S. 174. A bill to appropriately restrict sales of ammunition; to the Committee on the Judiciary.

By Mr. ROBERTS (for himself, Mr. JOHANNS, Mr. GRASSLEY, Mr. THUNE, Mr. VITTER, Mr. BARRASSO, Mr. MORAN, Mr. BLUNT, Mr. ENZI, Mr. INHOFE, and Mr. BOOZMAN):

S. 175. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve the use of certain registered pesticides; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. VITTER (for himself, Mr. CORNYN, and Mr. SESSIONS):

S. 176. A bill to reject the final 5-year Outer Continental Shelf Oil and Gas Leasing Program for fiscal years 2013 through 2018 of the Administration and replace the plan with a 5-year plan that is more in line with the energy and economic needs of the United States; to the Committee on Energy and Natural Resources.

By Mr. CRUZ (for himself, Mr. JOHNSON of Wisconsin, Mr. VITTER, Mr. ROBERTS, Mr. GRASSLEY, Mr. CORNYN, Mr. PORTMAN, Mr. PAUL, Mr. RUBIO, Mr. JOHANNS, Mr. WICKER, Mr. COBURN, Mr. ISAKSON, Mr. BLUNT, Mr. CHAMBLISS, Mr. BARRASSO, Mr. MCCONNELL, Mr. INHOFE, Mr. FLAKE, Mr. COATS, Mr. BOOZMAN, Mr. RISCH, Mr. BURR, Mr. COCHRAN, Mrs. FISCHER, Ms. COLLINS, Mr. SCOTT, Mr. TOOMEY, Mr. ALEXANDER, Mr. LEE, Mr. HATCH, Ms. AYOTTE, Mr. MCCAIN, and Mr. SESSIONS):

S. 177. A bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely; read the first time.

By Mr. SHELBY (for himself and Mr. BOOZMAN):

S.J. Res. 6. A joint resolution proposing an amendment to the Constitution of the United States which requires (except during time of war and subject to suspension by Congress) that the total amount of money expended by the United States during any fiscal year not exceed the amount of certain revenue received by the United States during such fiscal year and not exceed 20 percent of the gross domestic product of the United States during the previous calendar year; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REID:

S. Res. 20. A resolution designating Chairman of the Senate Committee on Foreign Relations; considered and agreed to.

ADDITIONAL COSPONSORS

S. 2

At the request of Mr. REID, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2, a bill to reduce violence and protect the citizens of the United States.

S. 5

At the request of Mr. REID, the names of the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 5, a bill to reauthorize the Violence Against Women Act of 1994.

S. 6

At the request of Mr. REID, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 6, a bill to reauthorize the VOW to Hire Heroes Act of 2011, to provide assistance to small businesses owned by veterans, to improve enforcement of employment and reemployment rights of members of the uniformed services, and for other purposes.

S. 46

At the request of Mr. TOOMEY, the names of the Senator from Oklahoma (Mr. COBURN) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 46, a bill to protect Social Security benefits and military pay and require that the United States Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached.

S. 47

At the request of Mr. LEAHY, the names of the Senator from Kansas (Mr. MORAN), the Senator from Indiana (Mr. DONNELLY), the Senator from Connecticut (Mr. MURPHY) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 47, a bill to reauthorize the Violence Against Women Act of 1994.

S. 51

At the request of Mrs. BOXER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 51, a bill to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act.

S. 63

At the request of Mrs. GILLIBRAND, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 63, a bill to require the Secretary of Commerce and the Secretary of Labor to establish the Made In America Incentive Grant Program, and for other purposes.

S. 84

At the request of Ms. MIKULSKI, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 84, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 135

At the request of Mr. VITTER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 135, a bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes.

S. 137

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 137, a bill to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities.

S. 150

At the request of Mrs. FEINSTEIN, the names of the Senator from Minnesota (Mr. FRANKEN), the Senator from Hawaii (Ms. HIRONO) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 150, a bill to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes.

S. 152

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 152, a bill to require the Secretary of the Air Force to retain the current leadership rank, aircraft, and core functions of the 354th Fighter Wing and the 18th Aggressor Squadron at Eielson Air Force Base and to require reports on proposed activities at such installation.

S. CON. RES. 4

At the request of Mr. VITTER, the names of the Senator from Indiana (Mr. COATS) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. Con. Res. 4, a concurrent resolution expressing the sense of Congress that a carbon tax is not in the economic interest of the United States.

S. RES. 12

At the request of Mr. NELSON, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. Res. 12, a resolution recognizing the third anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives in that earthquake, and expressing continued solidarity with the people of Haiti.

S. RES. 13

At the request of Mr. BROWN, the names of the Senator from Florida (Mr. NELSON) and the Senator from North Carolina (Mrs. HAGAN) were added as cosponsors of S. Res. 13, a resolution congratulating the members of Delta Sigma Theta Sorority, Inc. for 100 years of service to communities throughout the United States and the world, and commending Delta Sigma Theta Sorority, Inc. for its promotion of sisterhood, scholarship, and service.

At the request of Mr. PORTMAN, his name was added as a cosponsor of S. Res. 13, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HARKIN (for himself, Mr. LEAHY, Mrs. BOXER, Mrs. MURRAY, Mr. LAUTENBERG, Mr. BROWN, Mr. BLUMENTHAL, and Mrs. GILLIBRAND):

S. 168. A bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Madam President, on January 29, 2009, President Obama signed the Lilly Ledbetter Fair Pay

Act. It was a proud day and I was there for that. A critical law, the first legislation signed into law by President Obama after his first election, reversed the outrageous Supreme Court decision in Ledbetter v Goodyear and made clear that a worker such as Lilly Ledbetter, who does not learn of her pay inequities for years, still had recourse to challenge her wage discrimination.

Today we celebrate the anniversary of the enactment of this important law, but at the same time we must recognize it was only a first step. We need to do much more to ensure that all workers in our society are paid fairly for their work and are not shortchanged because of the their gender, race or other personal characteristic. That is why, 4 years after enactment of the Lilly Ledbetter Fair Pay Act, I am proud to introduce once again the Fair Pay Act, a bill I have introduced in every Congress since 1996.

Let me give some background. In 1963, Congress enacted the Equal Pay Act to end unfair discrimination against women in the workplace. At that time, 25 million female workers earned just 60 percent of the average pay for men. While we have made progress toward the goal of true pay equity fully a half century later, too many women still do not get paid what men do for the same or nearly the same work. Let's be clear about this. The Equal Pay Act of 1963 has to do with women doing the same jobs as men. But still, on average, as we know, for every $1 a full-time male worker earns, a woman earns just 77 cents. So we have gone from 60 cents, in all those 60 years, to 77 cents for every $1 a man makes.

What does that translate into? You might say, OK, 7 cents is that a big deal? Yes, it is. Over a lifetime of work it means an average of $400,000 that a woman loses because of the unequal pay practices.

I will say that again later on, but that $400,000 is not just the pay she loses during her lifetime. Think about the retirement benefits that woman loses because she has been underpaid all those years. That is why we have a system in America, when a woman retires, a man retires, they had the same kind of work, a man gets a lot more retirement than a woman because they paid in more because they were paid more during their lifetime.

This system is wrong, it is unjust, and it threatens the economic security of our families. The fact is millions of American families are dependent on a woman's paycheck just to get by, to put food on the table, to pay for childcare, to deal with rising health care costs.

In today's economy, few families have a stay-at-home mother. In fact, 71 percent of mothers are in the labor force. They are a major contributor to their familie's income. Two-thirds of mothers bring home at least one-quarter of their familie's earnings and in more than 4 of 10 families with children, a woman is the majority or sole breadwinner.

That means in today's economy, when a mother earns less than her male colleagues, her family must sacrifice basic necessities, as well as face greater difficulty for these kids to save for college, afford a home, live the American dream. The lifetime of earning losses all women face, including those who are without children or whose children are grown, affects not only their well-being during their working lives, as I said earlier, but it affects their ability to save and have a decent retirement.

The evidence shows that discrimination accounts for much of the pay gap. In fact, according to one study, when we look at all the reasons there is a wage gap—we have race, 2.4 percent; 3.5 percent union status; labor force experience; industry category; occupational category—41 percent unexplained. They cannot explain why it is. The fact is, that is because of discrimination. It is because our laws have not done enough to prevent this discrimination from occurring. That is why the Lilly Ledbetter Fair Pay Act was a critical first step. That is why it is important to pass the Paycheck Fairness Act.

That bill was introduced last week by Senator MIKULSKI. I am proud to be an original cosponsor. She has always championed that. What that does is start to close a lot of the loopholes and barriers to effective enforcement in our existing law to close that 41 percent unexplained gap. We need to strengthen penalties and give women the tools they need to confront discrimination.

It is outrageous that the Senate has not yet passed the Paycheck Fairness Act. In the last two Congresses this bill got more than a majority of support. In 2010 58 United States Senators, a large majority, voted to pass this legislation. If we had 58 votes, why didn't we get it? Because of Republican obstructionism, we could not even proceed to debate the bill. This was a filibuster on a motion to proceed to the bill. We got 58 votes, but we could not even debate it.

Since we just went through a recent debate on rules reform, I want the American people to understand this. The Republicans, the minority party has continuously prevented the Senate from even considering the issue of unequal wages and gender discrimination. Millions of women and their families are concerned about the fact that they get paid less than their male colleagues. It is unfair; it is unjust. Nevertheless, repeatedly, the Republicans have filibustered even debating the issue.

Just last week we had a vote in the Senate to change the rules. We made some modifications of the rules. I truly hope those modifications which were made will now enable us to get over this hurdle so we can bring up the Paycheck Fairness Act and debate it. If they want to offer amendments, that is fine, but let's debate it. Let's have amendments and then let's vote to pass the bill. I hope the changes in the rules last week will enable us to do so.

As I said, the Lilly Ledbetter bill was a first step. The Paycheck Fairness Act will start to close some of the loopholes and make sure the penalties will be enforced. But there is one more step which needs to be taken, and I think it is the most critical one of all—equal pay, yes. We have had that since 1963; that is, women and men doing the same job. The Lilly Ledbetter Act allows us to go back and get the back wages that were due, but that is sort of after the fact.

The Paycheck Fairness Act will make sure we have penalties and enforceability. However, there is one other huge, glaring discrimination that is ongoing in our society today against women; that is, as a nation we unjustly devalue jobs traditionally performed by women even when they require comparable skills to the jobs traditionally performed by men.

Today millions of what we call female-dominated jobs, such as social workers, teachers, childcare workers, nurses, those who care for our elderly in assisted living care or in nursing homes—most of these jobs are equivalent in skills and working conditions to male-dominated jobs, but the female-dominated jobs pay significantly less. This is unfair and unjust discrimination.

Why is a housekeeper worth less than a janitor? Why is a maid worth less than a janitor? Eighty-nine percent of maids are female; 67 percent of janitors are male. While the jobs are equivalent in skills, effort, responsibility, and working conditions, the median weekly earnings for a maid are $387 and for a janitor it is $463. Computer-support workers—a job that is 72 percent male—have median weekly earnings of $949. In contrast, secretaries and administrative assistants, which is 96 percent female, have median weekly earnings of $659. Why do we value someone who helps with computers more than someone who makes the entire office function? That is not to say the men are overpaid, it is just to say that jobs we have long considered in our country as ''women's work'' or ''women's jobs'' are grossly underpaid.

Now to address this more subtle, deep-rooted discrimination, today I introduced the Fair Pay Act. As I said, this is a bill I have introduced—along with Congresswoman NORTON—every year since 1996. The bill will ensure that employers provide equal pay for jobs that are equivalent in skill, effort, responsibility, and working conditions.

People have asked: How do we do that? Well, we have some history. In 1982 the State of Minnesota implemented a pay equity plan for its State, and I think, also, municipal employees. The State found that women were segregated into historically female-dominated jobs and that women's jobs paid 20 percent less than male-dominated jobs. Pay equity wage adjustments

were phased in over 4 years, leading to an average pay increase of $200 per month for women in female-dominated jobs.

In 1983, in my home State of Iowa, the Iowa Legislature—a Republican legislature and a Republican Governor, I might add—passed a bill stipulating that the State shall not discriminate in compensation between predominately male and female jobs deemed to be of comparable worth. That was in 1983. I am proud of Iowa. I just want to say this was passed by a Republican legislature and signed by a Republican Governor.

Toward that end, the State engaged a professional accounting firm to evaluate the value of 800 job classifications in State government. The final recommendations, which were made in April of 1984, proposed that 10,751 employees should be given a pay increase. After being implemented in March 1985, female employees' pay had increased at that time by about 1.5 percent. Think of what that means from 1985 to now and how much more those women are paid over all those years. This can be done as well for the women in this country who are currently being paid less, not because of their skills or education but simply because they are in undervalued ''female jobs.'' Making sure they receive their real worth will make a real difference for them and the family who rely on their wages.

Again, many of these jobs are jobs that we don't know what we would do without them. Have you ever visited someone in your family who was in a nursing home? Who is taking care of those people? Women. If we take someone who is in a situation like that, they have to lift and move heavy people. They have to be strong, and they care for people. Then we look at truckdrivers. Most truckdrivers are men. Truckdrivers have power steering and power brakes. A person doesn't have to be strong to drive a truck. They are making a lot more money than that woman who is working in a nursing home and taking care of our grandparents. Why? Skills, effort, responsibility, and working conditions are about the same.

What my bill would do would be very simple. It would require employers to publicly disclose their job categories and their pay scales. Got it? Employers would publicly disclose their job categories and pay scales without requiring specific information on individual employees. I am not asking anyone to say what they are paying an individual employee. We just want to know job categories and pay scales. If we give women information about what their male colleagues are earning, they can insist on a better deal for themselves in the workplace.

Right now women who believe they are the victim of pay discrimination must file a lawsuit and endure a drawn-out legal discovery process to find out whether they make less than the man working beside them. With pay statistics readily available, this process could be avoided. In fact, I remember when Lilly Ledbetter first testified before our committee—the committee I now chair and the committee on which the distinguished occupant of the chair is proud to serve.

I had provided Lilly Ledbetter information on the Fair Pay Act—the one I am talking about. I asked her if the Fair Pay Act had been law, would it have averted her wage discrimination case. She made it very clear that had she had the information about pay scales, which our bill provides, this would have given her the information she needed to insist on being paid a fair salary from the beginning rather than having to resort to litigation years after the discrimination began.

Four years after President Obama signed the Lilly Ledbetter Fair Pay Act, let's make sure what happened to Lilly never happens again by recommitting ourselves to eliminating discrimination in the workplace and making equal pay for equivalent work a reality.

I have introduced this bill in every Congress since 1996. We get focused on Lilly Ledbetter, and that is important. We are focused on paycheck fairness as well. Let's think about the millions of American women out there who are in these traditional women's jobs which require the skill, effort, responsibility, and working conditions that are similar to a man and yet they are grossly underpaid.

If Minnesota and Iowa—and there may be some other States I don't know about; I just know about those two. If they can do it—and they did this in the 1980s for State employees as well as municipal employees in Minnesota—surely we can do this nationwide. If we really want to stop the discrimination in pay in this country between women and men, the Fair Pay Act is the one that will do it.

I am going to continue to push for this as long as I am here. Hopefully, we can have some hearings on it again, which I will, and hopefully we can begin to move on it.

By Mr. HATCH (for himself, Ms. KLOBUCHAR, Mr. RUBIO, Mr. COONS, Mr. FLAKE, Mrs. SHAHEEN, Mr. HELLER, Mr. BLUMENTHAL, Mr. HOEVEN, Mr. WARNER, Mr. NELSON, and Mr. SCHATZ):

S. 169. A bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, I rise today to introduce the Immigration Innovation—or I-Squared—Act of 2013. I am pleased to be joined by my colleagues Senator AMY KLOBUCHAR, Senator MARCO RUBIO, and Senator CHRIS COONS, without whom this bill would not have materialized. All four of us worked very closely together, and each one of us deserves total credit for this bill. Together, we have crafted one of the first bipartisan immigration bills in this Congress, one that is designed to address the shortage of high-skilled labor we face in this country. This shortage has reached a crisis level. For too long, our country has been unable to meet the ever-increasing demand for workers trained in science, technology, engineering, and mathematics—or STEM—fields. As a result, some of our Nation's top technology markets, such as Silicon Valley, Seattle, Boston, New York, and Salt Lake City, are in desperate need for qualified STEM workers.

It is critical that we not only recognize this shortage of high-skilled workers but also understand why it exists. Increasingly, enrollment in U.S. universities in the STEM fields comes from foreign students, and despite our urgent need for workers in these fields, we continue to send these foreign students—potential high-skilled workers trained at American universities—back to their home countries after graduation.

Recently I was in a meeting with several leaders in the technology industry where it was mentioned that between 2010 and 2020, the American economy will annually create more than 120,000 additional computer science jobs that will require at least a bachelor's degree, and that is just mentioning one aspect of this. This is great news for many of our computer science students. Unfortunately, that is the end of the good news. Each year only about 40,000 American students received bachelor's degrees in computer science. In other words, there are approximately 80,000 new computer science positions every year in the United States that cannot be filled by the available American workforce. I might add that these are positions which need to be filled so that our technology industry can continue to thrive. Simply put, U.S.-based companies have a great need for those trained in the science, technology, engineering, and mathematics field, but at least right now, there are not enough Americans trained and ready to fill these jobs.

We cannot continue to simply hope American companies do not move operations to countries where they have greater access to individuals trained in these STEM fields. We cannot continue to ignore this problem; it is that simple. Continued inaction causes us to miss out on an important opportunity, especially since, as the American Enterprise Institute has confirmed, 100 foreign-born workers with STEM degrees create an average of 262 additional jobs for native-born workers. Those countries would love to have their American-educated Ph.D.s and other highly educated individuals return and boost their economy—not only from their acquired skills but also by creating these new jobs as well. An updated, high-skilled immigration system is directly tied to creating jobs

and spurring growth across all sectors of our economy. We cannot afford any further inaction on this issue.

The I-Squared Act of 2013 addresses the immediate short-term need to provide American employers with greater access to high-skilled workers while also addressing the long-term need to invest in America's STEM education. I am confident that this two-step approach will enable our country to thrive and help us compete in today's global economy.

I mentioned my three prime cosponsors on this bill, each one of whom deserves credit for this bill, each one of whom has been a pleasure to work with, each one of whom adds a great deal to getting this bill passed. I personally thank the Senators for working with me on this issue and allowing me the privilege of working with them on this issue.

Let me turn some time over to Senator KLOBUCHAR, who, along with Senators COONS and RUBIO, has been a prime mover on this piece of legislation.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I wish to thank Senator RUBIO and Senator COONS. I also thank the Senator from Utah for his incredible leadership. We have worked as a team. I think that is what this is, a team—team America. We must be a country that makes stuff again, invents things, and exports to the world. In order to do that, we need the world's talent, and that is what this bill is about.

As everyone can see by looking at the four of us here on the Senate floor, it is something on which both parties can agree. In order to get this done and get comprehensive immigration reform done, we must work in a bipartisan manner. I support the comprehensive immigration principles that were outlined yesterday for reform and look forward to working with my colleagues on the Judiciary Committee to get this done.

The I-squared bill is about encouraging engineers, inventors, innovators, and entrepreneurs to work here in this country and discouraging companies from contracting out with people in other countries. I cannot say how many Minnesota companies—small companies—have told me that they could not bring someone over because of the caps and they contracted with that person in another country. Well, guess what. That person then hired assistants and other people to work with them, but in one case they hired French people instead of hiring Americans.

In fact, a recent study headed by Mayor Bloomberg of New York, Mayor Castro of San Antonio, Mayor Nutter of Philadelphia, and others showed that every H–1B visa creates 1.8 American jobs. Those are jobs in Hawaii and those are jobs in Minnesota.

Take a look at the Fortune 500 companies. Ninety of those companies were founded by immigrants, and over 200 were founded by immigrants or their children, including Medtronic and 3M in my home State. This has meant an extraordinary number of good American jobs, and we want more. We want the next pacemaker or Post-it note, which were invented in my State, to be invented again in the United States of America.

I want to quickly lay out the four areas of reform that are included in the I-squared bill.

First of all, we reformed the H–1B visa system to meet the needs of a growing science, engineering, tech, and medical community and to help the workers who form the backbone of those businesses.

Second, we make changes to student visas to encourage students who get degrees here to stay in this country so we don't just say: Hey, go back to India or China or some other country and start the next Google over there. We want them to start it here.

Third, we improve the green card system.

Finally, and one of the most important aspects of this bill, we actually change the visa funding structure so that companies that bring in these high-tech and science and engineering immigrant workers will also be spending some money on funding all of the education efforts we need to do in this country for science, engineering, technology, and math, the STEM education that is going on in this country. Even by a conservative estimate, that would be $300 million a year and something like $3 billion in 10 years. That is real change, and it can change the system.

I am very appreciative of the work of my colleagues. I know Senator RUBIO, who has shown great leadership on this issue, is next and will talk about the H–1B and student visa reforms. I thank Senator HATCH and Senator COONS for their leadership on this issue. We are very excited about moving ahead on this bill.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. I thank the Senator.

Mr. President, there has been a lot in the news over the last 24 hours about immigration as an issue that confronts our country. I wanted to put this in the context of that and then talk specifically about the details that are within this.

First of all, in the context of immigration reform, there are things I think the vast majority of Americans would agree. One is this: We have a legal immigration system that is not working for the country. I think that despite the debate which exists about illegal immigration and how to deal with that reality—and that is a real debate that needs to happen—one of the things everyone agrees on is that legal immigration is good for this country. It is an important part of our history and critical part of our future. The legal immigration system we have in place right now does not work for America, and it really does not work for the 21st century.

Let me be clear about one thing: I support family-based immigration. That is how my parents came to this country. I don't want us to do anything that undermines it. I also know that in the 21st century, we can no longer afford to have an immigration system where literally less than 10 percent of the people who come here do so based on the skills they bring to this country.

Think about this for a moment: If I said to my colleagues that the NBA should be a collection of the best basketball players in the world, who would disagree with that? If I said Major League Baseball should be a collection of the best baseball players in the world, who would disagree with that? How, then, can we disagree about that when it comes to our economy? How can we disagree that we should want the smartest, hardest working, most talented people on this planet to come here? I, for one, have no fear our country is going to be overrun by Ph.Ds. I have no fear this country is going to be overrun by nuclear physicists and inventors and entrepreneurs. We have to create a system where that can happen in a rational, organized, and legal way. That is what we are attempting to do because that is not what we have right now in the United States.

What we have, in fact, is a system—and Senator HATCH has discussed this. It was startling when I heard this. Yearly, our Nation has a demand for 120,000 computer science engineers, but our universities only produce 40,000 people a year. This is an indictment of our educational system. We need to fix that. We need to get to a point in this country where we have 120,000 people graduating to meet the demand. But in the short term—right now—we have to deal with the fact that if those 80,000 graduates for those jobs are not created here, those jobs are still going to exist; they are just not going to exist here. Those companies are not going to wait for us to produce more graduates. These countries are not going to wait for us to fix our immigration system. They have a business to run. If they can't find the people they need to fill these jobs, they will send those jobs to another country.

What that means in practical terms is these high-paying jobs in these industries will be paying the taxes in some other country, will be stimulating the economy in some other country, will be laying down roots in some other nation. Do people want to know why one of the reasons America is special? Because for over 200 years we have been a collection of the world's best and brightest, a magnet that attracts people here. Now we have an immigration system that in the 21st century is making that very difficult to achieve. That is what this effort does.

The other concern I have heard is what about the folks in this country now. This is a legitimate concern.

When people raise it, I don't get upset because it is a very legitimate concern: The kids who are born here and raised here and go into these industries, will they be hurt? As we have seen, the need far exceeds what we are producing, so that is not an immediate concern. But here is the other, and that is the startling figure that was used earlier; that for every 100 foreign-born STEM workers, we are creating 260-some-odd jobs. It is indisputable that these jobs create jobs for people right down the line in this process. If someone is an entrepreneur who is an immigrant, they create jobs for all kinds of people, and most of them were born here. If someone creates some new technology or develops it, they create jobs and opportunities for people who work here, live here, and were born here. This is a net positive for our economy. That is why this issue is so critical to be confronted.

By the way, as we talk about meeting the demand with our entire immigration system, we can't modernize America's legal immigration system if we don't have a way to get the world's best and brightest to come here in a way that is expedient and in a way that is cost-effective, in a way that is safe, and in a way that is legal. That is what we are attempting to do.

This bill is not in competition with any other effort; it compliments it. In fact, it is an indispensable part of it. We cannot comprehensively reform America's legal immigration system if it does not include VISA provisions for graduates in science, technology, engineering, and math.

My final point: It makes no sense to invite people to come to the United States, to study at our universities, to become the best and brightest in the world at their subject matter, and then ask them to leave. Think about that for a moment. We tell people: Come to America. We are going to let you go to our best schools and teach you everything we know and then we want you to go somewhere else and use the knowledge you gained here. That is crazy. That is not just nonsensical, it is crazy. We can't keep doing that. Hopefully, we will begin to change it now.

It has been a pleasure to work with all the folks involved with this effort. The leadership of Senator HATCH has been extraordinary, as well as that of Senator KLOBUCHAR. We have a good group working together. Our final colleague who has been a part of this, and an indispensable one, who has also worked in the context of another piece of legislation which we are hopeful to get moving soon—startup 2.0—which is an issue for another day, we are obviously interested in hearing from Senator COONS from Delaware about this issue.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I greatly appreciate the opportunity to work with the Senator from Florida on this legislation and other legislation we are focused on about how to create jobs and how to drive our economy forward. I am grateful for the leadership of Senator HATCH and Senator KLOBUCHAR as well as for their companionship as we serve together on the Judiciary Committee and as the four of us this day introduce this bill of which we are so proud, the Immigration Innovation Act of 2013.

For decades, the United States enjoyed the commanding advantage of being home to all the world's top universities, particularly in science and technology, engineering and math, and the so-called STEM fields; and we were the best place for the graduates of those universities and their advanced science programs to stay and launch a new business.

But today that field has changed. Our competitors are vying to provide more supportive environments for innovators, inventions, and startup companies. There has been a sea change in the field of opportunity back home for those foreign nationals who, in increasing numbers, are educated in the United States and whom we then force to return to their nation of origin.

Even though many of the most talented young people from around the globe still pour into the United States to obtain their master's or doctoral degrees in STEM, now more than ever they are not just tempted to take their education home with them and start businesses elsewhere, but they are attracted by their home countries and forced by our outdated immigration system. What an unwise way to compete in the global economy. Our outdated immigration system hasn't adapted to the modern world.

Half of all master's and doctoral degrees in STEM fields at American universities are today earned by foreign-born students who then face an uncertain, expensive, and unwieldy path to pursuing their dreams in the United States. Our country is hemorrhaging innovations and the inventors who make them and the jobs that come with them because America's immigration laws have failed to keep up with the demands of the modern age. We cannot afford to keep educating the world's brightest students at our leading universities which, I will remind my colleagues, are subsidized by U.S. tax dollars and American charitable giving, and then tell them they cannot repay those investments by contributing to the U.S. workforce. It is both bad policy and bad business.

That is why I have been working on this issue since I arrived in the Senate, introducing three bills and calling for the creation of a new class of green card for immigrants who have earned an advanced STEM degree from American universities.

I was especially glad to see the bipartisan framework released yesterday by Senators McCain, Schumer, Rubio, and others, which moves us toward comprehensive immigration reform and embraces this vital core premise. I also welcome President Obama's contributions to this discussion and look forward to hearing what he has to say today in Las Vegas.

There is, indeed, broad bipartisan agreement that it is long past time to reform our immigration system to make room for foreign-born, American-educated experts who want to apply their skills, start businesses, and raise their families here. At the same time, we have to dramatically improve STEM education available to American citizens to fill this dramatic gap in these fields. As Senator HATCH said just a few minutes ago, if we take the example of computer science, by 2020, the U.S. economy will need 120,000 men and women to fill these jobs. Yet just 40,000 graduates with degrees in computer science will be Americans. How to fill that gap?

The bipartisan legislation we introduce today tackles both sides of this problem, by reforming our outdated immigration system to allow highly skilled engineers and researchers to stay, rather than leaving and taking their jobs and future opportunities with them and by funneling the hundreds of millions of dollars in fees these experts pay for their green cards back into improving U.S.-based STEM education. It is a win-win.

The Immigration Innovation Act of 2013 will open the door, will recapture unused green cards, and will move away from the outdated model of country caps and overall caps to better compete with countries such as our neighbors to the north in Canada where these caps don't exist, and where Microsoft is eager to open a new massive development facility at our expense and loss.

One of the most important parts of this legislation, as I mentioned, is that we are using fees from these newly expanded H–1B visas and green cards to fund State initiatives on STEM. This will keep America at the cutting edge of science and technology and fuel economic growth for this country and generations to come.

While each of the coauthors of this legislation have made substantial contributions, I am especially grateful to Senator HATCH of Utah for his leadership.

I yield to the Senator from Utah to tell us a little bit more about this legislation.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I wish to thank Senator COONS, Senator KLOBUCHAR, and Senator RUBIO. As my colleagues can see, it is a real pleasure to work with these three partners and others as well. I particularly wish to thank each of my colleagues for the helpful overview they have given on this bill. It has been a real pleasure for me to work with these three very innovative leaders in the Senate.

As a number of my colleagues have mentioned, by eliminating per-country

limits for employment-based green cards, recapturing lost employment-based immigrant visas, exempting certain classes of immigrants from the annual green card limit, and creating a new and sustainable funding stream to enhance the U.S. STEM education pipeline, we will help America's innovative industries recruit and retain high-skilled talent to more effectively compete in today's global marketplace, and it will make us more competitive.

We have heard from many industry stakeholders that support the I-Squared Act of 2013. To date, we have received letters of support from the following organizations that support this bill: Microsoft, Oracle, Intel, IBM, Hewlett-Packard Company, Facebook, Texas Instruments, Qualcomm, U.S. Chamber of Commerce, the National Association of Manufacturers, BSA The Software Alliance, Compete America, the Semiconductor Industry Association, TechNet, the Technology Association of America, the Consumer Electronics Association, the Software and Information Industry Association, the Internet Association, the Computer and Communications Industry Association, the Information Technology Industry Council, the Information Technology and Innovation Foundation, TechServe Alliance, the Association for Competitive Technology, the Telecommunications Industry Association, CTIA—The Wireless Association, Sabre Holdings, the Council of Chief State School Officers, and just to mention one other, Immigration Voice.

Mr. President, working with Senators KLOBUCHAR, RUBIO, and COONS, I have to say is a real privilege for me. These are three very fine additions to the Senate. In the case of Senator KLOBUCHAR and Senator COONS, they are two respected members of the Senate Judiciary Committee and Senator RUBIO, in my view, is one of the most knowledgeable Senators we have on immigration policy and, as we can see, a terrific leader in so many other ways. We send a strong message that both sides of the aisle can come together to craft bipartisan legislation to address one of our country's most urgent economic needs.

Yesterday, eight of our colleagues unveiled a framework to overhaul our Nation's immigration system. I am proud of them. I commend them for their willingness to work in a bipartisan way to reform our immigration laws. It is very much needed. One of the leaders is, of course, our own Senator RUBIO, as well as Senator SCHUMER and Senator MCCAIN, and others as well whom I hate to not mention, but I think my colleagues get the point. Similarly, the work of Senators KLOBUCHAR, RUBIO, COONS, and I have done in crafting the I-Squared Act of 2013 was no easy task and represents hours of negotiations with interested stakeholders and has garnered, as my colleagues can see, widespread industry support.

The I-Squared Act makes sense. I hope our language to reform the high-skilled immigration system is considered by this body in the immediate future. I would surely like to hear a little bit more from Senator KLOBUCHAR, if she would care to make some additional points. I don't mean to take all the time.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank the Senator for his kind words. I wanted to actually follow up a little bit with Senator RUBIO's analogy on the teams and the sports because I did note he mentioned basketball and baseball but not hockey. As my colleagues know, Minnesota is a State of hockey. In fact, we are very happy the NHL is back playing again and that our team The Wild is playing. I actually looked at some of the numbers similar to what Senator RUBIO was talking about and, in fact, a significant number of our players on our professional hockey team come from other countries. As my colleagues know, there are a lot of Canadian hockey players and players from all over the world in all these sports.

You wonder: Why is that? With all the talk about immigration backlogs and the visa shortages, you wonder how all these great athletes are contributing to our teams. The answer is, there is no cap on visas for athletes. Again, there is no limit on how many athletes can come over and play on our sports teams. As a result, athletes from across the globe can compete here, and we have the best sports leagues in the world.

Why shouldn't we apply the same principles to engineering, to innovation, to science, to medical development? That is what we should be doing. In this bill, we do have some caps. But we are raising those caps because we think it is time to compete with the rest of the world.

Immigrants have always played a crucial role in these disciplines in the United States. In fact—and this was an interesting statistic we got—of the U.S. Nobel Prize winners, 30 percent of them, I say to Senator HATCH, have been immigrants—30 percent of them.

One of those was Mario Capecchi. He was born in Italy in 1937. His mother survived a Nazi concentration camp and was eventually able to bring him to the United States. In 2007, he won the Nobel Prize in medicine for his work on altering genes in mice through the use of stem cells. Obviously, this is an exciting area of work that gives us great hope to solve many diseases.

Medtronic, a Minnesota institution that has pioneered medical devices for years, started in a garage and was started by the child of an immigrant.

So why would we want to prevent the next person who would come in who could cure cancer, who would create a new energy source, who would bring in new means of communication to our country? This bill is about moving our country forward. This bill is about competing in the world economy. If we can do it in baseball, in basketball, and I would add, I say to Senator RUBIO, hockey, we can do it in engineering, science, technology, and math.

I thank my colleagues and turn it over to Senator RUBIO.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, let the RECORD reflect I did not mean to offend hockey fans. On the contrary, we have two hockey teams, the Florida Panthers and the Lightning in the Tampa Bay area, which actually has won the Stanley Cup before, and the Florida Panthers were in the playoffs last year. So we like hockey too. We cannot play it outdoors in Florida. But in any event, I think the point is well taken that we do want the best and brightest.

The one point I wish to make is the one point I have picked up on, on the immigration issue, in general, over the last 24 to 48 hours; that is, how important it is that accurate information reach the American people about what it is we are working on and what it is we are not working on.

Immigration is a complicated issue. We hear a lot of discussion about immigration. I will have more to say about it later today. But immigration is a complicated process. The one we have now is complicated. It is important for people to understand what it is we are trying to do and what it is not. I think that is true for the entire issue of immigration but particularly important for this one.

To that end, I guess I wish to issue a public challenge to the companies that in the past have gotten engaged in the public discourse and in the public debate on issues that involve the issues of technology.

Just a few months ago—and it is a sore spot in some places, I imagine—we had this issue of SOPA and PIPA and all these other things that were going to impact the freedom of the Internet and the freedom of communicating online, and a lot of groups got involved to speak about that and to try to clear up the record about what they were for and what they were against.

I hope they will do the same thing on this. I hope they will use the platforms on this to openly discuss what this is about.

I guess this is a challenge to the Facebooks and the Googles and the Twitters of the world: Get engaged in letting people know what is at stake. If we like these innovations that have radically changed the way we live in this country—just think about this for a moment. If a decade ago we would tell someone we are going to Google them, they would be offended because that did not mean anything a decade ago. Now it means something. If we were to say a decade ago that we were going to tweet something, people would look at us funny. Now it actually means something.

These are innovations that happened in America that have not only changed the way we live and made our lives

more interesting and in some ways more productive but are transforming the world.

Think about the political movements here and around the world. There was a time when one could not even engage in public discourse in America if they did not have an organization to back them. Now any single individual can become the leader of a movement fairly quickly by using the platforms that have been created by innovators.

A disproportionate number of the people who develop this stuff are immigrants or the children of immigrants or children or people we have trained in this country who, thank God, we did not send back home.

We have a chance to do that, and I hope those who have a vested interest in this issue passing will use the platforms they own and operate to clearly inform the American people about what is at stake on the issue of immigration as a whole but in particular on this issue of high-skill immigration.

I guess for some additional thoughts, I wish to turn it over to Senator COONS, who has a unique insight into innovation. We worked on the Startup 2.0. I will plug it again because it is an important piece of legislation we would like to get done fairly soon. A lot of it is based on investor visas and things of that nature.

I think Senator COONS has more to add about our effort here today.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. NELSON. Mr. President, I say to Senator COONS, would the Senator yield just for a moment for a compliment?

Mr. COONS. Certainly. I yield to the Senator from Florida.

Mr. NELSON. Mr. President, I just wish to compliment my colleague from Florida. As I gave a number of interviews yesterday on his initiatives with regard to comprehensive immigration—not to speak of the issue at hand, more about the specialized necessity of visas, but on overall comprehensive immigration, which I certainly favor and have voted for in the past—a huge step was taken because of the initiative of a number of courageous Senators, among whom I would include my colleague from Florida.

Thank you.

Mr. COONS. I thank Senator NELSON.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I join the Senator from Florida in thanking and recognizing the junior Senator from Florida, Mr. RUBIO, for his great work on the issues of job creation and innovation through Startup 2.0 and other bills we have worked on together but also through the comprehensive framework that was released yesterday. The framework released by Senators SCHUMER, MCCAIN, RUBIO, and others takes the right approach to ensuring that the United States has a modern, efficient, effective, and compassionate immigration system.

I was glad to see it addressed family-based immigration challenges, including creating an expedited path to citizenship for young people brought here as children through no fault of their own—people we rightly call DREAMers.

While the Immigration Innovation Act we are introducing today recognizes the vital, the critical contributions immigrants have made and will continue to make in highly technical fields, we also must recognize the essential contributions immigrants make along the entire labor spectrum, across the whole breadth of this country—to building up this country in the past and to giving it a brighter future.

As you heard from Senator KLOBUCHAR before, if Team USA is to play competitively globally, we need the best and the brightest contributors to our future. Why would we educate the best inventors and innovators in the world and send many of them back to compete against us from other countries rather than embracing them and allowing them to invent, to invest, and create companies and jobs in the United States?

While I am eager to move ahead on family-focused reform, I am equally eager to have us move ahead with reform for STEM degree holders. Comprehensive immigration reform is a necessity for the hard-working people of Delaware and around the country, for those who want nothing more than to play by the rules, build a better life for their children, and contribute to the American dream.

That is what any of us would want, the chance to work hard, to see our children grow up happy and healthy, with the education and opportunities that make their dreams come true, and to contribute to a stronger America.

That is why I am committed to a comprehensive overhaul of our immigration system, one that supports children and families, as well as our economy and our vital technology sector, and that welcomes immigrants into the rich fabric of this country, as the United States has done since our founding.

As someone who trained in chemistry, as someone who worked for a high-technology, materials-based science company, as someone who met just yesterday with a Delaware company complaining of the challenges that visa caps and limits place on their ability to do research and development and to compete in the global economy, I am grateful for the leadership Senator HATCH and Senator KLOBUCHAR and Senator RUBIO have shown in crafting this piece—this vital piece—of the total picture of comprehensive immigration reform.

I thank the Presiding Officer.

I say to Senator HATCH, does the Senator have some closing comments as we conclude this colloquy?

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I wish to particularly thank my colleagues—Senator COONS and Senator RUBIO and Senator KLOBUCHAR—for their work on this bill. It is obvious from their statements here today they have a great deal of commitment to these important issues.

I-squared is a commonsense approach to ensuring that those who have come to be educated in our American universities have the ability to stay with their families and contribute to our economy and our society.

This bill is good for workers, it is good for businesses trying to grow, and it is good for our economy.

I am pleased with the momentum we already have seen on this bill through industry support and within the Senate itself.

I am pleased to announce that Senators FLAKE, SHAHEEN, HELLER, BLUMENTHAL, HOEVEN, NELSON, and WARNER have agreed to be original cosponsors of the I-Squared Act, and I encourage many more of my colleagues to support and help pass this bill. It is long overdue. It is well thought out. We have run it by the top people in this country. Frankly, it has a lot of support so far. We have not even gone out and tried to get cosponsors, and they are starting to come naturally. I hope we can get the Senate to call up this bill. Of course, I think we are all interested in going beyond this bill too, in doing true immigration reform that will help our country to continue to maintain itself as the greatest country in the world.

I wish to thank my colleagues. This has been a real privilege to serve with them on the floor today.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD as follows:

S. 169

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 ''Immigration Innovation Act of 2013'' or the ''I-Squared Act of 2013''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—EMPLOYMENT-BASED NONIMMIGRANT VISAS

Sec. 101. Market-based H–1b visa limits.
Sec. 102. Employment authorization for dependents of H-1b nonimmigrants.
Sec. 103. Eliminating impediments to worker mobility.

TITLE II—STUDENT VISAS

Sec. 201. Authorization of dual intent.

TITLE III—EMPLOYMENT-BASED IMMIGRANT VISAS

Sec. 301. Elimination of per-country numerical limitations.
Sec. 302. Recapturing lost employment-based immigrant visas.
Sec. 303. Aliens not subject to direct numerical limitation.

TITLE IV—STEM EDUCATION FUNDING
Sec. 401. Funding for STEM education and training.
Sec. 402. Promoting American Ingenuity Account.
Sec. 403. STEM education grant application process.
Sec. 404. Approved activities.
Sec. 405. National evaluation.
Sec. 406. Rule of construction.

TITLE I—EMPLOYMENT-BASED NONIMMIGRANT VISAS

SEC. 101. MARKET-BASED H–1B VISA LIMITS.

(a) IN GENERAL.—Section 214(g) of the Immigration and Nationality Act (8 U.S.C. 1184(g)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''(beginning with fiscal year 1992)''; and

(B) by amending subparagraph (A) to read as follows:

''(A) under section 101(a)(15)(H)(i)(b) may not exceed the sum of—

''(i) the base allocation calculated under paragraph (9)(A); and

''(ii) the allocation adjustment calculated under paragraph (9)(B); and'';

(2) in paragraph (5)—

(A) in subparagraph (B), by striking ''or'' at the end; and

(B) in subparagraph (C), by striking '', until the number of aliens who are exempted from such numerical limitation during such year exceeds 20,000.'' and inserting ''; or'';

(3) in paragraph (8), by striking subparagraphs (B)(iv) and (D);

(4) by redesignating paragraph (10) as subparagraph (D) of paragraph (9);

(5) by redesignating paragraph (9) as paragraph (10); and

(6) by inserting after paragraph (8) the following:

''(9)(A) The base allocation of nonimmigrant visas under section 101(a)(15)(H)(i)(b) for each fiscal year shall be equal to—

''(i) the sum of—

''(I) the base allocation for the most recently completed fiscal year; and

''(II) the allocation adjustment for the most recently completed fiscal year;

''(ii) if the number calculated under clause (i) is less than 115,000, 115,000; or

''(iii) if the number calculated under clause (i) is more than 300,000, 300,000.

''(B)(i) If the number of cap-subject nonimmigrant visa petitions approved under section 101(a)(15)(H)(i)(b) during the first 45 days petitions may be filed for a fiscal year is equal to the base allocation for such fiscal year, an additional 20,000 such visas shall be made available beginning on the 46th day on which petitions may be filed for such fiscal year.

''(ii) If the base allocation of cap-subject nonimmigrant visa petitions approved under section 101(a)(15)(H)(i)(b) for a fiscal year is reached during the 15-day period ending on the 60th day on which petitions may be filed for such fiscal year, an additional 15,000 such visas shall be made available beginning on the 61st day on which petitions may be filed for such fiscal year.

''(iii) If the base allocation of cap-subject nonimmigrant visa petitions approved under section 101(a)(15)(H)(i)(b) for a fiscal year is reached during the 30-day period ending on the 90th day on which petitions may be filed for such fiscal year, an additional 10,000 such visas shall be made available beginning on the 91st day on which petitions may be filed for such fiscal year.

''(iv) If the base allocation of cap-subject nonimmigrant visa petitions approved under section 101(a)(15)(H)(i)(b) for a fiscal year is reached during the 185-day period ending on the 275th day on which petitions may be filed for such fiscal year, an additional 5,000 such visas shall be made available beginning on the date on which such allocation is reached.

''(v) If the number of cap-subject nonimmigrant visa petitions approved under section 101(a)(15)(H)(i)(b) for a fiscal year is at least 5,000 fewer than the base allocation, but is not more than 9,999 fewer than the base allocation, the allocation adjustment for the following fiscal year shall be -5,000.

''(vi) If the number of cap-subject nonimmigrant visa petitions approved under section 101(a)(15)(H)(i)(b) for a fiscal year is at least 10,000 fewer than the base allocation, but not more than 14,999 fewer than the base allocation, the allocation adjustment for the following fiscal year shall be -10,000.

''(vii) If the number of cap-subject nonimmigrant visa petitions approved under section 101(a)(15)(H)(i)(b) for a fiscal year is at least 15,000 fewer than the base allocation, but not more than 19,999 fewer than the base allocation, the allocation adjustment for the following fiscal year shall be -15,000.

''(viii) If the number of cap-subject nonimmigrant visa petitions approved under section 101(a)(15)(H)(i)(b) for a fiscal year is at least 20,000 fewer than the base allocation, the allocation adjustment for the following fiscal year shall be -20,000.''.

(b) REPORTING REQUIREMENT.—The Secretary of Homeland Security shall—

(1) timely upload to a public website data that summarizes the adjudication of nonimmigrant petitions under section 101(a)(15)(H)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(b)) during each fiscal year; and

(2) allow the timely adjustment of visa allocations under section 214(g)(9)(B) of such Act, as added by subsection (a).

SEC. 102. EMPLOYMENT AUTHORIZATION FOR DEPENDENTS OF H-1B NONIMMIGRANTS.

Section 214(c) of the Immigration and Nationality Act (8 U.S.C. 1184(c)) is amended—

(1) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(2) in paragraph (2), by amending subparagraph (E) to read as follows:

''(E) The Secretary of Homeland Security shall—

''(i) authorize an alien spouse admitted under subparagraph (H)(i)(b) or (L) of section 101(a)(15) who is accompanying or following to join the principal alien to engage in employment in the United States; and

''(ii) provide the spouse with an 'employment authorized' endorsement or other appropriate work permit.''.

SEC. 103. ELIMINATING IMPEDIMENTS TO WORKER MOBILITY.

(a) DEFERENCE TO PRIOR APPROVALS.—Section 214(c) of the Immigration and Nationality Act (8 U.S.C. 1184(c)) is amended by adding at the end the following:

''(9) The Secretary of Homeland Security may not deny a petition to extend the status of a nonimmigrant admitted under subparagraph (H)(i)(b) or (L) of section 101(a)(15) in which the petition involves the same alien and petitioner unless the Secretary determines that—

''(A) there was a material error with regard to the previous petition approval;

''(B) a substantial change in circumstances has taken place that renders the nonimmigrant ineligible for such status under this Act; or

''(C) new material information has been discovered that adversely impacts the eligibility of the employer or the nonimmigrant.''.

(b) EFFECT OF EMPLOYMENT TERMINATION.—Section 214(n) of the Immigration and Nationality Act (8 U.S.C. 1184(n)) is amended by adding at the end the following:

''(3) A nonimmigrant admitted under section 101(a)(15)(H)(i)(b) whose employment relationship terminates before the expiration of the nonimmigrant's period of authorized admission shall be deemed to have retained such legal status throughout the entire 60-day period beginning on the date such employment is terminated if an employer files a petition to extend, change, or adjust the status of the nonimmigrant at any point during such period.''.

(c) VISA REVALIDATION.—Section 222(c) of the Immigration and Nationality Act (8 U.S.C. 1202(c)) is amended by inserting ''The Secretary of State shall authorize an alien admitted under subparagraph (E), (H), (L), (O), or (P) of section 101(a)(15) to renew his or her nonimmigrant visa in the United States if the alien has remained eligible for such status.''.

TITLE II—STUDENT VISAS

SEC. 201. AUTHORIZATION OF DUAL INTENT.

(a) DEFINITION.—Section 101(a)(15)(F)(i) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)(i)) is amended by striking ''which he has no intention of abandoning''.

(b) PRESUMPTION OF STATUS; INTENTION TO ABANDON FOREIGN RESIDENCE.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended—

(1) in subsection (b), by striking ''(L) or (V)'' and inserting ''(F), (L), or (V)''; and

(2) in subsection (h), by striking ''(H)(i)(b) or (c)'' and inserting ''(F), (H)(i)(b), (H)(i)(c)''.

TITLE III—EMPLOYMENT-BASED IMMIGRANT VISAS

SEC. 301. ELIMINATION OF PER-COUNTRY NUMERICAL LIMITATIONS.

(a) IN GENERAL.—Section 202(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1152(a)(2)) is amended to read as follows:

''(2) PER COUNTRY LEVELS FOR FAMILY-SPONSORED IMMIGRANTS.—Subject to paragraphs (3) and (4), the total number of immigrant visas made available to natives of any single foreign state or dependent area under section 203(a) in any fiscal year may not exceed 15 percent (in the case of a single foreign state) or 2 percent (in the case of a dependent area) of the total number of such visas made available under such section in that fiscal year.''.

(b) CONFORMING AMENDMENTS.—Section 202 of the Immigration and Nationality Act (8 U.S.C. 1152) is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''both subsections (a) and (b) of section 203'' and inserting ''section 203(a)''; and

(B) by striking paragraph (5); and

(2) by amending subsection (e) to read as follows:

''(e) SPECIAL RULES FOR COUNTRIES AT CEILING.—If the total number of immigrant visas made available under section 203(a) to natives of any single foreign state or dependent area will exceed the numerical limitation specified in subsection (a)(2) in any fiscal year, the number of visas for natives of that state or area shall be allocated under section 203(a) so that, except as provided in subsection (a)(4), the proportion of the visa numbers made available under each of paragraphs (1) through (4) of section 203(a) is equal to the ratio of the total number of visas made available under the respective paragraph to the total number of visas made available under section 203(a).''.

(c) COUNTRY-SPECIFIC OFFSET.—Section 2 of the Chinese Student Protection Act of 1992 (8 U.S.C. 1255 note) is amended—

(1) in subsection (a), by striking ''subsection (e))'' and inserting ''subsection (d))''; and

(2) by striking subsection (d) and redesignating subsection (e) as subsection (d).

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013, and shall apply to fiscal years beginning with fiscal year 2014.

SEC. 302. RECAPTURING LOST EMPLOYMENT-BASED IMMIGRANT VISAS.

Section 201(d) of the Immigration and Nationality Act (8 U.S.C. 1151(d)) is amended to read as follows:

''(d) WORLDWIDE LEVEL OF EMPLOYMENT-BASED IMMIGRANTS.—

''(1) IN GENERAL.—The worldwide level of employment-based immigrants under this subsection for a fiscal year is equal to the sum of—

''(A) 140,000; and

''(B) the number computed under paragraph (2).

''(2) UNUSED VISAS.—The number computed under this paragraph is the difference, if any, between—

''(A) the sum of the worldwide levels established under paragraph (1) for fiscal years 1992 through the current fiscal year; and

''(B) the number of visas actually issued under section 203(b), subject to this subsection, during such fiscal years.''.

SEC. 303. ALIENS NOT SUBJECT TO DIRECT NUMERICAL LIMITATION.

(a) IN GENERAL.—Section 201(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(1)) is amended by adding at the end the following:

''(F) Aliens who are the spouse or a child of an alien admitted as an employment-based immigrant under section 203(b).

''(G) Aliens who have earned a master's or higher degree in a field listed on the STEM Designated Degree Program List published by the Department of Homeland Security on the Student and Exchange Visitor Program website from an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))).

''(H) Aliens for whom a petition for an employment-based immigrant visa under paragraph (A) or (B) of section 203(b)(1) has been approved.''.

(b) CONFORMING AMENDMENTS.—Section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)) is amended—

(1) in paragraph (1), by striking ''28.6 percent'' and inserting ''12 percent'';

(2) in paragraph (2)(A), by striking ''28.6 percent'' and inserting ''36.9 percent''; and

(3) in paragraph (3)—

(A) in subparagraph (A), by striking ''28.6 percent'' and inserting ''36.9 percent'';

(B) by striking subparagraph (B); and

(C) by redesignating subparagraph (C) as subparagraph (B).

TITLE IV—STEM EDUCATION FUNDING

SEC. 401. FUNDING FOR STEM EDUCATION AND TRAINING.

(a) NONIMMIGRANT FEE ADJUSTMENT AND ALLOCATION.—Section 214(c)(9) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(9)) is amended—

(1) by amending subparagraph (B) to read as follows:

''(B) The amount of the fee imposed under this paragraph shall be—

''(i) $1,250 for each such petition filed by an employer with not more than 25 full-time equivalent employees who are employed in the United States (determined by including any affiliate or subsidiary of such employer); and

''(ii) $2,500 for each such petition filed by an employer with more than 25 such employees.''; and

(2) by amending subparagraph (C) to read as follows:

''(C) Fees collected under this paragraph shall be distributed as follows:

''(i) Of the amounts collected pursuant to subparagraph (B)(i)—

''(I) $750 shall be deposited in the Treasury in accordance with section 286(s); and

''(II) $500 shall be deposited in the Treasury in accordance with section 286(w).

''(ii) Of the amounts collected pursuant to subparagraph (B)(ii)—

''(I) $1,500 shall be deposited in the Treasury in accordance with section 286(s); and

''(II) $1,000 shall be deposited in the Treasury in accordance with section 286(w).''.

(b) CONFORMING AMENDMENT.—Section 286(s)(1) of the Immigration and Nationality Act (8 U.S.C. 1356(s)(1)) is amended by striking the last sentence and inserting ''There shall be deposited as offsetting receipts into the account a portion of the fees collected under paragraphs (9) and (11) of section 214(c).''.

(c) IMMIGRANT FEE.—Section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)) is amended by adding at the end the following:

''(7) FUNDING FOR STEM EDUCATION AND TRAINING.—The Secretary of Homeland Security shall impose a fee of $1,000 on each I–140 immigrant visa petition filed under this subsection. Amounts collected under this paragraph shall be deposited into the Treasury in accordance with section 286(w).''.

SEC. 402. PROMOTING AMERICAN INGENUITY ACCOUNT.

Section 286 of the Immigration and Nationality Act (8 U.S.C. 1356) is amended by adding at the end the following:

''(w) PROMOTING AMERICAN INGENUITY ACCOUNT.—

''(1) IN GENERAL.—There is established in the general fund of the Treasury a separate account, which shall be known as the 'Promoting American Ingenuity Account'. There shall be deposited as offsetting receipts into the account fees collected under section 203(b)(7) and a portion of the fees collected under section 214(c)(9). Amounts deposited into the account shall remain available to the Secretary of Education until expended.

''(2) PURPOSES.—The purposes of the Promoting American Ingenuity Account are to enhance the economic competitiveness of the United States by—

''(A) strengthening STEM education, including in computer science, at all levels;

''(B) ensuring that schools have access to well-trained and effective STEM teachers;

''(C) supporting efforts to strengthen the elementary and secondary curriculum, including efforts to make courses in computer science more broadly available; and

''(D) helping colleges and universities produce more graduates in fields needed by American employers.

''(3) ALLOCATION OF FUNDS.—

''(A) NATIONAL ACTIVITIES.—The Secretary of Education may reserve up to 5 percent of the amounts deposited into the Promoting American Ingenuity Account for national research, development, demonstration, evaluation, and dissemination activities carried out directly or through grants, contracts, or cooperative agreements, including—

''(i) activities undertaken jointly with other Federal agencies, such as STEM mission agencies; and

''(ii) grants to non-profit organizations for nationally significant activities consistent with the purposes of the Immigration Innovation Act of 2013.

''(B) ALLOCATIONS TO STATES.—

''(i) IN GENERAL.—Subject to clause (ii), the Secretary of Education shall proportionately allocate the remaining amounts deposited into the account to the States each fiscal year in an amount that bears the same relationship to the remainder as the amount the State received under subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6331 et seq.) for the preceding fiscal year bears to the amount all States received under that subpart for the preceding fiscal year.

''(ii) MINIMUM ALLOCATIONS.—No State shall receive less than an amount equal to 0.5 percent of the total amount made available to all States from the Promoting American Ingenuity Account. If a State does not request an allocation from the Account for a fiscal year, the Secretary shall reallocate the State's allocation to the remaining States in accordance with this section.''.

SEC. 403. STEM EDUCATION GRANT APPLICATION PROCESS.

(a) APPLICATION.—Each State desiring to receive an allocation from the Promoting American Ingenuity Account established under section 286(w) of the Immigration and Nationality Act (8 U.S.C. 1356(w)) submit an application to the Secretary of Education that describes how the State plans to improve STEM education to meet the needs of employers in the State, at such time, in such form, and including such information as the Secretary may prescribe.

(b) APPROVAL.—The Secretary of Education shall approve any application submitted under subsection (a) that meets the requirements prescribed by the Secretary if the Secretary determines, after evaluating the recommendations of peer reviewers, that the State's plan for the use of funds would be successful in making progress toward meeting the purposes set forth in section 286(w)(2) of the Immigration and Nationality Act (8 U.S.C. 1356(w)(2)).

SEC. 404. APPROVED ACTIVITIES.

A State or other entity that receives funding from the Promoting American Ingenuity Account may use such funding—

(1) to strengthen the State's academic achievement standards in science, technology, engineering, and mathematics (STEM);

(2) to implement strategies for the recruitment, training, placement, and retention of teachers in STEM fields, including computer science;

(3) to carry out initiatives designed to assist students in succeeding and graduating from postsecondary STEM programs;

(4) to improve the availability and access to STEM-related worker training programs, including community college courses and programs; and

(5) for other activities approved by the Secretary of Education to improve STEM education.

SEC. 405. NATIONAL EVALUATION.

(a) IN GENERAL.—Using amounts reserved under section 286(w)(3)(A) of the Immigration and Nationality Act, as added by section 402, the Secretary of Education shall conduct, directly or through a grant or contract, an annual evaluation of the implementation and impact of the activities funded by the Promoting American Ingenuity Account.

(b) ANNUAL REPORT.—The Secretary shall submit a report describing the results of each evaluation conducted under subsection (a) to—

(1) the President;

(2) the Committee on the Judiciary of the Senate

(3) the Committee on the Judiciary of the House of Representatives

(4) the Committee on Health, Education, Labor, and Pensions of the Senate; and

(5) the Committee on Education and the Workforce of the House of Representatives.

(c) DISSEMINATION.—The Secretary shall make the findings of the evaluation widely available to educators, the business community, and the public.

SEC. 406. RULE OF CONSTRUCTION.

Nothing in this title may be construed to permit the Secretary of Education or any other Federal official to approve the content

or academic achievement standards of a State.

By Ms. MURKOWSKI (for herself and Mr. MANCHIN):

S. 170. A bill to recognize the heritage of recreational fishing, hunting, and recreational shooting on Federal public land and ensure continued opportunities for those activities; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to introduce the bipartisan Recreational Fishing and Hunting Opportunities Act.

My bill is cosponsored by my friend from West Virginia, Senator MANCHIN, and is a commonsense, bipartisan piece of legislation. It enjoys support from over 39 separate organizations from the hunting, shooting, recreational fishing and wildlife conservation community. In addition, my staff has worked diligently with environmental and conservation organizations such as the Wilderness Society and the National Parks Conservation Association to alleviate their concerns with previous versions of the bill by removing references to the Wilderness Act and the National Environmental Policy Act. Furthermore, this legislation specifically exempts National Park Units, National Wildlife Refuges and land held in trust for the benefit of Native Americans.

Our bill would acknowledge the importance of hunting and fishing on our BLM lands and in our National Forests by requiring hunting and fishing to be recognized activities on those lands. We are talking about traditional American activities, and they are activities that deserve the same consideration as other traditional uses of our public lands. Our legislation would establish an ''open unless closed'' policy for recreational hunting, fishing and shooting on BLM and Forest Service land. It is important to note, though, that this would not give these activities special priority, but merely level the current playing field between these traditional activities and other uses of our public lands.

I would like to thank Senator MANCHIN, an original cosponsor of this bill, for his and his staff's hard work in moving this bill forward. It is our hope that this bill will receive quick but careful consideration as many sportsmen across this country have been eagerly awaiting passage of this measure for quite a long time.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 20—DESIGNATING CHAIRMAN OF THE SENATE COMMITTEE ON FOREIGN RELATIONS

Mr. REID of Nevada submitted the following resolution; which was considered and agreed to:

S. RES. 20

Resolved, The Senator from New Jersey, Mr. Menendez, shall be the Chairman of the Committee on Foreign Relations for the One Hundred Thirteenth Congress, or until his successor is chosen.

Sec. 2. *Provided*, That this resolution shall be effective upon the resignation of the Senator from Massachusetts (Mr. Kerry).

AMENDMENTS SUBMITTED AND PROPOSED

SA 5. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 325, to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 5. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 325, to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. FISCAL YEAR 2013 BUDGET SEQUESTER.

(a) IN GENERAL.—Notwithstanding any other provision of law, the budget sequester of the security category required by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 for fiscal year 2013 shall be implemented as determined by the Secretary of Defense.

(b) REPORT.—On the date of the commencement of the budget sequester described in subsection (a), the Secretary of Defense shall submit a report to Congress detailing the reductions to discretionary appropriations in the security category required by this section.

SEC. ___. TRANSFER AUTHORITY FOR FUNDING OF DEPARTMENT OF DEFENSE UNDER CONTINUING RESOLUTION AND SEQUESTER CONSISTENT WITH AMOUNTS AUTHORIZED BY NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013.

(a) IN GENERAL.—In the event in fiscal year 2013 of a sequester during funding for the Department of Defense by continuing resolution, the Secretary of Defense may transfer amounts appropriated for the Department of Defense by the Continuing Appropriations Resolution, 2013 (Public Law 112–175) among accounts of the Department of Defense.

(b) TRANSFERS CONSISTENT WITH AMOUNTS AUTHORIZED BY PL 112–239.—In the event of any transfers under subsection (a), the total amount in any account of the Department of Defense that is available for obligation and expenditure in fiscal year 2013 may not exceed the amount authorized to be appropriated for that account for that fiscal year by applicable provisions of division A of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239).

(c) NOTICE TO CONGRESS.—Not later than 15 days after any transfer under subsection (a), the Secretary of Defense shall submit to the congressional defense committees a report setting forth a description of the transfer, including the amount of the transfer and the accounts from and to which the funds were transferred.

(d) TRANSFER AUTHORITY.—The transfer authority provided by subsection (a) is in addition to any other transfer authority provided by law.

(e) DEFINITIONS.—In this section:

(1) The term ''congressional defense committees'' has the meaning given that term in section 101(a)(16) of title 10, United States Code.

(2) The term ''sequester during funding for the Department of Defense by continuing resolution'' means the coming into effect of discretionary spending reductions under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 pursuant to section 251(a)(1) of that Act while funding for the Department of Defense is provided by section 101(a)(3) of the Continuing Appropriations Resolution, 2013.

NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, January 31, 2013, at 10 a.m. in room SD–430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Pension Savings: Are Workers Saving Enough for Retirement?''

For further information regarding this meeting, please contact Michael Kreps of the committee staff on (202) 224–5111.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. NELSON. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on January 29, 2013, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. NELSON. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate to conduct a hearing entitled ''30 Million New Patients and 11 Months to Go: Who Will Provide Their Primary Care?'' on January 29, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. NELSON. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on January 29, 2013, at 3 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES

Mr. HARKIN. Mr. President, I ask unanimous consent that Ben Smitton and Rich Vickers of my staff be granted floor privileges for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I ask unanimous consent that Bryan Seeley,