

HR 6429

STEM Jobs Act of 2012

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Immigration

Introduced: Sep 18, 2012

Current Status: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 559.

Latest Action: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 559.
(Dec 4, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/house-bill/6429>

Sponsor

Name: Rep. Smith, Lamar [R-TX-21]

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

Cosponsors (68 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Bachus, Spencer [R-AL-6]	R · AL		Sep 18, 2012
Rep. Bilbray, Brian P. [R-CA-50]	R · CA		Sep 18, 2012
Rep. Blackburn, Marsha [R-TN-7]	R · TN		Sep 18, 2012
Rep. Buerkle, Ann Marie [R-NY-25]	R · NY		Sep 18, 2012
Rep. Calvert, Ken [R-CA-44]	R · CA		Sep 18, 2012
Rep. Carter, John R. [R-TX-31]	R · TX		Sep 18, 2012
Rep. Cassidy, Bill [R-LA-6]	R · LA		Sep 18, 2012
Rep. Chabot, Steve [R-OH-1]	R · OH		Sep 18, 2012
Rep. Chaffetz, Jason [R-UT-3]	R · UT		Sep 18, 2012
Rep. Coffman, Mike [R-CO-6]	R · CO		Sep 18, 2012
Rep. Conaway, K. Michael [R-TX-11]	R · TX		Sep 18, 2012
Rep. Cuellar, Henry [D-TX-28]	D · TX		Sep 18, 2012
Rep. Dent, Charles W. [R-PA-15]	R · PA		Sep 18, 2012
Rep. Dreier, David [R-CA-26]	R · CA		Sep 18, 2012
Rep. Flake, Jeff [R-AZ-6]	R · AZ		Sep 18, 2012
Rep. Franks, Trent [R-AZ-2]	R · AZ		Sep 18, 2012
Rep. Gallegly, Elton [R-CA-24]	R · CA		Sep 18, 2012
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Sep 18, 2012
Rep. Granger, Kay [R-TX-12]	R · TX		Sep 18, 2012
Rep. Griffin, Tim [R-AR-2]	R · AR		Sep 18, 2012
Rep. Grimm, Michael G. [R-NY-13]	R · NY		Sep 18, 2012
Rep. Hanna, Richard L. [R-NY-24]	R · NY		Sep 18, 2012
Rep. Herger, Wally [R-CA-2]	R · CA		Sep 18, 2012
Rep. Hultgren, Randy [R-IL-14]	R · IL		Sep 18, 2012
Rep. Issa, Darrell E. [R-CA-49]	R · CA		Sep 18, 2012
Rep. Labrador, Raul R. [R-ID-1]	R · ID		Sep 18, 2012
Rep. Lankford, James [R-OK-5]	R · OK		Sep 18, 2012
Rep. Lewis, Jerry [R-CA-41]	R · CA		Sep 18, 2012
Rep. Lungren, Daniel E. [R-CA-3]	R · CA		Sep 18, 2012
Rep. Manzullo, Donald A. [R-IL-16]	R · IL		Sep 18, 2012
Rep. McCaul, Michael T. [R-TX-10]	R · TX		Sep 18, 2012
Rep. McKinley, David B. [R-WV-1]	R · WV		Sep 18, 2012
Rep. Myrick, Sue Wilkins [R-NC-9]	R · NC		Sep 18, 2012
Rep. Neugebauer, Randy [R-TX-19]	R · TX		Sep 18, 2012
Rep. Palazzo, Steven M. [R-MS-4]	R · MS		Sep 18, 2012
Rep. Pearce, Stevan [R-NM-2]	R · NM		Sep 18, 2012
Rep. Poe, Ted [R-TX-2]	R · TX		Sep 18, 2012
Rep. Roe, David P. [R-TN-1]	R · TN		Sep 18, 2012
Rep. Roskam, Peter J. [R-IL-6]	R · IL		Sep 18, 2012
Rep. Royce, Edward R. [R-CA-40]	R · CA		Sep 18, 2012
Rep. Schweikert, David [R-AZ-5]	R · AZ		Sep 18, 2012

Cosponsor	Party / State	Role	Date Joined
Rep. Sessions, Pete [R-TX-32]	R · TX		Sep 18, 2012
Rep. Stivers, Steve [R-OH-15]	R · OH		Sep 18, 2012
Rep. Thompson, Glenn [R-PA-5]	R · PA		Sep 18, 2012
Rep. Yoder, Kevin [R-KS-3]	R · KS		Sep 18, 2012
Rep. Brady, Kevin [R-TX-8]	R · TX		Sep 19, 2012
Rep. Brooks, Mo [R-AL-5]	R · AL		Sep 19, 2012
Rep. Coble, Howard [R-NC-6]	R · NC		Sep 19, 2012
Rep. Duffy, Sean P. [R-WI-7]	R · WI		Sep 19, 2012
Rep. Ellmers, Renee L. [R-NC-2]	R · NC		Sep 19, 2012
Rep. Farenthold, Blake [R-TX-27]	R · TX		Sep 19, 2012
Rep. Flores, Bill [R-TX-17]	R · TX		Sep 19, 2012
Rep. Gowdy, Trey [R-SC-4]	R · SC		Sep 19, 2012
Rep. Heck, Joseph J. [R-NV-3]	R · NV		Sep 19, 2012
Rep. Johnson, Sam [R-TX-3]	R · TX		Sep 19, 2012
Rep. King, Peter T. [R-NY-3]	R · NY		Sep 19, 2012
Rep. Lamborn, Doug [R-CO-5]	R · CO		Sep 19, 2012
Rep. Long, Billy [R-MO-7]	R · MO		Sep 19, 2012
Rep. McKeon, Howard P. "Buck" [R-CA-25]	R · CA		Sep 19, 2012
Rep. Olson, Pete [R-TX-22]	R · TX		Sep 19, 2012
Rep. Paulsen, Erik [R-MN-3]	R · MN		Sep 19, 2012
Rep. Pence, Mike [R-IN-6]	R · IN		Sep 19, 2012
Rep. Ross, Dennis A. [R-FL-12]	R · FL		Sep 19, 2012
Rep. Sensenbrenner, F. James, Jr. [R-WI-5]	R · WI		Sep 19, 2012
Rep. Westmoreland, Lynn A. [R-GA-3]	R · GA		Sep 19, 2012
Rep. Bilirakis, Gus M. [R-FL-9]	R · FL		Sep 20, 2012
Rep. Broun, Paul C. [R-GA-10]	R · GA		Sep 20, 2012
Rep. Johnson, Timothy V. [R-IL-15]	R · IL		Nov 27, 2012

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred To	Sep 18, 2012

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

Bill	Relationship	Last Action
112 HRES 821	Procedurally related	Nov 29, 2012: Motion to reconsider laid on the table Agreed to without objection.

STEM Jobs Act of 2012 - (Sec. 2) Amends the Immigration and Nationality Act to make up to 55,000 visas available in FY2014 and subsequent fiscal years to qualified immigrants who: (1) have a doctorate degree in a field of science, technology, engineering, or mathematics (STEM degree) from a U.S. doctoral institution of higher education; and (2) have taken all doctoral courses in a STEM field, including all courses taken by correspondence or by distance education, while physically present in the United States.

Defines "United States doctoral institution of higher education" as an institution that: (1) is defined under the Higher Education Act of 1965; (2) 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 as having research activity equivalent to such institutions; (3) has been in existence for at least 10 years; and (4) is accredited by an accrediting body that is itself accredited either by the Department of Education or the Council for Higher Education Accreditation.

Makes any such unused visas available to aliens who: (1) hold a master's degree in a STEM field from a U.S. doctoral institution of higher education that was either part of a master's program that required at least two years of enrollment or part of a five-year combined baccalaureate-master's degree program in such field; (2) have taken all master's degree courses in a STEM field, including all courses taken by correspondence or by distance education, while physically present in the United States; and (3) hold a baccalaureate degree in a STEM field 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.

Prohibits the Secretary of Homeland Security (DHS) (Secretary) from approving an employer petition on behalf of a STEM alien unless the Secretary receives a determination by the Secretary of Labor that there are not sufficient American workers available for the job.

Requires DHS to: (1) adjudicate a petition on behalf of a STEM alien within 60 days, and (2) notify a petitioner within 30 days if the petition does not meet approval standards and needs to be resubmitted.

Requires: (1) employers of foreign STEM graduates to submit a job order for the position with the appropriate state workforce agency, and (2) such agency to post the position on its website for at least 30 days.

Requires the Department of Labor to: (1) adjudicate a STEM application within 180 days, and (2) notify an applicant within 60 days if the application does not meet approval standards and needs to be resubmitted.

Requires DHS to make available on its website specified information regarding foreign STEM employers, the number of aliens granted STEM status, and their occupations.

Makes unused STEM visas in FY2014 through FY2017 available for use in future years under specified conditions.

(Sec. 3) Eliminates the diversity immigrant program.

(Sec. 4) States that: (1) the permanent priority date for any employment-based petition shall be the date on which the petition is filed, unless such filing was preceded by the filing of a labor certification with the Secretary of Labor, in which case that date shall constitute the priority date; and (2) an alien who is the beneficiary of an employment-based petition that was approvable when filed shall retain such petition's priority date in the consideration of any subsequently filed

employment-based petition.

(Sec. 5) Revises foreign student visa (F-visa) provisions to establish: (1) an F-1 visa for a foreign student who is pursuing a full course of STEM field study at a U.S. institution of higher education or a proprietary institution of higher education which has agreed to report the attendance termination of each nonimmigrant student to DHS, or who is participating in related temporary optional practical training following completion of such studies; (2) an F-2 visa for a foreign student who has an actual residence in a foreign country and who seeks to enter the United States temporarily and solely to pursue a course of study at an established college, university, seminary, conservatory, academic high school, elementary school, or in a language training program in the United States, which has agreed to report the attendance termination of each nonimmigrant student to DHS; (3) an F-3 visa for the spouse or minor child of an F-1 or F-2 foreign student; and (4) an F-4 visa for a Canadian or Mexican foreign student who maintains an actual residence in such country and commutes to a U.S. institution for full or part-time (F-1 or F-2 related) study.

(Sec. 6) Authorizes the spouse and minor children (V-visa) of a lawful permanent resident alien to wait in the United States (without work authorization) for the availability of an immigrant visa after having spent a year on the visa waiting list.

(Sec. 7) Amends the Housing and Community Development Act of 1992 and the Temporary Payroll Tax Cut Continuation Act of 2011 to extend through FY2022 the mandates for GSE (government sponsored enterprises) and Federal Housing Administration (FHA) guarantee fees.

Actions Timeline

- **Dec 4, 2012:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 559.
- **Dec 3, 2012:** Received in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.
- **Nov 30, 2012:** Considered under the provisions of rule H. Res. 821. (consideration: CR H6539-6561)
- **Nov 30, 2012:** Rule provides for consideration of H.R. 6429 with 1 hour and 30 minutes of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Bill is closed to amendments. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee print 112-34, as modified by the amendment printed in the Rules Committee report, shall be considered as adopted. The resolution provides suspension authority on Thursday, December 6, 2012.
- **Nov 30, 2012:** DEBATE - The House proceeded with ninety minutes of debate on H.R. 6429.
- **Nov 30, 2012:** DEBATE - The House continued with further debate on H.R. 6429.
- **Nov 30, 2012:** The previous question was ordered pursuant to the rule. (consideration: CR H6556)
- **Nov 30, 2012:** Ms. Lofgren, Zoe moved to recommit with instructions to Judiciary. (consideration: CR H6556-6558; text: CR H6556-6558)
- **Nov 30, 2012:** DEBATE - The House proceeded with 10 minutes of debate on the motion to recommit with instructions. The instructions contained in the motion seek to report the same back to the House forthwith with an amendment to provide immigrant visas for certain advanced STEM graduates.
- **Nov 30, 2012:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H6560)
- **Nov 30, 2012:** On motion to recommit with instructions Failed by the Yeas and Nays: 157 - 231 (Roll no. 612). (consideration: CR H6560)
- **Nov 30, 2012:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 245 - 139 (Roll no. 613).(text: CR H6539-6541)
- **Nov 30, 2012:** On passage Passed by the Yeas and Nays: 245 - 139 (Roll no. 613). (text: CR H6539-6541)
- **Nov 30, 2012:** Motion to reconsider laid on the table Agreed to without objection.
- **Nov 29, 2012:** Rule H. Res. 821 passed House.
- **Nov 28, 2012:** Rules Committee Resolution H. Res. 821 Reported to House. Rule provides for consideration of H.R. 6429 with 1 hour and 30 minutes of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Bill is closed to amendments. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee print 112-34, as modified by the amendment printed in the Rules Committee report, shall be considered as adopted. The resolution provides suspension authority on Thursday, December 6, 2012.
- **Sep 20, 2012:** Mr. Smith (TX) moved to suspend the rules and pass the bill.
- **Sep 20, 2012:** Considered under suspension of the rules. (consideration: CR H6185-6194; text of measure as introduced: CR H6185-6187)
- **Sep 20, 2012:** DEBATE - The House proceeded with forty minutes of debate on H.R. 6429.
- **Sep 20, 2012:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Sep 20, 2012:** Considered as unfinished business. (consideration: CR H6195)
- **Sep 20, 2012:** Failed of passage/not agreed to in House: On motion to suspend the rules and pass the bill Failed by the Yeas and Nays: (2/3 required): 257 - 158 (Roll no. 590).
- **Sep 20, 2012:** On motion to suspend the rules and pass the bill Failed by the Yeas and Nays: (2/3 required): 257 - 158 (Roll no. 590).
- **Sep 18, 2012:** Introduced in House
- **Sep 18, 2012:** Referred to the House Committee on the Judiciary.