

Mr. McGOVERN. Madam Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Massachusetts has 3½ minutes remaining.

Mr. McGOVERN. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, we are bringing forward legislation to repeal the widow's tax precisely because we have this rules change, this Consensus Calendar. We are bringing it forward, and it is going to be voted on.

The Republicans, who have been in charge for 8 years previously, had done nothing in the last Congress to even hold a hearing, and we are being scolded that we are bringing forward this bill? Give me a break.

In terms of amendments, we have made nine times as many amendments as my Republican friends made in order at the same point last Congress. We have made more minority amendments in order than they did in the same period in the last Congress. In fact, we have more than doubled the number of minority amendments.

So, please, spare me the crocodile tears on the process.

They ran this place in the most closed way possible. We are doing things differently, and we are proud of that.

Madam Speaker, we have already made 439 amendments in order. That is the most for any bill ever. But Christmas is coming early this year, and we have two more. In a moment, I will be offering an amendment to the rule to make in order two additional amendments, one by Representative DINGELL and one by Representative JAYAPAL.

They will bring our total amendments to the bill to 441. That is a new record. We believe this is the most amendments ever made in order to a single bill.

While this isn't technically an open rule, it is a pretty open rule.

AMENDMENT OFFERED BY MR. McGOVERN

Mr. McGOVERN. Madam Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the resolution, add the following:

SEC. 7. The amendments specified in Rules Committee Print 116-23 shall be considered as though printed in part B of House Report 116-143.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized.

Mr. McGOVERN. Madam Speaker, despite the fact that the gentleman refused to yield to me earlier, I am happy to yield 1 minute to the gentleman from Georgia (Mr. WOODALL) to respond to this.

PARLIAMENTARY INQUIRY

Mr. WOODALL. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. WOODALL. Madam Speaker, I appreciate the gentleman yielding. I

am a little confused about what has happened, Madam Speaker. Are we about to begin a new hour of debate on a new amendment after we just finished the hour of debate on the underlying rule?

The SPEAKER pro tempore. The gentleman from Massachusetts has been recognized under the hour rule.

Mr. WOODALL. Under the new hour, Madam Speaker?

The SPEAKER pro tempore. The gentleman has been recognized under the hour rule on his amendment.

Mr. WOODALL. Well, then I would ask my friend from Massachusetts—I only had 6 minutes to yield before, and I confess I did not yield any of them to my friend. The gentleman now has 60 minutes—could I ask for more than a minute of his time, the customary 30 minutes?

Mr. McGOVERN. I reclaim my time, Madam Speaker. Enough.

Madam Speaker, I urge my colleagues to support this amendment. We are making the most amendments ever in order for any bill that has been brought to this House floor. This is a good process. The underlying bill—the National Defense Authorization Bill—increases pay for our troops, and, as I mentioned earlier, will help repeal the widow's tax. The 9/11 bill is also a part of this package. There is no reason, other than just pure partisanship, to want to oppose this, and if my friends want to oppose it, they can.

The material previously referred to by Mr. WOODALL is as follows:

At the end of the resolution, add the following:

SEC. 7. Notwithstanding any other provision of this resolution, the amendment printed in section 8 shall be in order as though printed as the last amendment in part B of the report of the Committee on Rules accompanying this resolution if offered by Representative Thornberry of Texas or a designee. That amendment shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

SEC. 8. The amendment referred to in section 7 is as follows:

At the end of subtitle G of title VIII, add the following new section:

SEC. 8. PROHIBITION ON CONTRACTS WITH COMPANIES INFLUENCED BY THE GOVERNMENT OF CHINA.

(a) IN GENERAL.—The Secretary of Defense may not enter into a contract with a company that is a direct or indirect subsidiary of a company in which the Government of China or the Chinese Communist Party has a controlling interest to acquire critical United States technologies.

(b) EXISTING CONTRACTS.—If the Secretary of Defense has been notified that a contractor for an existing contract of the Department of Defense is a direct or indirect subsidiary of a company in which the Government of China or the Chinese Communist Party has a controlling interest to acquire critical United States technologies, the Secretary shall seek to take action, as practicable, to terminate the contract.

Mr. McGOVERN. Madam Speaker, I yield back the balance of my time, and I move the previous question on the amendment and on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. WOODALL. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 38 minutes p.m.), the House stood in recess.

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AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PAYNE) at 2 o'clock and 51 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

FAIRNESS FOR HIGH-SKILLED IMMIGRANTS ACT OF 2019

Ms. LOFGREN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1044) to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1044

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 “Fairness for High-Skilled Immigrants Act of 2019”.

SEC. 2. NUMERICAL LIMITATION TO ANY SINGLE FOREIGN STATE.

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

(1) in the paragraph heading, by striking “AND EMPLOYMENT-BASED”;

(2) by striking “(3), (4), and (5),” and inserting “(3) and (4);”

(3) by striking “subsections (a) and (b) of section 203” and inserting “section 203(a);”

(4) by striking “7” and inserting “15”; and

(5) by striking “such subsections” and inserting “such section”.

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

(1) in subsection (a)(3), by striking “both subsections (a) and (b) of section 203” and inserting “section 203(a);”

(2) by striking subsection (a)(5); and

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

“(e) SPECIAL RULES FOR COUNTRIES AT CEILING.—If it is determined that 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, in determining the allotment of immigrant visa numbers to natives under section 203(a), visa numbers with respect to natives of that state or area shall be allocated (to the extent practicable and otherwise consistent with this section and section 203) in a manner 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)”;

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

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if enacted on September 30, 2019, and shall apply to fiscal years beginning with fiscal year 2020.

(e) TRANSITION RULES FOR EMPLOYMENT-BASED IMMIGRANTS.—

(1) IN GENERAL.—Subject to the succeeding paragraphs of this subsection and notwithstanding title II of the Immigration and Nationality Act (8 U.S.C. 1151 et seq.), the following rules shall apply:

(A) For fiscal year 2020, 15 percent of the immigrant visas made available under each of paragraphs (2), (3), and (5) of section 203(b) of such Act (8 U.S.C. 1153(b)) shall be allotted to immigrants who are natives of a foreign state or dependent area that is not one of the two states with the largest aggregate numbers of natives who are beneficiaries of approved petitions for immigrant status under such paragraphs.

(B) For fiscal year 2021, 10 percent of the immigrant visas made available under each of such paragraphs shall be allotted to immigrants who are natives of a foreign state or dependent area that is not one of the two states with the largest aggregate numbers of natives who are beneficiaries of approved petitions for immigrant status under such paragraphs.

(C) For fiscal year 2022, 10 percent of the immigrant visas made available under each of such paragraphs shall be allotted to immigrants who are natives of a foreign state or dependent area that is not one of the two states with the largest aggregate numbers of natives who are beneficiaries of approved petitions for immigrant status under such paragraphs.

(2) PER-COUNTRY LEVELS.—

(A) RESERVED VISAS.—With respect to the visas reserved under each of subparagraphs (A) through (C) of paragraph (1), the number of such visas made available to natives of any single foreign state or dependent area in the appropriate fiscal year may not exceed 25 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.

(B) UNRESERVED VISAS.—With respect to the immigrant visas made available under each of paragraphs (2), (3), and (5) of section

203(b) of such Act (8 U.S.C. 1153(b)) and not reserved under paragraph (1), for each of fiscal years 2020, 2021, and 2022, not more than 85 percent shall be allotted to immigrants who are natives of any single foreign state.

(3) SPECIAL RULE TO PREVENT UNUSED VISAS.—If, with respect to fiscal year 2020, 2021, or 2022, the operation of paragraphs (1) and (2) of this subsection would prevent the total number of immigrant visas made available under paragraph (2) or (3) of section 203(b) of such Act (8 U.S.C. 1153(b)) from being issued, such visas may be issued during the remainder of such fiscal year without regard to paragraphs (1) and (2) of this subsection.

(4) TRANSITION RULE FOR CURRENTLY APPROVED BENEFICIARIES.—

(A) IN GENERAL.—Notwithstanding section 202 of the Immigration and Nationality Act, as amended by this Act, immigrant visas under section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)) shall be allocated such that no alien described in subparagraph (B) receives a visa later than the alien otherwise would have received said visa had this Act not been enacted.

(B) ALIEN DESCRIBED.—An alien is described in this subparagraph if the alien is the beneficiary of a petition for an immigrant visa under section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)) that was approved prior to the date of enactment of this Act.

(5) RULES FOR CHARGEABILITY.—Section 202(b) of such Act (8 U.S.C. 1152(b)) shall apply in determining the foreign state to which an alien is chargeable for purposes of this subsection.

SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. LOFGREN) and the gentleman from Colorado (Mr. BUCK) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. LOFGREN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 1044, the Fairness for High-Skilled Immigrants Act, a bipartisan bill that would make a modest, but important change to our immigration laws to alleviate hardships associated with lengthy visa backlogs.

Let me begin by explaining what this bill does do and does not do. H.R. 1044 does not increase the overall number of immigrant visas that are available each year. Although raising the ceiling

on visas is the only viable way to eliminate backlogs, there is, in my view, unfortunately, no consensus on that issue at this time.

But there is broad consensus that we should do what we can to make the system more equitable. This is the focus of H.R. 1044. By eliminating the per-country limit on employment-based visas, all immigrant visa applicants will eventually be restored to a level playing field, where one’s country of nationality has no bearing on their place in line.

Under our immigration laws, employment-based visas are granted to individuals under a five-tiered “preference system.” The first three preference categories are reserved for priority workers, individuals with advanced degrees, and other professionals and skilled workers.

To be eligible for a visa under one of these categories, the applicant must generally have an offer of employment from a U.S. employer, and must submit extensive documentation of their qualifications for the job and the relevant preference category. The applicant’s country of birth is simply not a factor, and rightfully so. What does a person’s nationality have to do with their merit as an employee?

However, country of birth does become relevant after the applicant has qualified for a visa and is waiting in line for a visa number. The so-called “per-country” limit prohibits any one country from receiving more than 7 percent of the immigrant visas that are available each year.

Because of this, the visa backlogs have a particularly harsh impact on nationals of countries with high populations, and thus, high demand for visas, such as India. As a result, it can now take a decade or more for an Indian physician working in a medically underserved area, or a particle physicist with a Ph.D. from MIT to receive a green card. How is this good for our country?

Our immigration system is in desperate need of reform. We all know too well the plight of Dreamers and the undocumented population. We know now more than ever that our agriculture sector, which relies heavily on immigrant workers, is struggling to satisfy its labor needs and provide a safe domestic food supply.

We are reminded daily of the concern we have of the situation unfolding at the border.

On top of these very real and very serious issues, we also remain inextricably bound by the imperfections of an immigration framework that was formulated nearly 30 years ago and is out of touch with the needs of the 21st century.

Major reforms are required to truly fix our outdated legal system. But as we all know, such reforms have been hard to come by for a long time.

If we want to get anything done, if we want to do what is right for our country, we have to find common

ground, and we have to compromise. On an issue as contentious as immigration, our failure to work together in a fully bipartisan fashion can only result in legislation that will go nowhere in the Senate.

H.R. 1044 is one of those rare proposals where we can agree. H.R. 1044 has strong bipartisan support, with more than 200 Democratic and more than 100 Republican cosponsors. In 2011, the House passed a version of this bill by a margin of 389–15. I urge all of my colleagues to once again vote in favor of this bill.

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

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

I thank the Speaker for the opportunity to speak about this important legislation that I am proud to sponsor, the Fairness for High-Skilled Immigrants Act.

I also want to thank my colleague, the distinguished gentlewoman from California (Ms. LOFGREN), chairwoman of the Subcommittee on Immigration and Citizenship. I have appreciated working with the gentlewoman to make a meaningful change that will make our employment-based immigration into an equitable system, one that is based on merit, not on where you were born.

Mr. Speaker, I want to tell you why this bill has a special place in my heart. Two years ago, as I was traveling through my district, I met with a group of individuals who were here legally but felt that they were being put at a disadvantage by our government's immigration policies. They were resolute that I, and Congress, more broadly, could change their futures for the better.

As we sat together, my new friends shared their stories of coming to the United States with a great sense of hope. They came here for any number of reasons, but every single person arrived seeking a new opportunity to succeed and realize their own American Dream.

During our conversation, we talked about a bill, but what we really were discussing was these individuals' hopes and dreams for a future that will be brighter because of this legislation.

You see, Mr. Speaker, our immigration policies are leaving these hard-working people stuck between a rock and a hard place. They had made the difficult decision to pack up their lives and come to the United States, seeking the opportunity to live and work in the greatest country in the world. But now these same people found themselves caught in a decades-long backlog to receive a green card, waiting to open their own businesses, create American jobs.

At this moment, there are approximately 1.5 million high-skilled immigrants living in the United States on an employment-based visa. They are working hard and paying their taxes, yet face decades-long waits, sometimes up to 70 years to receive a green card.

Worst of all, Congress created this state of limbo by instituting an arbitrary annual cap on the number of individuals who may receive a green card from any single country.

This system doesn't make sense. Our employment-based immigration system has a single purpose, bringing in the best and brightest. We shouldn't hamstring our economy by placing artificial caps on who can get a green card quicker based solely on where you are born.

As the Cato Institute and National Review deftly pointed out, we aren't considering that countries have different population sizes. India has a population 2½ times greater than the European Union, but has an employment-based green card cap that is 4 percent of the European Union's cap. This policy is not helping to develop our high-skilled economy.

Additionally, studies based on the Department of Labor's own statistics show that the per-country caps are depressing the average wage for employer-sponsored immigrants by \$11,592. These arbitrary caps are depressing wages, hurting American workers, and hindering further economic growth.

We shouldn't be punishing highly-skilled individuals who come to this country legally. People who do everything the right way, and are only seeking an opportunity to work hard, contribute to the U.S. economy and support their families.

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We should be celebrating this and helping to create an equitable system that benefits both U.S. companies and employment-based visa holders. I am happy to say that is exactly what this bill does.

The Fairness for High Skilled Immigrants Act creates an equitable system that eliminates the arbitrary per-country caps on employment-based green cards and replaces it with a first-come-first-served system.

This important change will free U.S. companies to focus on what they do best: hiring smart people to create products, services, and jobs in our districts, while ensuring all employment-based visa applicants are evaluated on their merit, not where they come from.

Mr. Speaker, it is time that Congress fixes this policy once and for all. Seventy-year backlogs are only going to dissuade talented individuals from coming to the United States and further hamper our economy. We need to create an equitable system that helps our businesses and is fair to the individuals who came here looking to achieve their own dream to live and work in the greatest country in the world.

I urge my colleagues to support this legislation, end the backlogs, and make our employment-based green card system first come, first served, not based on where you are born.

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

Ms. LOFGREN. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. KHANNA), my colleague.

Mr. KHANNA. Mr. Speaker, I want to thank my good friend and esteemed chair of the Judiciary Subcommittee on Immigration and Citizenship for moving this bill to the floor. Representative LOFGREN has worked tirelessly for years to get us to this point.

I am proud to be an original cosponsor of this bill. Put simply, this bill is good for American workers, and it is good for the American economy.

For too long, people in this country have been unable to get a green card simply based on where they were born. As a result, people have been stuck on H-1B visas, and we all know that foreign outsourcing firms have abused these H-1B visas. They are underpaying people stuck on these visas, and that is depressing American wages, and it is hurting American workers.

The solution is to stop corporations from abusing the H-1B visa system and to move people on to green cards. Once we do that, American wages will go up. These companies will no longer be able to hold people in indentured servitude and force American workers to have cuts in their wages.

So anyone who is for American workers, who believes that the H-1B visa program is being abused, and who wants to stand up for a path for American workers to get the wages they deserve should be for this bill. If you oppose this bill, you are actually supporting the abuse of the H-1B visa process.

I want to thank, again, Representative LOFGREN for her leadership.

Mr. BUCK. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. CURTIS), my friend.

Mr. CURTIS. Mr. Speaker, I am proud to rise in strong support of the Fairness for High-Skilled Immigrants Act.

In recent years, Utah has witnessed incredible growth in our tech and innovation sector, bringing thousands of jobs and strengthening our economy. However, everywhere I go, I hear from business leaders that they do not have enough high-skilled workers.

Even as we work to strengthen STEM education and bolster the number of homegrown engineers and programmers, the demand continues to outstrip the supply. Current limitations in our immigration system are forcing talented engineers who have trained in our universities to remain on temporary visas or leave entirely for competing countries, while important jobs go unfilled and economic opportunities are lost.

This legislation will create a first-come-first-served system, providing certainty to workers and families and enabling U.S. companies to flourish and compete in a global economy as they hire the brightest people to create products, services, and jobs, regardless of where they were born. As these companies expand operations with greater input from high-skilled workers, they create countless more American jobs.

Mr. Speaker, with the debate around our broken immigration system growing increasingly challenging in recent years, I have been thrilled to see this bipartisan groundswell of support around this effort. I urge my colleagues to join me in supporting this bill.

Ms. LOFGREN. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. KRISHNAMOORTHI).

Mr. KRISHNAMOORTHI. Mr. Speaker, I rise today in strong support of H.R. 1044, the Fairness for High-Skilled Immigrants Act. I am proud to be an original cosponsor of this bipartisan legislation with over 300 cosponsors.

I want to thank Chairwoman LOFGREN for her excellent leadership on this legislation which will end discrimination based on national origin in our employment-based immigration system and strengthen our economy.

Our current system limits the number of employment-based green cards to 7 percent per country, regardless of population. As a result, high-skilled workers from certain countries face backlogs of upwards of 70 years, while applicants from other countries go to the front of the line. That is not fair. This legislation ensures that all high-skilled visa applicants have an equal opportunity to contribute to American economic development, regardless of their country of birth.

Many highly educated and high-skilled workers who come to this country on temporary visas in the tech industry and other sectors raise their children here, are a part of our communities, pay their taxes, and want the opportunity to become lawful, permanent residents. This legislation helps keep families together, and it helps American businesses retain top talent, growing and making them more prosperous.

Mr. Speaker, it is long overdue that we end the discriminatory per-country cap on employment-based visas. I urge my colleagues to support this bipartisan legislation. I salute the bipartisan cooperation between Chairwoman LOFGREN and Congressman BUCK.

Mr. BUCK. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. COLLINS), my friend and the ranking member of the Judiciary Committee.

Mr. COLLINS of Georgia. Mr. Speaker, I appreciate the gentleman from Colorado and also the gentlewoman from California, but, Mr. Speaker, I rise today, and I am in reluctant opposition to H.R. 1044. This is not something I would like to be, but this bill could be better. In fact, it is not going to do what it said it will do, and that is a problem.

Current law states that nationals of one country can receive no more than 7 percent of employment-based green cards allotted each year. H.R. 1044 removes the 7 percent cap, effectively moving the employment-based green card categories to a first-come-first-served basis. Okay. That is fine. The bill also raises the current annual per-

country cap on family-based green cards to 15 percent. Okay.

But to be clear, I agree with the concept of eliminating the per-country caps on employment-based green cards. In fact, I think that there probably should not have been a cap from the onset of this, but Congress did not place a statutory per-country limit on green card issuance, and a result has been an extremely large backlog of nationals from certain countries who have approved green card petitions but whose green card is not available and will not be for several years.

So I understand the desire of many, including the distinguished lady from California, whom I have great respect for in this field, and also my ranking member and many others who have signed on to this bill, but I believe many people who signed on to this bill signed on to a bill that would actually be put together and actually be able to work. They did not sign on to a statement bill that will not be able to work, in which the agencies have already said they can't.

Before anybody says that there are 300-plus cosponsors, remember, this Congress also took up a bill which had almost 400 cosponsors but still went through the process of actually being changed and marked up, which is a distinct difference in this bill.

So just because you have a lot of cosponsors doesn't mean, always, that it is right and can't still be perfected. In fact, it is wrong to tell communities that this bill will help them when, in actuality, it won't.

This is the problem I have. The bill was introduced in February. It was placed on a Consensus Calendar last month and now on a suspension calendar today. Neither the subcommittee nor full committee had a hearing to look at this issue in this Congress or any potential ramifications of the legislation, and the committee did not mark up this bill. So those of us who support the intent but have concerns about the factual text have no opportunity to formally hear from agencies affected by this legislation or even outside groups and individuals affected.

When my colleagues took over, they promised regular order. This isn't regular order, especially with a bill of this importance. Lack of process is a big concern of mine, but even more troubling are the standard provisions of the bill and how they are not ambiguous at times but unworkable. I will give some examples.

Section 2(e)(1) of the bill states that, during an implementation transition period, visas "shall be allotted to immigrants who are natives of a foreign state or dependent area that is not one of the two states with the largest aggregate numbers of natives who are beneficiaries of approved petitions for immigrant status under such paragraphs."

What does that mean, and how is the USCIS supposed to interpret it? Does it mean the largest aggregate number

from the time the green cards were first issued or does it mean something else?

I know that previous versions of this bill have tied such transition to a specific fiscal year. But the language here is ambiguous and is based on interpretation by the agencies. That could have very different ramifications. In fact, the agencies have said they don't know how to interpret this. The agency that will be in charge of this said, We can't do this. That should ring true with every Member in this body.

More concerning, however, is section 2(e)(4), which portends to ensure that aliens with currently approved green card petitions are not adversely affected by lifting of the caps. The bill states that the visas "shall be allocated such that no alien described in subparagraph (B) receives a visa later than the alien otherwise would have received said visa had this act not been enacted."

But the premise of the bill and the idea that approved aliens cannot be adversely affected is not true. Either the visas are first come, first served or they are not. And the agencies that would have to carry out this legislation would not be able to move people up in line to comply with first come, first served while, at the same time, ensuring visas for already approved beneficiaries are taken care of.

There are a finite number of visas available every year.

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

Mr. BUCK. I yield an additional 1 minute to the gentleman.

Mr. COLLINS of Georgia. So I will be reluctantly standing here against a bill that I inherently agree with. In fact, the speakers who have spoken already, I agree with, and the speakers who are going to come forward, I agree with them, except for one thing: Don't promise something to groups of people that you can't deliver on. We can't deliver with this bill.

We have an opportunity to say no right now, fix this, and come back and have a unanimous vote. But don't send a bill just because it makes us feel good and was promised to somebody. This is not my issue with this bill.

My issue with this bill is that it is not right. It is not ready for prime time, and it is definitely not ready for the suspension calendar. We need to make it right when we come to this floor.

I think the chairwoman has done a great job in trying to get it there. I believe my ranking member wants to work on that, and I am willing to, as I expressed to the chairwoman, as well, to make this right. This is not the time, even though we have a lot of cosponsors.

If the cosponsors would simply read the bill and understand the problems with the agencies and then go back to the communities advocating for this, they cannot look them in the eye and say, "This is your fix." As I have said

many times from this floor before in the last 6 months, Mr. Speaker, what makes you feel good, doesn't often heal you.

Ms. LOFGREN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Washington (Ms. JAYAPAL).

Ms. JAYAPAL. Mr. Speaker, let me first thank our wonderful Immigration and Citizenship Subcommittee chair for her tremendous work over the years on all issues related to immigration and for her leadership on this particular issue.

I am very proud to rise in strong support of H.R. 1044, the Fairness for High-Skilled Immigrants Act, to provide relief to thousands of families that have been waiting for decades in employment visa backlogs. Among Indian nationals, the wait is upwards of 70 years.

I also want to thank the ranking member of the Immigration and Citizenship Subcommittee for his support, as well.

This is a truly bipartisan bill because these long backlogs are a result of our broken, outdated immigration system, and they are affecting States across the country. Despite the high demand for employment-based green cards, the system hasn't been updated in nearly 30 years.

This bill solves one piece, by making sure that our colleagues and our neighbors who have been working in our tech sector and our hospitals, innovating in our communities can stay with a roadmap to citizenship.

But, Mr. Speaker, our work is not done. We cannot tolerate the fact that we have no orderly functioning process for people to come to America, whether it be for family unity, to bring their talents to our economy, to serve the needs of our economy, or to seek safety.

This bill, and the fact that we have 300 cosponsors on it, reminds me of another time when there were 68 bipartisan votes in the United States Senate in 2013 for a comprehensive immigration reform bill, and I deeply hope that, as we pass this bill off the floor with bipartisan support, that we can get back to the place where we can once again agree on a bipartisan basis that comprehensive immigration reform benefits our country, benefits our future, and is absolutely necessary.

So I thank so much, again, Chairwoman LOFGREN for her fierce determination and her years of service, and I look forward to passing this bill off the floor of the House.

□ 1515

Mr. BUCK. Mr. Speaker, I would note for the RECORD that one of the reasons that I am so proud to sponsor this bill is it is not an amnesty bill. This is a bill that is based on merit, and it even further enhances the merit aspects of this program. I am proud to sponsor this bill.

Mr. Speaker, I yield 4 minutes to the gentleman from Washington (Mr. NEWHOUSE), my good friend.

Mr. NEWHOUSE. Mr. Speaker, I thank my good friend from Colorado for yielding.

Mr. Speaker, fixing our broken immigration system has been a top priority of mine while I have been in Congress. Today, we in the House have an opportunity to address one small piece of our broken system, but a very important one.

I am proud to be an original cosponsor of the Fairness for High-Skilled Immigrants Act. This bipartisan legislation takes an important step toward ensuring the United States can continue to recruit and maintain the highest caliber of educated professionals in the world.

Mr. Speaker, as you have heard, under current law, the quota of employment-based immigrants for a country like Iceland with a population of 338,000 people is the same as the quota for India, which has a population of more than 1.3 billion people.

Eliminating arbitrary per-country caps and addressing the employment-based green card backlog from highly populated countries will allow high-skilled professionals, many of whom are already living and working in the United States on a temporary visa, to continue contributing more fully to our local communities and economies.

It will also provide certainty to the employers and communities that rely upon these highly skilled workers.

Mr. Speaker, in my district, many of these high-skilled professionals are world-class medical scientists, including oncologists and cardiologists. I have heard from and met with many of these professionals, just like Mr. BUCK from Colorado has, throughout my State in central Washington.

Dr. Obulareddy and her husband, Dr. Chithiri, came to the United States in 2006 to study medicine. Dr. Obulareddy is now a specialist in oncology serving my constituents in Yakima and surrounding communities. She states, "We always wanted to give something back to this great country, and hence, we decided to move to rural America, which is experiencing an acute shortage of physicians for a long time now. This shortage is more severe for specialist physicians like me."

She and her husband, and many like them, also dream of opening businesses to create more American jobs, but their temporary status does not allow them to do so.

Dr. Obulareddy and Dr. Chithiri are from India and have been told the backlogged wait time for them to obtain their green cards is—now, get this, Mr. Speaker—between 70 and 150 years. This demonstrates just how seriously flawed the current program is and why we need this legislative fix.

We should continue to recruit and retain these highly educated, highly trained individuals in order to meet the demands of our local communities and economies.

The need for rural healthcare specialists is a problem across my district and

across rural America, which is why I am grateful for these professionals who are helping address these problems facing our local communities.

Mr. Speaker, as I continue to work toward addressing other components of our broken immigration system, I am proud that this bill takes a step in the right direction, and I urge my colleagues to support this legislation.

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

Mr. Speaker, I do want to address the points made by the ranking member of the full committee.

This bill has been around a while. It was introduced in 2011. At that point, we did have a hearing and even a markup. We have had it on the floor before. We have, at this moment, 312 Members on the bill, bipartisan.

Addressing the issue that he was reading, and I don't think it is at all confusing, the Department of State is actually the agency that allocates the priority dates. They keep track of the visas. We have communicated with them frequently over the years.

We provided in this bill a transition period because as time has gone on, the delays have gotten even worse for large countries, so we wanted to put a transition period in the bill. That is what the section that he read about would do.

We do think that this has become an emergency in some sectors.

I recently met with a physician and his wife, who is also a physician, who are here on H-1B visas, and they have been for a number of years. They are serving a medically underserved community. Their children, who are here legally as dependents, are about to "age out." They haven't been back to the country of their birth in who knows how long; they don't speak the language; they don't have anybody in the country of their birth; and they are about to be out of status even though they have played by all the rules.

Those two physicians told their patients that they were going to close their practice and move to Canada because they just couldn't go on like this.

That is not a situation we can countenance. That is happening all over the country. We need to fix it.

Mr. Speaker, this bill does fix it, and I hope that we can support it. I reserve the balance of my time.

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

Mr. Speaker, today, Congress can create a truly fair and equitable employment-based immigration system. The Fairness for High-Skilled Immigrants Act will fundamentally change our employment-based immigration system for the better by ensuring our employers can hire people based on qualifications and ability to do the job, not the country of origin.

We must continue working to build the U.S.-based high-skilled workforce, but in the meantime, we simply do not have enough U.S. workers to fill our employment needs. Congress must address the system to ensure that we are

not welcoming high-skilled workers here and then promptly leaving them in a limbo that may last a lifetime.

It is time that we fix the system to create a merit-based, first-come-first-served system that is fair for all employment-based immigrants.

Mr. Speaker, I urge my colleagues to support this important legislation, and I yield back the balance of my time.

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

Mr. Speaker, I thank the ranking member for the excellent work he has done on this bill; the collaboration that we have had on bringing it forward so it could be considered today; and the tremendous bipartisanship that has been exhibited throughout dealing with this question, going back for nearly 10 years of work on this.

I would note that the vast majority, way over 90 percent, of employment-based immigrants who have been sponsored for green cards are already working in the United States on some form of temporary visa. This doesn't bring in additional people. These are people who are already here.

The question is, are they going to be able to get the stability that legal permanent residence provides? If they do, it will be good for our country in several ways.

One, they are contributing to our economy, whether they are physicians serving in medically underserved areas, whether they are scientists breaking new ground, or whether they are H-1B nurses who are serving in underserved areas.

Further, we know from studies that people who are legal permanent residents are not vulnerable to those who might be abusive employers trying to suppress their wages. So, this is good for American workers as well as those who would gain bargaining power by gaining legal permanent residence.

Mr. Speaker, I hope that we can have a great vote of support for this bill today. I thank all the cosponsors and those who worked so hard to get us here today.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 1044, the "Fairness for High-Skilled Immigrants Act of 2019."

H.R. 1044 will help alleviate the massive immigrant visa backlog by eliminating the 7 percent "per-country" limit on employment-based visas and increasing the family-based per-country limit from 7 percent to 15 percent.

The bill will also ease backlogs for certain family-sponsored immigrants by modifying the per-country limits in the family-sponsored green card system.

Specifically, H.R. 1044 provides for the phased elimination over three years of the "per country" cap for employment-based immigrant visas so that all workers are treated fairly.

The legislation raises the "per country" cap from 7 percent to 15 percent for family-sponsored immigrant visas and restores 1,000 employment-based visas per fiscal year to the People's Republic of China, that have histori-

cally been set aside for green card applicants under the Chinese Student Protection Act of 1992.

Mr. Speaker, the United States makes 140,000 green cards available every year to employment-based immigrants, including many who first come here on temporary H-1B or L visas.

Current law, however, provides that no more than 79 percent of these green cards can go to nationals of any one country—even though some countries are more populous than others.

This bipartisan bill alters the per-country limits for employment-based immigrants so that all are treated equally regardless of their country of birth.

Mr. Speaker, I have been a strong supporter of the H-1B program.

Without it, American employers would not be able to hire enough highly educated professionals for the "specialty occupations."

A "specialty occupation" is employment requiring the theoretical and practical application of a body of highly specialized knowledge.

This includes doctors, engineers, professors and researchers in a wide variety of fields, accountants, medical personnel, and computer scientists.

An American employer who wants to bring an H-1B employee to the United States must, among other requirements, attest that it will pay the H-1B employee the greater of the actual compensation paid to other employees in the same job, or the prevailing compensation for that occupation.

Additionally, the employer must attest that it will provide working conditions for the H-1B visa holder that will not cause the working conditions of the other employees to adversely be affected; and that there is no applicable strike or lockout.

The employer also must provide a copy of the attestation to the representative of the employee bargaining unit or, if there is no bargaining representative, must post the attestation in conspicuous locations at the work site.

Mr. Speaker, as important as it is that the H-1B program enables our country to benefit from the services of foreign professionals who have skills and knowledge that are in short supply in this country, is the fact that American businesses use the program to alleviate temporary shortages of U.S. professionals in specific occupations and to acquire special expertise in overseas economic trends and issues.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 1044 to help alleviate the immigrant visa backlogs and enhance the nation's economic competitiveness.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. LOFGREN) that the House suspend the rules and pass the bill, H.R. 1044, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. GOSAR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

ADDING FLAGSTAFF AND YUMA TO LIST OF LOCATIONS IN WHICH COURT SHALL BE HELD IN JUDICIAL DISTRICT FOR STATE OF ARIZONA

Mr. STANTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1569) to amend title 28, United States Code, to add Flagstaff and Yuma to the list of locations in which court shall be held in the judicial district for the State of Arizona.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1569

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

SECTION 1. DISTRICT COURTS IN THE JUDICIAL DISTRICT FOR THE STATE OF ARIZONA.

Section 82 of title 28, United States Code, is amended by striking "Globe, Phoenix, Prescott, and Tucson" and inserting "Flagstaff, Globe, Phoenix, Prescott, Tucson, and Yuma".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. STANTON) and the gentleman from Georgia (Mr. COLLINS) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. STANTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 1569, a bill unanimously supported by our entire Arizona delegation that will amend title 28 of the U.S. Code to add the cities of Flagstaff and Yuma to the list of locations in which Federal district court can be held in my home State of Arizona.

The U.S. Code is outdated. It has not been amended since it was enacted in 1948. It is preposterous that right now, district court matters can only be held in Globe, Phoenix, Prescott, and Tucson.

That means Yuma and Flagstaff residents must travel at least 100 miles to attend a hearing or report for jury duty. That is totally unacceptable and unnecessary.

A pillar of the United States structure of democracy is for all Americans to have access to the courts, whether that is by literal location or by reducing cost barriers. We are weakening that pillar when residents must drive over 100 miles for their day in court.

Access to justice should not be dictated by where you live. I am proud to support this legislation because it will have a tremendous impact on the residents in these parts of Arizona.

Mr. Speaker, I urge my colleagues to support it, and I hope the Senate acts