IMMIGRATION INNOVATION (I²) ACT OF 2013

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Employment-Based Nonimmigrant H-1B Visas

- Increase H-1B cap from 65,000 to 115,000
- Establish a market-based H-1B escalator, so that the cap can adjust up or down to the demands of the economy (includes a 300,000 ceiling on the ability of the escalator to move)
 - If the cap is hit in the first 45 days when petitions may be filed, an additional 20,000 H-1B visas will be made available immediately.
 - If the cap is hit in the first 60 days when petitions may be filed, an additional 15,000 H-1B visas will be made available immediately.
 - If the cap is hit in the first 90 days when petitions may be filed, an additional 10,000 H-1B visas will be made available immediately.
 - o If the cap is hit during the 185-day period ending on the 275th day on which petitions may be filed, and additional 5,000 H-1B will be made available immediately.
- Uncap the existing U.S. advanced degree exemption (currently limited to 20,000 per year)
- Authorize employment for dependent spouses of H-1B visa holders
- Increase portability of high skilled foreign workers by:
 - Removing impediments and costs of changing employers;
 - Establishing a clear transition period for foreign workers as they change jobs; and,
 - o Restoring visa revalidation for E, H, L, O, and P nonimmigrant visa categories

Student Visas

Allow dual intent for foreign students at U.S. colleges and universities to provide the certainty they
need to ensure their future in the United States

Immigrant Visas and Green Cards

- Enable the recapture of green card numbers that were approved by Congress in previous years but were not used
- Exempt certain categories of persons from the employment-based green card cap:
 - Dependents of employment-based immigrant visa recipients
 - U.S. STEM advance degree holders
 - o Persons with extraordinary ability
 - Outstanding professors and researchers
- Provide for the roll-over of unused employment-based immigrant visa numbers to the following fiscal year so future visas are not lost due to bureaucratic delays
- Eliminate annual per-country limits for employment based visa petitioners and adjust per-country caps for family-based immigrant visas

U.S. STEM Education & Worker Retraining Initiative

Reform fees on H-1B visas and employment-based green cards; use money from these fees to fund a
grant program to promote STEM education and worker retraining to be administered by the states