them. Although this bill does have some merits, those merits are more than offset by the bill's defects.

One glaring problem is that this bill treats immigration as a zero-sum game. It seems to operate under the assumption that anytime a door is opened to a new class of entrants, it must slam the door shut on another.

This bill would totally eliminate the longstanding Diversity Visa program that now provides one of the few legal pathways to enter the United States. Currently, the Diversity Visa program only issues 50,000 visas a year. And in 2013, almost 8 million people worldwide have applied for this visa. For anyone looking to find a legal way to come to this country right now, the chances are pretty slim. The zero-sum approach of this bill reduces those chances even further. It achieves almost the opposite of what the American people have asked us to do.

Fortunately, there are better bills out there, bills that address some of the core concerns, bills that are ready to go. For instance, the Attracting the Best and the Brightest Act, ZOE LOFGREN's bill, H.R. 6412, would create a new green card for people with graduate degrees from U.S. research universities in the STEM disciplines.

According to a recent article in the New York Times, currently we have in our country about a million engineers, scientists, and other highly skilled workers on H–1B temporary visas. And when these visas expire, we just send them home. We train them in the STEM disciplines that our high-tech economy so badly needs, and then we just send them home. That is absolutely crazy.

The Democratic bill, H.R. 6412, would help us retain some of that valuable, highly trained talent we helped to create. The EB–6 visa would require all applicants to have an advanced degree from an accredited public or nonprofit university. It would provide 50,000 of these STEM visas, but it would not eliminate other visa programs which are helpful, such as the Diversity Visa.

There is also a bill I authored with Senator KERRY, the Start-Up Visa Act. Our bill would recognize the great contributions being made to our economy by these job creators, and it would establish an employment-based, conditional immigrant visa. Applicants would have to be immigrant entrepreneurs seeking to establish a start-up company or already have a business in the U.S., and it would have to have sufficient financial backing.

We do need more talented people going into the STEM disciplines in our economy. Let's refuse to slam the door on other immigrants. Let's vote ''no'' on this bill. Let's vote ''yes'' on the Democratic bills that provide STEM visas and provide help to our economy.

□ 1030

The SPEAKER pro tempore. Without objection, the gentlewoman from Florida (Mrs. ADAMS) will control the time.

There was no objection.

Mrs. ADAMS. I yield 3 minutes to the gentlewoman from Washington (Ms. HERRERA BEUTLER).

Ms. HERRERA BEUTLER. Mr. Speaker, before I speak specifically to this bill, I think it's important to note, I know my colleagues from the other side of the aisle are decrying this bill and its immigration stances, but I would submit for your consideration, when you had control of the House, the Senate, and the White House, you did not pass immigration reform. So let's stop treating this issue like a political football.

As the first American of Hispanic descent to represent Washington State here in the United States House, I want us to tackle this issue. But let's keep the facts the facts, and not use it as a political football, because it's important to millions of Americans and millions of immigrants who want to come here.

And why wouldn't you? This is a land of opportunity, and we want the best and the brightest here in the United States creating jobs and growing our economy, because in southwest Washington, where I'm from, we need jobs.

Today we're here to focus on commonsense solutions. And unfortunately, under the current setup, we're literally educating foreign men and women and then requiring them to go to India and China and be our competitors.

Under this scenario, who wins? Well, China and India win. Our competitors win.

Who loses? The American worker because, as the best and the brightest internationally want to come here and we tell them go away, go start a business to compete with our jobs, those jobs aren't going to grow in southwest Washington.

Fortunately, today we have the opportunity to change that, and then we can go on and tackle some of the other issues that my colleagues are bringing up because they're important and they're valid.

This STEM jobs bill ensures that employers are opening their doors and their job opportunities to Americans first. And if there aren't enough Americans to fill these highly skilled job openings, then we invite those foreign STEM graduates to apply. That's all this bill does. And it's an important piece that's going to open up economic opportunity for the men and women that I serve and that we all serve across this great Nation.

Right now, large employers—Microsoft was mentioned, that's from my home State, they have over 6,000 jobs that they're trying to fill. And you know what? They want to fill them with American workers. If they're not able to, then I think they should have the ability to offer those options to immigrants from China and India, South America, Mexico, Africa.

Whoever wants to come here and be a part of the economic engine that creates opportunities, let's open those doors. Why not?

With this bill, we'll continue to educate talented people to fuel our economy, and instead of sending them home to compete with us and our workers, we'll get to grow those jobs right here.

This is a compassionate bill that will drive economic innovation and create jobs. It is pro-family. It actually provides incentives to those folks. Those immigrants who go about this process in the right way, they'll be able to be united with their family here in the United States because of this bill.

There are safeguards.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ISSA. I yield the gentlelady an additional 30 seconds.

Ms. HERRERA BEUTLER. This will allow them, and those family members who are waiting to immigrate legally, to come here and be with their mother, their father, who are here working. This has a lot of opportunities, and it also has safeguards for the American worker. Those jobs are first available to those citizens who may be able to fill the qualification.

So I'd ask my colleagues here today to support this very good bill. It's a piece of the puzzle. It's not the whole thing, but we need to take this a piece at a time, a solution at a time. And quite frankly, right now, solutions are what the American people are asking for, and this is a very good one.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LOFGREN).

Ms. ZOE LOFGREN of California. Mr. Speaker, I just wanted to correct the record. I recall when Democrats were in the majority, we passed the DREAM Act. We only got 8 Republican votes to pass that DREAM Act.

Further, the way this bill is written, if you were brought here as a baby in violation of the immigration law, but now you're getting your Ph.D. in computer science from Stanford University, you're not eligible for one of these visas. This is written in a way to divide people. It's not even an honest effort to capture the best and brightest.

And further, on African immigration, last year we had 6,218 Diversity Visa recipients from Nigeria. Taking the chairman's number of 1,200—I don't want to get in an argument—in master's and Ph.D. in STEM fields, that's the enrollment. As you know, most Ph.D. programs are 6-year programs, most Master's programs are 2-year programs. So those actually graduating would be a small fraction of that, a few hundred each year. So we would be seeing, for example, a huge reduction in immigration from Nigeria, just as an example.

The SPEAKER pro tempore. Without objection, the gentleman from California will control the time.

There was no objection.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume in response.

There we go again, looking at the numbers rather than the merit.

Mr. Speaker, the merit of this piece of legislation is to get America working, to use the opportunity that is being squandered to get America working again. For each advance degreed STEM immigrant, we, in fact, create three jobs. That's not being disputed by the minority. It's not being disputed certainly by the 30 or so members of the minority that voted for this bill previously.

When we bring up, under this legislation, the opportunity to more quickly reunify families of legal immigrants, what we get told is, you're not doing it immediately. Now, of course, if we did it immediately, without any sort of process and opportunity to make sure that they're eligible for reunification, we'd be criticized for that.

You're moving up the speed with which families can be reunited, you get no credit. You're giving an opportunity for hundreds of thousands of American jobs for existing Americans to be created by recruiting people that could help create jobs, you're being criticized. If one country wins and other one loses a few thousand slots, you're being criticized.

Mr. Speaker, I just have to remind my colleagues on the other side of the aisle, a million or so people come to this country every year. This is a small part of it. And this is a part of it that history is quite clear on.

Senator Kennedy, and a few others, created this particular item for their own purposes because they looked at the outcome of Irish, basically, to a certain extent getting to come here under this visa. And now everyone's wanted to use the Diversity Visa lottery for years, and I've seen it gamed all over the world, in Lebanon, in Bangladesh, and in other places. There's no questions it has a lot of fraud. But that's not really the discussion today.

The real discussion is American jobs, the diversity of employment. And as the gentlelady from California, my colleague on the committee, knows, this also is a piece of legislation that will encourage men and women from around the world, brilliant men and women, to choose American universities to get their degrees from, to choose America to be the place in which they invest, not just their God-given talents, but their American-acquired talents in.

And yes, it will encourage people from countries like Africa and other places who are smart to come here to get their advanced degrees in greater numbers. What part of a good idea can't we accept?

Lastly, Mr. Speaker, I just can't stop finding it hard to understand. We roll over these slots specifically because we understand in the first year, bureaucracy in our government often makes things not happen. But we preserve for 4 years these slots.

The gentlelady from California is quite right about one thing: we certainly should look together at additional areas of skills and degrees that, if they came to America, would add to America, and put them at the front of the line.

And I'm going to say, I guess lastly, lastly, to the immigrant population, to the people who are new Americans, you came here with a belief in America, and you came here wanting to add to America. And we want the next people that come behind you to add to what you're adding, not to undermine a job that you currently have, but in fact, to help create more jobs.

I believe in the immigrant history of America and immigrant future of America or I wouldn't be supporting this and other bills. In just a few weeks, I hope that in the new Congress we'll be taking up additional comprehensive legislation. But if you can't take yes for an answer on a significant portion, then I suspect we will have a very difficult time taking yes for an answer on the harder decisions to come on immigration reform.

I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, we're prepared to close on this side, if the gentleman on the other side is ready.

Mr. ISSA. Mr. Speaker, so are we. I reserve the right to close.

□ 1040

Mr. CONYERS. I am pleased to yield our remaining time to the gentleman from Illinois (Mr. GUTIERREZ).

Mr. GUTIERREZ. Let's look at what we've debated here this morning. The truth is, as the gentleman from California so rightfully notes, this is something we can all agree on, and that is STEM visas to supply the need for that economic engine of our economy. That's not really the question here. The question is: At what cost do we allow this to happen? And what we are saying is it is almost as though November 6 came and went and my friends on the other side of the aisle just never listened to the verdict of the people. And what they said to us was, Stop picking winners and losers. Stop dividing and pitting one American against another.

How many countless occasions have we heard our friends on the other side of the aisle decry us for class warfare, and yet they come with a proposal here today, and we can use their very words: They want smart people; they want educated people; they want people that are going to add something to the economy. Well, let me just suggest that we, many of us in this Congress today, came from very humble roots.

And, yes, I resent the fact that people come before the well of the House to tout the virtues of their moms and dads and say, My mom worked really hard. She scrubbed pots; she stayed up; she mopped people's homes; she worked so hard. She had nothing left on her fingers so that I could get an education and I could come to the Congress of the United States. And yet they come and propose something that will deny other people that same opportunity to come here to work hard, to sweat and to toil

and to one day maybe send their son or daughter to the Congress of the United States.

We can find these speeches throughout the history of the Congress of the United States; but the difference today is that this side of the aisle wants to be honest and consistent with that story, that virtuous story of immigrants who have come here to sweat and to toil from all kinds. We don't want to go back to the day of ''Irish need not apply.'' We know the history of immigration in this country when they were saying, Well, not those people, not those that are not educated, not those that are hungry, not those that are famished, they should not come here. That's an old argument and we shouldn't be making it today, especially after the election that we just had.

All we're saying to the other side of the aisle is: Why is it that you couldn't sit down with this side of the aisle in a bipartisan manner? Because that's what people said during the election. They said, Listen, guys, we want you to settle down. We want you to work this out for the good of the American people.

I'm going to tell you why I believe you couldn't negotiate with us. Because you have to negotiate with NumbersUSA. Why don't we just say it. They're the party that's not here in the well of the House, but they're here in spirit and in the legislative policy that we are reiterating here today. You can't negotiate with us because you have to negotiate with the most extreme element of American society on immigration and not with those that want to bring about comprehensive immigration reform and reform in our immigration system.

And what is NumbersUSA? In short, NumbersUSA, a short, descriptive modifier should call it an immigration reduction organization.

So who did you negotiate with? The immigration reduction organization. And that's why you have to put up the visas, these visas that have allowed tens of thousands of people to come to this country and to work hard and to sweat and to toil and to make this a greater Nation for all of us.

Now, how does it reduce the numbers? It's simple. You know it and we know it. Every graduate, master's, and Ph.D. on an annual basis in the United States, what is the number? What is the number? That's the number we should be cognizant of here today. It's 29,000. Now it's 55,000 visas.

So why is it that we're offering 55,000 visas for 29,000 possible graduates? And wait a minute. That's if every graduate doesn't go back to their country. And we know many of them return to their countries to build those nations, and we want that to continue. We want them to come to the United States of America and go back to their country and foster democracy and goodwill. So many of them do that. But not all the 29,000 stay here. So what happens? You eliminate 50,000 visas. You say we're going to give you 55,000. You know you only can use 29,000. It's a net loss.

The people on the other side of the aisle keep telling us, Why don't they come through the legal way? Why don't they come through the legal way? Why do they always have to go under and around? They should come here legally because we're for legal immigration.

Today you're not for legal immigration because, in the end, you reduce the ability of people to come legally to the United States of America, and that is the Diversity program.

And lastly, let me just be very, very clear. When we look at this and we talk about the continent of Africa, we think it's important that every continent of the world be able to come here and contribute to the great Nation that is because that is the diversity and the greatest tradition of America: Ellis Island, bring me everyone from everywhere to sweat and to toil and to make America a greater Nation. But think about it a moment. Just do the math. If half of the 55,000 Diversity visas come from the continent of Africa, and there are only 29,000 total STEM, come on, just do the numbers and you can see why it is that on our side of the aisle.

Let's sit down. Let's have a hearing. Let's bring in the experts. Let's have a discussion and a debate. Let's work together. Let's sit back. But if we're going to move America forward, then we have to stop negotiating with those that want to keep us in the past, and that's NumbersUSA. It's NumbersUSA who said to you self-deportation should be the rule of law in America; S.B. 1070 is great and should be institutionalized in every State of the Union.

We rejected that this last election. In this last election, there was a referendum and there were those of us on one side that said to the American people, We want an immigration system that is fairer and sets aside the political bickering to the one side and allows us to fix our immigration system, and another that said, We want to stand in the past.

Let's work together to build a better future for all of us. I honestly and earnestly want that to happen, but I cannot in good conscience vote for a bill that offends my sense of fairness, that offends my sense of the great American tradition that is our immigration tradition.

Thank you so much.

Mr. ISSA. Mr. Speaker, I would inquire as to how much time I have remaining.

The SPEAKER pro tempore. The gentleman has 8½ minutes remaining.

Mr. ISSA. I yield myself the balance of my time.

Mr. Speaker, if we were to have a discussion on outcome, my distinguished colleague from Detroit, Michigan, and I could endlessly quote figures. I'm going to quote a few because I think they're germane to the last speaker's close.

In 2009, the numbers of the top three Diversity visas were as follows: Ethiopia, 3,829; Nigeria, 3,720; and Egypt, a country I visited many, many times, 3,336. No question at all they're all on the continent of Africa. But as recently as 1994, earlier on in this longstanding 30-year piece of set-aside, it went more like this: Poland, 17,396; Ireland, 15,659; the United Kingdom—Great Britain—3,174.

Mr. Speaker, one of the problems with the Diversity Visa is, in fact, it's a question of whether you've put in all the names in the phone book or not. It's a question of who's gaming the system. It doesn't have any sort of, if you will, set-aside to ensure an outcome. And within the outcome, whether you're taking from Poland, Ireland, United Kingdom, or, in 1999, a few years later, it switched to Bulgaria, Nigeria, and Albania.

These top names that occur have a lot to do with how many people throw their name in a hat and nothing to do with whether or not they really want to be Americans, whether they really have the qualifications, whether they have any connection to America that would allow them to get a job.

□ 1050

Not long ago, The Wall Street Journal, I believe, put a whole page into this, taking one after another of anecdotal examples of people who came, having won the lottery, with the American Dream and found out that they couldn't find a job—maybe a taxi driver, maybe not. They weren't making it, and they were thinking about going back. This is all too common in those visas.

Mr. Speaker, I want to use my closing time to address a couple of points because they're important for the American people to understand. Because what you heard here just a few seconds ago was a statement that we just had a referendum. Well, I remember all the election talk and very little of it was on immigration—sadly, much more of it should have been. We had a referendum on each of us individually. So each of us returning men and women to Congress, we've had a referendum in our district.

My district was asking me for jobs. I have Calcom in my district. I have a lot of high-tech companies, particularly in telecommunications and biotechnology; and they were asking me for, believe it or not, more H–1B temporary visas. If they could get permanent immigrants, they could use them all up.

There was a statement made about the numbers—and we could argue over 29,000 or some other number—as though this bill only pertained to next year's college graduates. It doesn't. There is a backlog of tens and hundreds of thousands of people in the STEM field who have already received degrees who would love to come here. They graduated a year ago, 2 years ago. They're here on an H–1B—they're not here, but

they would come back here. There is a wealth of people that fit this category so that that first 4 years, that first 220,000 number, in fact, will be well filled. I'm confident it will be filled and overfilled.

I'm confident that Ms. LOFGREN's desire to deal with some of the other areas in which we have critical shortages of skilled people—computer sciences being certainly a possibility—that those will be clamored, once this is passed, to be added. As a matter of fact, I'm confident that my colleague from California will probably be somebody wanting to add them very quickly, and I suspect I will strongly support her.

Now, we've had a discussion, mostly from the minority, about winners and losers. The last, the closing side on the minority side said things like: you only want smart people. You only want people that will add to our economy. You don't want the people who come without skills, just with hope. Well, we do take a lot of those people, but my colleague was right in a sense. We want to put to the head of the line the people that on every single one of them that comes, net creates jobs. So that we know that the immigrant coming, at least in the case of 55,000 a year, for each one that comes, three great jobs are created in America. And for each of those that come, even if they bring their family, they're not likely to be a burden on our society, just the opposite: they're going to be a net positive to our economy. They're going to send their children to our colleges and universities, of course, and the world is better because America is better.

I also heard a lot of discussion—and I've spent 12 years on Judiciary. I love what we deal with on that committee—the Constitution, immigration, intellectual property; that's why I came to that committee. But when you say what you're doing, like if you take from this particular category, that somehow you're being bad, let's think about some of the other categories.

What if we took from family reunification? What would be the cry? It would be, My goodness, these are people just trying to be with the rest of their family. Be compassionate. And they would be right. Maybe if we took from E-B5, a program that I'm personally supportive of and want to make better, a program where people invest in America, create net jobs, and get a visa as a result, we can take from that, but that wouldn't be good for jobs. We certainly could, theoretically, take from people who are the victims of terrorism, of persecution; but America would never do that.

So when you look at this vast number, more than half of all immigrants going anywhere in the world come to America. In other words, we produce more new Americans by importation than the entire rest of the world combined. So if out of that vast number we choose a small amount, 5 percent, and say we can do better, we hear a human cry that we can't do better, that this isn't better.

Mr. Speaker, I will say, as someone who was listening to my constituents upon my reelection, you better believe this is better. We are bringing the best and the brightest. We are encouraging the front of the line be given to a small portion of immigration for people who will help create jobs. They will create jobs for people of all colors, all races. They will create jobs for people who just came to this country and can't find a job. We are trying to do the right thing for the American people, at least in a small way; and I believe this is a great start.

So as I vote for this piece of legislation, I'm voting for it because I know, as a former businessman, I know as someone who just had a referendum on my own returning to Congress that jobs and the economy are what people want us to work on. This is a good down-payment. These slots will be filled and oversubscribed. We will look at this as a beginning of a turn toward looking at immigrants as a positive part of our economy and making it happen.

So I believe that the minority, although well-intended, has basically misled the American people with some of their assumptions because their assumptions simply aren't right. We will fill these slots. We will bring in 55,000 job creators. We will have diversity from around the world in these individuals. We will encourage people from all over the world, if they want to get a master's or Ph.D. and they're already in London or they're in Poland or they're in Nigeria, that maybe when they finish their master's there, they get their Ph.D. here and become eligible.

With that, I urge support of the bill and I yield back the balance of my time.

Mr. VAN HOLLEN. Mr. Speaker, I rise in opposition to H.R. 6429, an unnecessarily partisan bill to increase the number of visas for foreign students graduating with advanced degrees in science, technology, engineering, and mathematics (STEM). While I strongly believe we should increase the number of visas for these students, I oppose this bill because it eliminates the Diversity Visa Program. There is broad bipartisan support to increase the number of STEM visas. It is unfortunate that the Republican Leadership brought this bill to the floor. President Obama highlighted his support for increasing the number of STEM visas in his 2012 State of the Union Address, when he stated that it made no sense to train foreign students with advanced STEM degrees and then "send them home to invent new products and create new jobs somewhere else."

This bill is virtually identical to the version the House considered last September. However, Republicans added a provision to reauthorize the temporary "V visa" program. I support the "V visa" program, because it unites families. Unfortunately, the Republicans restricted the "V visas" by eliminating the ability to obtain work authorization and by not allowing spouses and children already here to participate in the program.

This bill is flawed and we can do better. I wish the Republican Leadership would have brought to the floor a bill introduced by Rep. ZOE LOFGREN to increase the number of STEM visas without eliminating the Diversity Visas Program. I support that legislation.

Mr. JONES. Mr. Speaker, today, the House of Representatives will be voting on H.R. 6429, the STEM Jobs Act. This bill would terminate the visa lottery program (diversity immigrant program) and allocate those visas to foreign graduates in the fields of STEM (science, technology, engineering, and mathematics) degrees. I am highly supportive of ending the visa lottery program. However, at a time when so many Americans are unemployed in my district and all over the country and when American college graduates cannot find jobs, I cannot, in good conscience, vote to give American jobs to foreigners. That is why I plan to vote against the STEM Jobs Act. As always, I will continue to support legislation that enforces our laws and secures our borders.

Mr. JACKSON LEE of Texas. Mr. Speaker, I rise today to oppose H.R. 6429 "STEM Jobs Act," an ill-conceived bill that eliminates the Diversity Immigration Visa Program in order to increase the amount of visas available for STEM applicants.

As a senior Member of the Judiciary Committee I have long advocated for the Diversity Immigration Visa program. Earlier this year, during a Judiciary Committee mark up of a bill which was also designed to kill the Diversity program, I offered an amendment that directed the Secretaries of Homeland Security and State to report to Congress on steps that could be taken to further eliminate fraud and security risks in the Diversity Visa program. Rather than vote to fix the program and defend legal immigration and diversity in our immigrant pool, every Republican on the Committee who was present voted down the amendment.

On Wednesday, I once again I offered amendments in Rules Committee to protect the Diversity Visa Program, and once again the Republican majority on the Committee voted against it.

Nearly 15 million people, representing about 20 million with family members included, registered late last year for the 2012 Diversity Visa Program under which only 50,000 visa winners were to be selected via random selection process.

Each year, diversity visa winners make up about 4 percent of all Legal Permanent Resident (LPR) admissions.

Unlike every other visa program, its express purpose is to help us develop a racially, ethnically, and culturally-diverse population. It serves a unique purpose and it works. In recent years, African immigrants have comprised about 50 percent of the DV program's beneficiaries.

Diversity Visa immigrants succeed and contribute to the U.S. economy. According to the Congressional Research Service, in FY 2009 Diversity Visa immigrants were 2.5 times more likely to report managerial and professional occupations than all other lawful permanent residents.

The Diversity Visa program promotes respect for U.S. immigration laws. It reduces incentives for illegal immigration by encouraging prospective immigrants to wait until they win a visa, as opposed to attempting to enter without permission.

CHANCE FOR THE AMERICAN DREAM

The Diversity Visa sustains the American Dream in parts of the world where it represents the only realistic opportunity for immigrating to the U.S.

Former Rep. Bruce Morrison—one of the architects of the Diversity Visa—testified in 2005 that the program advances a principle that is ''at the heart of the definition of America;'' the principle that ''all nationalities are welcome.''

Ambassador Johnny Young, Executive Director of Migration and Refugee Services, U.S. Conference of Catholic Bishops, testified at a 2011 Judiciary Committee hearing: ''The Program engenders hope abroad for those that are all too often without it—hope for a better life, hope for reunification with family in the United States, and hope for a chance to use their God-given skills and talents.''

NO SIGNIFICANT EVIDENCE OF A SECURITY RISK

No substantive evidence has been given that the Diversity Program poses a significant risk to our national security. There are organizations like Numbers USA who are not just advocating against illegal immigration but also wish to place caps on or decrease legal immigration as well.

As former Congressman Bruce Morrison testified in 2005: ''[I]t is absurd to think that a lottery would be the vehicle of choice for terrorists.'' 12 to 20 million people enter the Diversity Visa lottery each year and no more than 50,000 visas are available.

In 2007, GAO ''found no documented evidence that DV immigrants . . . posed a terrorist or other threat.''

Diversity Visa recipients go through the same immigration, criminal, and national security background checks that all people applying for Lawful Permanent Residence undergo. They also are interviewed by State Department and Department of Homeland Security personnel.

FRAUD

Since the State Department OIG first raised concerns about fraud in 1993, significant changes have been made. In 2004, State implemented an electronic registration system. This allows State to use facial and name recognition software to identify duplicate applications and to share date with intelligence and law enforcement agencies for necessary immigration and security checks.

In 2012 there was an incident where 20,000 people were erroneously notified that they were finalists in the Diversity program. They would have the opportunity to enter the lottery. The OIG investigated and found this we due to a computer error. There was no evidence of intentional fraud, as a safety precaution and because of the principle of fairness the State Department did the lottery again.

The Diversity Visa program has led the way in applying cutting edge technology to reduce fraud and increase security. The program was one of the first in the government to use facial recognition software to analyze digital photographs.

I join the vast majority of my Democratic colleagues in supporting an expansion of the STEM program. H.R. 6429 attempt to increase the STEM Visa program is an admirable one; however, I firmly believe it should not come at the expense of the Diversity Immigration Visa Program and should include a broader range of institutions.

We must address comprehensive immigration reform this bill does not address this issue in the right way. As I have repeatedly stated I strongly support the advancement of STEM careers. I believe that we can address the potential future shortage of qualified applicants in STEM fields by not only welcoming those from other countries who choose to study in the United States to remain in the United States to work but also to encourage Americans to pursue careers in STEM.

Science, technology, engineering and math education play a crucial role in determining our Nation's level of innovation, which has been the backbone of the American economy since the Industrial Revolution. If we are to strengthen our economy, we must strengthen our STEM education system.

The National Assessment of Educational Progress (NAEP)—the Nation's education report card—shows that fewer than forty percent of students, at every grade level tested, are proficient in math and science. Furthermore, recent statistics provided by the Engineering Workforce Commission indicate a large disparity in STEM education between men and women, and between minorities and Caucasians.

In 2008, 77,671 women were enrolled in an undergraduate engineering program across the United States, while 365,281 men were enrolled in engineering programs in the same year. In the same year, 301,483 Caucasian Americans were enrolled in engineering programs, while only 24,771 African Americans were enrolled. Respectively, 41,919 Hispanics were enrolled in engineering programs across the Nation.

In order to encourage women and minorities to pursue degrees in STEM, it is absolutely essential that we level the educational field and provide equal, high quality education for everyone across the United States.

Internationally, the Programme for International Student Achievement (PISA), an international education benchmark last conducted in 2009 by the Organisation for Economic Cooperation and Development (OECD), finds the United States is barely average in reading and science and below average in math. The United States ranked 25th out of 34 nations in math.

More than 3 million job openings in STEM related fields will be created by 2018 that will require a bachelor's degree or higher (Georgetown Center on Education and the Workforce). At our current rate, the United States falls short of those needs by more than a million workers (National Science Foundation).

The United States must mobilize for excellence in mathematics and science education so that ALL students—not just a select few, or those fortunate enough to attend certain schools—achieve much higher levels of math and science learning.

Significant improvement in math and science education will be much more likely if the American people, especially young people, understand what's possible and demand it. We must consider the Nation's teaching force to be our primary asset, and as such, we must reinvent our strategies for recruiting, inducting, assessing, compensating, and retaining the best and brightest talent for our classrooms.

A new focus on elevating and reinvigorating the profession of teaching must be matched with a new culture of schooling and teaching, that encourages effective teachers to remain in the classroom, rewards them for performance, and creates a career ladder that is a greater incentive for attracting them to the profession.

Upgrade human capital management throughout U.S. schools and school systems toward ensuring that every student has access to effective teachers, regardless of their socioeconomic background.

Teachers and students need access to math and science instructional materials that are challenging, content-rich, motivating, engaging, and connected to the world in which we live today.

We must explore a range of new delivery options grounded in the latest technologies and cognitive sciences that tap into the vast resources we have in our institutions of higher learning, museums, and other science-rich community institutions.

We must create understanding among students about the relationship of effective math and science education to their future success, regardless of their chosen field of study.

It is important to encourage African Americans, Hispanics, Asians, and women to enter into STEM fields. We can do more to fund programs at Historically Black Colleges, Hispanic Serving Institutions, and Community Colleges to reach all segments of society to train homegrown STEM professionals. As we already predict that the jobs of the future will include millions of new jobs in STEM fields it makes sense that we would train American citizens to fill these jobs.

I believe this can be done in a balanced way. We can improve access to STEM for African American, Hispanics, and poor Americans.

America's ability to extend its arms and welcome immigrants is more than a cultural tradition; it is a fundamental promise of our democracy. The Diversity Immigration Visa Program is designed to give a very small diverse percentage of immigrants the opportunity to attain a green card and live the American dream. It's a popular program, it's a successful program and it reflects core American values of inclusion and opportunity.

Ms. VELAZQUEZ. Mr. Speaker, I rise in opposition to this partisan legislation. Rather than simply creating a program that offers visas for students graduating in fields we need, this legislation picks ''winners and losers'' among our Nation's immigrants. Rather than tackling the tough issues surrounding immigration reform by building consensus, once again our Republican colleagues are pushing divisive legislation that punishes certain immigrant groups and rewards others.

We have another option. My Democratic colleagues have put forth a straightforward STEM proposal that would offer visas to graduates fields like science, mathematics and engineering. Instead, we are debating a measure that would reduce overall immigration levels and create a series of false choices.

All of us recognize the value of bringing more immigrants with certain skills and educational backgrounds. Where we seem to disagree is this—those of us on our side of the aisle also recognize that we should not be penalizing other hardworking immigrants from more humble backgrounds.

I say to my colleagues—reject this bill. Let us instead focus on real immigration reform that is based on consensus and focuses on making our system fairer and better.

Mr. ISSA. Mr. Speaker, I rise today to express my support of the STEM Jobs Act (H.R.

6429). I have long been a proponent of visa reform and am proud to be an original cosponsor of this bill.

Our current visa system is inadequate. Many of the world's top students come to the United States to obtain advanced degrees from some of the best universities and colleges in the world to gain competitive science, technology, engineering and mathematic (STEM) skills.

We desperately need to retain these skills to boost our economy. The high-tech and biotech companies in California would benefit from increased STEM visas by creating new, innovative jobs in our communities. However, instead of encouraging these highly skilled students to stay in America, current law forces these individuals to return home, or to third-party countries where they become innovators and entrepreneurs creating prosperity and capital for American competitors.

The STEM Act is an important step towards reforming our immigration system and getting our economy back into working order. Republicans and Democrats alike agree that we need the growth these highly trained individuals are creating elsewhere. Making STEM visas more readily available will foster innovation and job creation in our workforce.

I urge my colleagues to help generate jobs, boost the economy and increase American competitiveness by passing this bill.

Mr. POE of Texas. Mr. Speaker, every year, competitive students from all over the world come to America to attend some our top schools, including the University of Texas—Austin, for advanced degrees in the STEM fields.

While these students are in school, many of these students fall in love with America, and our way of life.

I don't blame them . . . who wouldn't fall in love with Austin, Texas and want to stay?

And the thing is, there are employers right there in Austin and all over the country that want to hire these folks because there are not enough Americans graduating with these types of degrees every year. Sounds like a marriage made in heaven right?

The problem is . . . the students often face a difficult time getting VISA's to stay when they graduate, even though there are employers who want to hire them.

To rectify this, the STEM Jobs Act will cancel the diversity visa program and redistribute up to 55,000 VISA's to the best qualified graduates of American universities with STEM degrees.

This legislation makes sense not only for the students, but it makes sense for America.

Studies have shown that STEM graduates, on average over the course of their careers, create 2.6 American jobs.

In fact, between 1995 and 2005, foreign-born STEM workers founded half of the firms in Silicon Valley. Think of how many jobs, and how much wealth, these firms created here in America.

Wouldn't we rather have these jobs created here in the United States then in China or India?

Do we really want the next Google to be created abroad?

America has given birth to so many innovations over the past 150 years. The assembly line, electricity, the automobile, the airplane, the telephone, the personal computer, the Iphone, the list goes on and on. These innovations have changed our world for the better.

America has always been the birthplace of innovation, let's keep it that way.

Let's allow the world's best and brightest to come to the land of opportunity.

And that's just the way it is.

Mr. DINGELL. Mr. Speaker, I rise in opposition to H.R. 6249, the STEM Jobs Act of 2012. While proponents of this legislation claim that they are making a serious effort at immigration reform, nothing could be farther from the truth. True to their pattern throughout the 112th Congress, the Republican Majority has once again chosen to bring a divisive, partisan bill to the floor rather than seeking compromise and middle ground.

I have long called for comprehensive immigration reform, and am pleased to hear this sentiment echoed by others recently. Reducing the backlog for immigrant graduates from American universities who are studying science, technology, engineering, and math (STEM) is a worthy and laudable goal. Sadly, H.R. 6429 is not the right way to achieve it. Instead of increasing the number of STEM visas that are available, this legislation would completely eliminate the Diversity Visa program, which provides visas to countries with low immigration rates to the United States. We do not need to rob Peter to pay Paul to help improve our immigration system. We just need some common sense.

Our immigration system has been broken for long enough. Let's dedicate ourselves to finding a workable compromise to this serious problem instead of making a half-hearted attempt at reform. I urge my colleagues to join me in voting against H.R. 6429.

Mr. MEEKS. Mr. Speaker, regretfully, I have to oppose H.R. 6429 although this is an important issue that needs to be addressed. There is a need for legislation that attracts and allows highly-skilled immigrants and students who graduate with advanced STEM degrees to live and work in the United States. The STEM Jobs Act of 2012, however, fails to address fundamental issues while creating additional inequities in immigration.

It is increasingly necessary to American industries to keep these highly qualified individuals, whom we have educated, to help develop and grow our businesses instead of forcing them to take their talents elsewhere. The number of full-time graduate students in STEM fields who were foreign students (largely on F–1 nonimmigrant visas) grew from 91,150 in 1990 to 148,923 in 2009, with most of the increase occurring after 1999. Despite this rise in foreign student enrollment, the percentage of STEM graduate students with temporary visas in 2009 (32.7 percent) was comparable to 1990 (31.1 percent). The visas are not increasing to keep up with the talent; and according to the U.S. Department of Commerce, "growth in STEM jobs was three times as fast as growth in non-STEM jobs" over the past 10 years.

Clearly we must create a way to incorporate this untapped potential into our own economy instead of creating a "brain-drain" and sending these highly-skilled immigrants overseas. Our economy needs the growth that comes with filling these jobs.

If enacted, this bill would allocate immigrant visas to a select group of individuals and would eliminate the long-standing Diversity Visa program that allows individuals from countries with low rates of immigration access to visas. It places a band-aid on an issue that needs a real long-term solution, and does not allow for equal and fair access to visas. H.R. 6429, as constructed, is a poison pill that obscures the true need for comprehensive immigration reform.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 821, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. ZOE LOFGREN of California. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. LOFGREN of California. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Zoe Lofgren of California moves to recommit the bill H.R. 6429 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "STEM Jobs Act of 2012".

SEC. 2. IMMIGRANT VISAS FOR CERTAIN ADVANCED STEM GRADUATES.

(a) WORLDWIDE LEVEL OF IMMIGRATION.—Section 201(d)(2) of the Immigration and Nationality Act (8 U.S.C. 1151(d)(2)) is amended by adding at the end the following:

"(D)(i) In addition to the increase provided under subparagraph (C), the number computed under this paragraph for fiscal year 2014 and subsequent fiscal years shall be further increased by the number specified in clause (ii), to be used in accordance with paragraphs (6) and (7) of section 203(b), except that—

"(I) immigrant visa numbers made available under this subparagraph but not required for the classes specified in paragraphs (6) and (7) of section 203(b) shall not be counted for purposes of subsection (c)(3)(C); and

"(II) for purposes of paragraphs (1) through (5) of section 203(b), the increase under this subparagraph shall not be counted for purposes of computing any percentage of the worldwide level under this subsection.

"(ii) The number specified in this clause is 55,000.

"(iii) Immigrant visa numbers made available under this subparagraph for fiscal year 2014, but not used for the classes specified in paragraphs (6) and (7) of section 203(b) in such year, may be made available in subsequent years as if they were included in the number specified in clause (ii) only to the extent of the cumulative number of petitions under section 204(a)(1)(F), and applications for a labor certification under section 212(a)(5)(A), filed in fiscal year 2014 with respect to aliens seeking a visa under paragraph (6) or (7) of section 203(b) up to, but not exceeding, the number specified in clause (ii) for such year. Such immigrant visa numbers may only be made available in fiscal years after fiscal year 2014 in connection with a petition under section 204(a)(1)(F), or an application for a labor certification under section 212(a)(5)(A), that was filed in fiscal year 2014.

''(iv) Immigrant visa numbers made available under this subparagraph for fiscal year 2015, but not used for the classes specified in paragraphs (6) and (7) of section 203(b) during such year, may be made available in subsequent years as if they were included in the number specified in clause (ii) only to the extent of the cumulative number of petitions under section 204(a)(1)(F), and applications for a labor certification under section 212(a)(5)(A), filed in fiscal year 2015 with respect to aliens seeking a visa under paragraph (6) or (7) of section 203(b) up to, but not exceeding, the number specified in clause (ii) for such year. Such immigrant visa numbers may only be made available in fiscal years after fiscal year 2015 in connection with a petition under section 204(a)(1)(F), or an application for a labor certification under section 212(a)(5)(A), that was filed in fiscal year 2015.

''(v) Immigrant visa numbers made available under this subparagraph for fiscal year 2016, but not used for the classes specified in paragraphs (6) and (7) of section 203(b) in such year, may be made available in subsequent years as if they were included in the number specified in clause (ii), but only—

''(I) to the extent of the cumulative number of petitions under section 204(a)(1)(F), and applications for a labor certification under section 212(a)(5)(A), filed in fiscal year 2016 with respect to aliens seeking a visa under paragraph (6) or (7) of section 203(b) up to, but not exceeding, the number specified in clause (ii) for such year;

''(II) if the immigrant visa numbers used under this subparagraph for fiscal year 2015 with respect to aliens seeking a visa under paragraph (6) or (7) of section 203(b) were less than the number specified in clause (ii) for such year; and

''(III) if the processing standards set forth in sections 204(a)(1)(F)(ii) and 212(a)(5)(A)(vi) were not met in fiscal year 2016.

Such immigrant visa numbers may only be made available in fiscal years after fiscal year 2016 in connection with a petition under section 204(a)(1)(F), or an application for a labor certification under section 212(a)(5)(A), that was filed in fiscal year 2016.

''(vi) Immigrant visa numbers made available under this subparagraph for fiscal year 2017, but not used for the classes specified in paragraphs (6) and (7) of section 203(b) in such year, may be made available in subsequent years as if they were included in the number specified in clause (ii), but only—

''(I) to the extent of the cumulative number of petitions under section 204(a)(1)(F), and applications for a labor certification under section 212(a)(5)(A), filed in fiscal year 2017 with respect to aliens seeking a visa under paragraph (6) or (7) of section 203(b) up to, but not exceeding, the number specified in clause (ii) for such year;

''(II) if the immigrant visa numbers used under this subparagraph for fiscal year 2016 with respect to aliens seeking a visa under paragraph (6) or (7) of section 203(b) were less than the number specified in clause (ii) for such year; and

''(III) if the processing standards set forth in sections 204(a)(1)(F)(ii) and 212(a)(5)(A)(vi) were not met in fiscal year 2017.

Such immigrant visa numbers may only be made available in fiscal years after fiscal year 2017 in connection with a petition under section 204(a)(1)(F), or an application for a labor certification under section 212(a)(5)(A), that was filed in fiscal year 2017.''.

(b) NUMERICAL LIMITATION TO ANY SINGLE FOREIGN STATE.—Section 202(a)(5)(A) of such Act (8 U.S.C. 1152(a)(5)(A)) is amended by striking ''or (5)'' and inserting ''(5), (6), or (7)''.

(c) PREFERENCE ALLOCATION FOR EMPLOYMENT-BASED IMMIGRANTS.—Section 203(b) of such Act (8 U.S.C. 1153(b)) is amended—

(1) by redesignating paragraph (6) as paragraph (8); and

(2) by inserting after paragraph (5) the following:

''(6) ALIENS HOLDING DOCTORATE DEGREES FROM U.S. DOCTORAL INSTITUTIONS OF HIGHER EDUCATION IN SCIENCE, TECHNOLOGY, ENGINEERING, OR MATHEMATICS.—

''(A) IN GENERAL.—Visas shall be made available, in a number not to exceed the number specified in section 201(d)(2)(D)(ii), to qualified immigrants who—

''(i) hold a doctorate degree in a field of science, technology, engineering, or mathematics from a United States doctoral institution of higher education;

''(ii) have taken all doctoral courses in a field of science, technology, engineering, or mathematics, including all courses taken by correspondence (including courses offered by telecommunications) or by distance education, while physically present in the United States; and

''(iii) have an offer of employment from an employer and will receive a wage level from the employer that is at least the actual wage level paid by the employer to all other individuals with similar experience and qualifications for the specific employment in question.

''(B) DEFINITIONS.—For purposes of this paragraph, paragraph (7), and sections 101(a)(15)(F)(i)(I) and 212(a)(5)(A)(iii)(III):

''(i) The term 'distance education' has the meaning given such term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

''(ii) The term 'field of science, technology, engineering, or mathematics' means a field included in the Department of Education's Classification of Instructional Programs taxonomy within the summary groups of computer and information sciences and support services, engineering, mathematics and statistics, and physical sciences.

''(iii) The term 'United States doctoral institution of higher education' means an institution that—

''(I) is described in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a));

''(II) was classified by the Carnegie Foundation for the Advancement of Teaching on January 1, 2012, as a doctorate-granting university with a very high or high level of research activity or classified by the National Science Foundation after the date of enactment of this paragraph, pursuant to an application by the institution, as having equivalent research activity to those institutions that had been classified by the Carnegie Foundation as being doctorate-granting universities with a very high or high level of research activity;

''(III) has been in existence for at least 10 years; and

''(IV) is accredited by an accrediting body that is itself accredited either by the Department of Education or by the Council for Higher Education Accreditation.

''(C) LABOR CERTIFICATION REQUIRED.—

''(i) IN GENERAL.—Subject to clause (ii), the Secretary of Homeland Security may not approve a petition filed for classification of an alien under subparagraph (A) unless the Secretary of Homeland Security is in receipt of a determination made by the Secretary of Labor pursuant to the provisions of section 212(a)(5)(A), except that the Secretary of Homeland Security may, when the Secretary deems it to be in the national interest, waive this requirement.

''(ii) REQUIREMENT DEEMED SATISFIED.—The requirement of clause (i) shall be deemed satisfied with respect to an employer and an alien in a case in which a certification made under section 212(a)(5)(A)(i) has already been obtained with respect to the alien by that employer.

''(7) ALIENS HOLDING MASTER'S DEGREES FROM U.S. DOCTORAL INSTITUTIONS OF HIGHER EDUCATION IN SCIENCE, TECHNOLOGY, ENGINEERING, OR MATHEMATICS.—

''(A) IN GENERAL.—Any visas not required for the class specified in paragraph (6) shall be made available to the class of aliens who—

''(i) hold a master's degree in a field of science, technology, engineering, or mathematics from a United States doctoral institution of higher education that was either part of a master's program that required at least 2 years of enrollment or part of a 5-year combined baccalaureate-master's degree program in such field;

''(ii) have taken all master's degree courses in a field of science, technology, engineering, or mathematics, including all courses taken by correspondence (including courses offered by telecommunications) or by distance education, while physically present in the United States;

''(iii) hold a baccalaureate degree in a field of science, technology, engineering, or mathematics or in a field included in the Department of Education's Classification of Instructional Programs taxonomy within the summary group of biological and biomedical sciences; and

''(iv) have an offer of employment from an employer and will receive a wage level from the employer that is at least the actual wage level paid by the employer to all other individuals with similar experience and qualifications for the specific employment in question.

''(B) LABOR CERTIFICATION REQUIRED.—

''(i) IN GENERAL.—Subject to clause (ii), the Secretary of Homeland Security may not approve a petition filed for classification of an alien under subparagraph (A) unless the Secretary of Homeland Security is in receipt of a determination made by the Secretary of Labor pursuant to the provisions of section 212(a)(5)(A), except that the Secretary of Homeland Security may, when the Secretary deems it to be in the national interest, waive this requirement.

''(ii) REQUIREMENT DEEMED SATISFIED.—The requirement of clause (i) shall be deemed satisfied with respect to an employer and an alien in a case in which a certification made under section 212(a)(5)(A)(i) has already been obtained with respect to the alien by that employer.

''(C) DEFINITIONS.—The definitions in paragraph (6)(B) shall apply for purposes of this paragraph.''.

(d) PROCEDURE FOR GRANTING IMMIGRANT STATUS.—Section 204(a)(1)(F) of such Act (8 U.S.C. 1154(a)(1)(F)) is amended—

(1) by striking ''(F)'' and inserting ''(F)(i)'';

(2) by striking ''or 203(b)(3)'' and inserting ''203(b)(3), 203(b)(6), or 203(b)(7)'';

(3) by striking ''Attorney General'' and inserting ''Secretary of Homeland Security''; and

(4) by adding at the end the following:

''(ii) The following processing standards shall apply with respect to petitions under clause (i) relating to alien beneficiaries qualifying under paragraph (6) or (7) of section 203(b):

''(I) The Secretary of Homeland Security shall adjudicate such petitions not later than 60 days after the date on which the petition is filed. In the event that additional information or documentation is requested by the Secretary during such 60-day period, the Secretary shall adjudicate the petition not later than 30 days after the date on which such information or documentation is received.

''(II) The petitioner shall be notified in writing within 30 days of the date of filing if

the petition does not meet the standards for approval. If the petition does not meet such standards, the notice shall include the reasons therefore and the Secretary shall provide an opportunity for the prompt resubmission of a modified petition.''.

(e) LABOR CERTIFICATION AND QUALIFICATION FOR CERTAIN IMMIGRANTS.—Section 212(a)(5) of such Act (8 U.S.C. 1182(a)(5)) is amended—

(1) in subparagraph (A)—

(A) in clause (ii)—

(i) in subclause (I), by striking '', or'' at the end and inserting a semicolon;

(ii) in subclause (II), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

''(III) holds a doctorate degree in a field of science, technology, engineering, or mathematics from a United States doctoral institution of higher education (as defined in section 203(b)(6)(B)(iii)).'';

(B) by redesignating clauses (ii) through (iv) as clauses (iii) through (v), respectively;

(C) by inserting after clause (i) the following:

''(ii) JOB ORDER.—

''(I) IN GENERAL.—An employer who files an application under clause (i) shall submit a job order for the labor the alien seeks to perform to the State workforce agency in the State in which the alien seeks to perform the labor. The State workforce agency shall post the job order on its official agency website for a minimum of 30 days and not later than 3 days after receipt using the employment statistics system authorized under section 15 of the Wagner-Peyser Act (29 U.S.C. 49 et seq.).

''(II) LINKS.—The Secretary of Labor shall include links to the official websites of all State workforce agencies on a single webpage of the official website of the Department of Labor.''; and

(D) by adding at the end the following:

''(vi) PROCESSING STANDARDS FOR ALIEN BENEFICIARIES QUALIFYING UNDER PARAGRAPHS (6) AND (7) OF SECTION 203(B).—The following processing standards shall apply with respect to applications under clause (i) relating to alien beneficiaries qualifying under paragraph (6) or (7) of section 203(b):

''(I) The Secretary of Labor shall adjudicate such applications not later than 180 days after the date on which the application is filed. In the event that additional information or documentation is requested by the Secretary during such 180-day period, the Secretary shall adjudicate the application not later than 60 days after the date on which such information or documentation is received.

''(II) The applicant shall be notified in writing within 60 days of the date of filing if the application does not meet the standards for approval. If the application does not meet such standards, the notice shall include the reasons therefore and the Secretary shall provide an opportunity for the prompt resubmission of a modified application.''; and

(2) in subparagraph (D), by striking ''(2) or (3)'' and inserting ''(2), (3), (6), or (7)''.

(f) FURTHER PROTECTING AMERICAN WORKERS.—Section 212(p) of such Act (8 U.S.C. 1182(p)) is amended by adding at the end the following:

''(5) To satisfy the requirement under paragraph (6)(A)(iii) or (7)(A)(iv) of section 203(b), an employer must demonstrate that the total amount of compensation to be paid to the alien (including health insurance, stock options, and other benefits provided by the employer) must meet or exceed the total amount of compensation paid by the employer to all other employees with similar experience and qualifications working in the same occupational classification.''.

(g) GAO STUDY.—Not later than June 30, 2018, the Comptroller General of the United States shall provide to the Congress the results of a study on the use by the National Science Foundation of the classification authority provided under section 203(b)(6)(B)(iii)(II) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(6)(B)(iii)(II)), as added by this section.

(h) PUBLIC INFORMATION.—The Secretary of Homeland Security shall make available to the public on the official website of the Department of Homeland Security, and shall update not less than monthly, the following information (which shall be organized according to month and fiscal year) with respect to aliens granted status under paragraph (6) or (7) of section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)), as added by this section:

(1) The name, city, and State of each employer who petitioned pursuant to either of such paragraphs on behalf of one or more aliens who were granted status in the month and fiscal year to date.

(2) The number of aliens granted status under either of such paragraphs in the month and fiscal year to date based upon a petition filed by such employer.

(3) The occupations for which such alien or aliens were sought by such employer and the job titles listed by such employer on the petition.

(i) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013, and shall apply with respect to fiscal years beginning on or after such date. Nothing in the preceding sentence shall be construed to prohibit the Secretary of Homeland Security from accepting before such date petitions under section 204(a)(1)(F) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(F)) relating to alien beneficiaries qualifying under paragraph (6) or (7) of section 203(b) of such Act (8 U.S.C. 1153(b)) (as added by this section).

SEC. 3. PERMANENT PRIORITY DATES.

(a) IN GENERAL.—Section 203 of the Immigration and Nationality Act (8 U.S.C. 1153) is amended by adding at the end the following:

''(i) PERMANENT PRIORITY DATES.—

''(1) IN GENERAL.—Subject to subsection (h)(3) and paragraph (2), the priority date for any employment-based petition shall be the date of filing of the petition with the Secretary of Homeland Security (or the Secretary of State, if applicable), unless the filing of the petition was preceded by the filing of a labor certification with the Secretary of Labor, in which case that date shall constitute the priority date.

''(2) SUBSEQUENT EMPLOYMENT-BASED PETITIONS.—Subject to subsection (h)(3), an alien who is the beneficiary of any employment-based petition that was approvable when filed (including self-petitioners) shall retain the priority date assigned with respect to that petition in the consideration of any subsequently filed employment-based petition (including self-petitions).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2013, and shall apply to aliens who are a beneficiary of a classification petition pending on or after such date.

SEC. 4. STUDENT VISA REFORM.

(a) IN GENERAL.—Section 101(a)(15)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)) is amended to read as follows:

''(F) an alien—

''(i) who—

''(I) is a bona fide student qualified to pursue a full course of study in a field of science, technology, engineering, or mathematics (as defined in section 203(b)(6)(B)(ii)) leading to a bachelors or graduate degree and who seeks to enter the United States for the purpose of pursuing such a course of study consistent with section 214(m) at an institution of higher education (as described in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) or a proprietary institution of higher education (as defined in section 102(b) of such Act (20 U.S.C. 1002(b))) in the United States, particularly designated by the alien and approved by the Secretary of Homeland Security, after consultation with the Secretary of Education, which institution shall have agreed to report to the Secretary of Homeland Security the termination of attendance of each nonimmigrant student, and if any such institution fails to make reports promptly the approval shall be withdrawn; or

''(II) is engaged in temporary employment for optional practical training related to such alien's area of study following completion of the course of study described in subclause (I);

''(ii) who has a residence in a foreign country which the alien has no intention of abandoning, who is a bona fide student qualified to pursue a full course of study, and who seeks to enter the United States temporarily and solely for the purpose of pursuing such a course of study consistent with section 214(m) at an established college, university, seminary, conservatory, academic high school, elementary school, or other academic institution or in a language training program in the United States, particularly designated by the alien and approved by the Secretary of Homeland Security, after consultation with the Secretary of Education, which institution of learning or place of study shall have agreed to report to the Secretary of Homeland Security the termination of attendance of each nonimmigrant student, and if any such institution of learning or place of study fails to make reports promptly the approval shall be withdrawn;

''(iii) who is the spouse or minor child of an alien described in clause (i) or (ii) if accompanying or following to join such an alien; or

''(iv) who is a national of Canada or Mexico, who maintains actual residence and place of abode in the country of nationality, who is described in clause (i) or (ii) except that the alien's qualifications for and actual course of study may be full or part-time, and who commutes to the United States institution or place of study from Canada or Mexico.''.

(b) ADMISSION.—Section 214(b) of the Immigration and Nationality Act (8 U.S.C. 1184(b)) is amended by inserting ''(F)(i),'' before ''(L) or (V)''.

(c) CONFORMING AMENDMENT.—Section 214(m)(1) of the Immigration and Nationality Act (8 U.S.C. 1184(m)(1)) is amended, in the matter preceding subparagraph (A), by striking ''(i) or (iii)'' and inserting ''(i), (ii), or (iv)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013, and shall apply to nonimmigrants who possess or are granted status under section 101(a)(15)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)) on or after such date.

SEC. 5. EXTENSION OF GUARANTEE FEES FOR GOVERNMENT-SPONSORED HOUSING ENTERPRISES AND FHA.

(a) GSEs.—Subsection (f) of section 1327 of the Housing and Community Development Act of 1992 (12 U.S.C. 4547) is amended by striking ''October 1, 2021'' and inserting ''October 1, 2022''.

(b) FHA.—Subsection (b) of section 402 of the Temporary Payroll Tax Cut Continuation Act of 2011 (Public Law 112–78; 125 Stat. 1289) is amended by striking ''October 1, 2021'' and inserting ''October 1, 2022''.

Ms. LOFGREN of California (during the reading). Mr. Speaker, I ask unanimous consent that the reading be waived.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

Mr. LABRADOR. I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read.

□ 1100

Mr. LABRADOR (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. LOFGREN) is recognized for 5 minutes in support of the motion.

Ms. ZOE LOFGREN of California. Mr. Speaker, over the last few days in the Rules Committee, during debate on the rule, and in today's debate, we've had a common refrain from our friends on the other side of the aisle. Over and over, they say there's agreement on STEM visas, and we shouldn't let politics get in the way. For the good of America and our economy, they say, we should come together on this bipartisan issue and do what's right. I agree.

By all accounts, there is nothing but support for a STEM visa program to attract and retain the best and brightest minds from around the world, and we support STEM visas. They support STEM visas. Everybody supports STEM visas. So why on Earth aren't we just voting on STEM visas?

According to our colleagues, that's the message we should take away from the election. Even though we may not agree on everything, we should put partisanship aside and find areas of common ground for the good of the country, and that's exactly what this motion to recommit would do.

This motion presents us with a clean STEM visa program, copied word for word from the underlying bill, but without the unrelated measures. If it's true that this vote is about creating STEM visas and not about eliminating unrelated immigration programs, then you should vote for this motion. We should put words into action and vote for a clean STEM bill.

As we all know, this motion will only amend the bill. It will not kill the bill or send it back to committee. The bill will immediately proceed to final passage, as amended.

Let's be clear, a vote against this motion is a vote against STEM visas. It says that you care more about eliminating the unrelated Diversity Visa program than you care about getting a STEM visa program. Eliminating the Diversity Visa program has absolutely nothing to do with STEM visas. It's an unfortunate attack on immigrants and minorities, and it has no place in the STEM bill.

It's also remarkably tone-deaf, considering the recent election just 3 weeks ago. The minority and immigrant communities sent a powerful message to our friends on the other side of the aisle. Our friends say they heard that message. They acknowledged the need to reach out to those communities and take a different tack with respect to immigration.

Well, actions speak louder than words. If you really want to reach out to minorities, perhaps you shouldn't start with a bill that eliminates the Diversity visas. And if you want to reach out to immigrants, perhaps you shouldn't start with a bill that pits immigrant communities against each other.

The choice between STEM immigrants and Diversity immigrants is one we are being forced to make. We do not need to make it.

When we discuss offsets in the budget context, it's about money and deficits and debt, but here we're talking about people. Is that who we are as a country? I, for one, do not believe we should offset families, spouses, or children. If you care about immigrants, you know they help grow our economy and renew our spirit. They are not pawns in a zero-sum game.

The motion to recommit also includes critical protections for U.S. workers absent from the underlying bill. We all acknowledge that a STEM visa program is important. It can grow our economy, but surely it should not come at the expense of the salaries of American workers. We should not have a race to the bottom on wages.

You know, a lot of the discussion today about the zero-sum theory on which this bill has been presented seems to imply that unless you have a graduate degree, you are not really going to contribute to this country. That's simply false. When you think about some of the great innovators—Sergey Brin, born in Russia, cofounder of Google, in my county, that employs thousands and thousands of Americans, he didn't come here because of his degree. He came with his parents. Jerry Yang, founder of Yahoo!, grew up in east San Jose. He didn't come because he got admitted to Stanford. He came with his family. Andy Grove, a legend in Intel, he didn't come because of his degree. He came as a refugee.

I am reminded of my grandfather and what he brought to this country. At age 16, he got on a boat. He never saw his parents again. He never got a degree. He came to America because he wanted to be free. He worked hard all his life. I went to Stanford University. I was the first in my family to go to college. But I am here today in Congress because my grandfather—without an education but with a lot of heart, with enough get-up-and-go to get up and go—came to become an American.

I am sure that if you examine the history of so many Members of Congress, you would find in their family trees people who had enough get-up-and-go to come to the United States. We are now proud Members of Congress in that tradition of America.

I urge you, support the motion to recommit. Don't turn our backs on immigration.

I yield back the balance of my time.

Mr. LABRADOR. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Idaho is recognized for 5 minutes.

Mr. LABRADOR. Mr. Speaker, this motion to recommit is just one more illustration of Democrats being unserious on immigration reform. We don't even need to talk about the merits or whether the MTR is good policy or bad policy. For my friends on the other side, it has always been just good politics.

Before I came to Congress, I was an immigration attorney for 15 years. That was one of the finest 15 years of my life. I have seen how broken the system is, and I have seen how few people there are on the other side who actually want to fix the problems instead of just playing political football. And sadly, the captain of the political football team is sitting in the White House. Actually, today he is sitting somewhere else doing more politicking.

Actions speak louder than words. I actually agree with the minority on this. The President of the United States made a promise to fix a broken immigration system during his first term, a promise which he could have kept, by the way, without making a single compromise. He had a majority of both Houses of Congress, a filibuster-proof majority for 2 years, and he did absolutely nothing. The other side could have had 100 percent of what they wanted when they controlled the House; the Senate was filibuster-proof, and they had the President.

When they wanted health care legislation and they wanted good policy, they passed it without any help from the Republican Party. But somehow, they come here today, and they claim that they could not pass immigration legislation during those first 2 years and that they actually want to do something about immigration reform.

Why didn't they solve it then? Because the political football would have gone away. The game would have been over, and they would not have been able to play this political football game every 2 years.

I want reform. I want no more games.

So now we sit here in a familiar position. Our side proposing solutions, their side asking for concessions. And each time we grant one concession, three more arise.

This year, just this year in this Chamber, the President of the United States said he wanted a STEM bill. He said that it didn't have to be comprehensive. This was his exact quote:

> But if election-year politics keeps Congress from acting on a comprehensive plan, let's at least agree to stop expelling responsible young people who want to staff our

labs, start new businesses, defend this country. Send me a law that gives them the chance to earn their citizenship. I will sign it right away.

My friends, this is that bill. It is exactly what the President asked for. And what has he done now? He's pulled the football away again. He now says that, in fact, it does need to be comprehensive:

The administration is deeply committed to building a 21st century immigration system that meets the Nation's economic and security needs, but it has to be comprehensive.

So he went from saying that he didn't need a comprehensive bill to saying that he needs a comprehensive bill. He says now that he, in fact, needs comprehensive reform when he said a year ago that he didn't.

How do I feel? I feel like Charlie Brown. My friends, this is a good bill. The President continues to move the ball. The Democrats continue to move the ball. Every time Republicans want to do something positive on immigration, on the economy, they keep moving the ball away from us. Let's stop being Charlie Brown.

My friends, this is a good bill. It will strengthen our economy, it will create jobs, and it is exactly what the President asked for a year ago. Let's call his bluff and send him a bill to create jobs and opportunities here in America.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Ms. ZOE LOFGREN of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on the passage of H.R. 6429, if ordered, and the approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 157, nays 231, not voting 44, as follows:

[Roll No. 612]

YEAS—157

Ackerman
Altmire
Andrews
Baca
Bass (CA)
Becerra
Berkley
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Courtney
Critz
Crowley
Cuellar
Cummings
Curson (MI)
Davis (CA)
Davis (IL)
DeLauro
DelBene
Deutch
Dicks
Dingell
Doggett
Doyle
Ellison
Engel
Eshoo
Farr
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Ross (AR)
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell
Sires
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NAYS—231

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilirakis
Bishop (UT)
Black
Blackburn
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sherman
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOT VOTING—44

Akin
Baldwin
Barber
Berman
Bilbray
Bonner
Boren
Burton (IN)
Carnahan
Carter
Chandler
Costa
Costello
Culberson
DeGette
Edwards
Fattah
Filner
Gallegly
Hastings (FL)
Herger
Lewis (GA)
Manzullo
McClintock
Murphy (CT)
Owens
Pence
Reyes
Richardson
Rothman (NJ)
Roybal-Allard
Schmidt
Schwartz
Shuler
Slaughter
Smith (TX)
Smith (WA)
Speier
Stark
Sutton
Towns
Waters
Watt
Young (AK)

□ 1131

Messrs. NUNES, CRAVAACK, WALBERG, LUETKEMEYER, TURNER of New York, FINCHER, THOMPSON of Pennsylvania, REICHERT, DANIEL E. LUNGREN of California, CHABOT, McHENRY, GOHMERT and Ms. HAYWORTH changed their vote from ''yea'' to ''nay.''

Mr. THOMPSON of Mississippi, Mrs. MALONEY, Messrs. LEVIN, WELCH, and Mrs. CAPPS changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 612, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "yea."

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. ZOE LOFGREN of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 245, nays 139, not voting 48, as follows:

[Roll No. 613]

YEAS—245

Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Austria
Bachmann
Bachus
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blumenauer
Bono Mack
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Canseco
Cantor
Capito
Carney
Carter
Cassidy
Chabot
Chaffetz
Chu
Coble
Coffman (CO)
Cohen
Cole
Conaway
Cooper
Cravaack

Crawford
Crenshaw
Cuellar
DeFazio
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herrera Beutler
Himes
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (WI)
Scalise
Schilling
Schock
Schrader
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (NE)
Smith (NJ)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NAYS—139

Ackerman
Andrews
Baca
Barletta
Bass (CA)
Becerra
Berkley
Bishop (GA)
Bishop (NY)
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Campbell
Capps
Capuano
Carson (IN)
Castor (FL)
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Connolly (VA)
Conyers
Costa
Courtney
Critz
Crowley
Cummings
Curson (MI)
Davis (CA)
Davis (IL)
DeLauro
DelBene
Denham
Deutch
Dicks
Dingell
Doggett
Doyle
Ellison
Engel
Eshoo
Farr
Frank (MA)
Fudge
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (WA)
Heinrich
Higgins
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Israel
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
Meeks
Miller (NC)
Miller, George
Moore
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Thompson (CA)
Thompson (MS)
Tierney
Tsongas
Van Hollen
Walz (MN)
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—48

Akin
Baldwin
Barber
Berman
Bilbray
Black
Bonner
Boren
Burton (IN)
Carnahan
Chandler
Costello
Culberson
DeGette
Edwards
Fattah
Filner
Frelinghuysen
Gallegly
Hastings (FL)
Herger
Lewis (GA)
Manzullo
McClintock
Murphy (CT)
Owens
Pence
Reyes
Richardson
Rothman (NJ)
Roybal-Allard
Rush
Schmidt
Schwartz
Schweikert
Shuler
Simpson
Slaughter
Smith (TX)
Smith (WA)
Speier
Stark
Sutton
Towns
Velázquez
Visclosky
Watt
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1139

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. BLACK. Mr. Speaker, on rollcall No. 613 I was unavoidably detained. Had I been present, I would have voted "yea."

Mr. SIMPSON. Mr. Speaker, on rollcall No. 613, on H.R. 6429, to amend the Immigration and Nationality Act to promote innovation, investment, and research in the United States, to eliminate the diversity immigrant program, and for other purposes, had I been present, I would have voted "yea."

Stated against:

Ms. VELÁZQUEZ. Mr. Speaker, unfortunately, while I was in the well trying to get the Speaker's attention, rollcall vote 613 was gaveled before I was able to vote. I would have voted "nay."

Mr. FILNER. Mr. Speaker, on rollcall 613, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

PERSONAL EXPLANATION

Mr. HERGER. Mr. Speaker, on rollcall Nos. 612 and 613 I would have voted "nay" on the former, the motion to recommit, and "yea" on the latter, passage.

PERSONAL EXPLANATION

Ms. SCHWARTZ. Mr. Speaker, on Friday, November 30, 2012, I was unable to cast my vote on rollcall vote 612, H.R. 6429, the STEM Jobs Act of 2012 and the Motion to Recommit 613, the STEM Jobs Act of 2012.

Had I been present, I would like the RECORD to reflect that I would have voted in opposition of rollcall vote 612 and I would have voted in favor of the Motion to Recommit 613.

I oppose H.R. 6429 because it eliminates the long-standing Diversity Visa program and prevents unused STEM green cards from being reused as another visa.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote Nos. 612 and 613. Had I been present, I would have voted "yea" on rollcall vote No. 612 and "nay" on rollcall vote No. 613.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to the following resolution:

S. RES. 604

In the Senate of the United States, November 29, 2012.

Whereas Warren B. Rudman served in the United States Army during the Korean War with the rank of Lieutenant, earning the Bronze Star for action in combat as an infantry commander;

Whereas Warren B. Rudman rendered exceptional service to the State of New Hampshire as Attorney General for 6 years, an office to which he brought honor;

Whereas Warren B. Rudman served the people of New Hampshire with distinction for 12 years in the United States Senate;

Whereas Warren B. Rudman served the Senate as Chairman of the Select Committee on Ethics in the 99th Congress;

Whereas Warren B. Rudman served the Senate as Vice Chairman of the Select Committee on Secret Military Assistance to Iran and the Nicaraguan Opposition with impartiality and honesty;

Whereas while serving in the Senate, Warren B. Rudman authored laws to support small business and reduce the budget deficits of the United States;

Whereas Warren B. Rudman co-founded the Concord Coalition to educate the public about the dangers of Federal budget deficits;

Whereas the hallmarks of Warren B. Rudman's public service were integrity, courage, and an unflagging commitment to the common good; and

Whereas with the death of Warren B. Rudman, New Hampshire and the United States have lost an outstanding lawmaker and public servant: Now, therefore, be it

Resolved, That—

(1) the Senate has received with profound sorrow and deep regret the announcement of the passing of the Honorable Warren B. Rudman, a former member of the United States Senate;

(2) the Senate respectfully requests that Secretary of the Senate communicate this resolution to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased; and

(3) when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Warren B. Rudman.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested: