

from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on National Security and ordered to be printed:

*To the Congress of the United States:*

Pursuant to title 10, United States Code, section 12304, I have authorized the Secretary of Defense, and the Secretary of Transportation with respect to the Coast Guard, when it is not operating as a Service within the Department of the Navy, to order to active duty Selected Reserve units and individuals not assigned to units to augment the Active components in support of operations in and around Southwest Asia.

A copy of the Executive order implementing this action is attached.

WILLIAM J. CLINTON.

THE WHITE HOUSE, February 24, 1998.

#### COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Democratic leader:

CONGRESS OF THE UNITED STATES,  
OFFICE OF THE DEMOCRATIC LEADER,  
Washington, DC, February 23, 1998.

Hon. NEWT GINGRICH,  
Speaker of the House,  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to Section 202(b)(3), Public Law 103-227, I hereby appoint the following Member to the National Education Goals Panel:

Mr. Martinez, CA.

Yours very truly,

RICHARD A. GEPHARDT.

#### COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Democratic leader:

CONGRESS OF THE UNITED STATES,  
OFFICE OF THE DEMOCRATIC LEADER,  
Washington, DC, February 12, 1998.

Hon. NEWT GINGRICH,  
Speaker of the House,  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 203(b)(1) of Public Law 105-134, I hereby appoint the following individual to the Amtrak Reform Council:

Mr. S. Lee Kling, Villa Ridge, MO.

Yours very truly,

RICHARD A. GEPHARDT.

#### APPOINTMENT OF MEMBERS AT CEREMONIES IN OBSERVANCE OF GEORGE WASHINGTON'S BIRTH- DAY.

The SPEAKER pro tempore. Pursuant to the order of the House on Thursday, February 12, 1998, the Chair announces the Speaker's appointment of the following Members of the House to represent the House of Representatives at wreath-laying ceremonies at the Washington Monument for the observance of George Washington's birthday held on Monday, February 23, 1998:

Mr. DAVIS of Virginia.  
Mr. HOYER of Maryland.

#### COMMUNICATION FROM STAFF MEMBER OF THE HONORABLE KENNY HULSHOF, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Scott Callicott, Office Director of the Hon. KENNY HULSHOF, Member of Congress:

CONGRESS OF THE UNITED STATES,  
Washington, DC, February 12, 1998.

Hon. NEWT GINGRICH,

Speaker,  
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule L (50) of the Rules of the House of Representatives, that I have been served with a subpoena (for testimony) issued by the Circuit Court for Marion County, Missouri in the case of *State v. Kolb*.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

SCOTT CALLICOTT,  
Office Director.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHAW). Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 4 of rule XV. Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules, but not before 5 p.m. today.

#### NATO SPECIAL IMMIGRANT AMENDMENTS OF 1998

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 429) to amend the Immigration and Nationality Act to provide for special immigrant status for NATO civilian employees in the same manner as for employees of international organizations, as amended.

The Clerk read as follows:

H.R. 429

*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 "NATO Special Immigrant Amendments of 1998".

#### SEC. 2. SPECIAL IMMIGRANT STATUS FOR CERTAIN NATO CIVILIAN EMPLOYEES.

(a) IN GENERAL.—Section 101(a)(27) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)) is amended—

(1) by striking "or" at the end of subparagraph (J),

(2) by striking the period at the end of subparagraph (K) and inserting "; or", and

(3) by adding at the end the following new subparagraph:

"(L) an immigrant who would be described in clause (i), (ii), (iii), or (iv) of subparagraph (I) if any reference in such a clause—

"(i) to an international organization described in paragraph (15)(G)(i) were treated as a reference to the North Atlantic Treaty Organization (NATO);

"(ii) to a nonimmigrant under paragraph (15)(G)(iv) were treated as a reference to a nonimmigrant classifiable under NATO-6 (as a member of a civilian component accompanying a force entering in accordance with the provisions of the NATO Status-of-Forces Agreement, a member of a civilian component attached to or employed by an Allied Headquarters under the 'Protocol on the Status of International Military Headquarters' set up pursuant to the North Atlantic Treaty, or as a dependent); and

"(iii) to the Immigration Technical Corrections Act of 1988 or to the Immigration and Nationality Technical Corrections Act of 1994 were a reference to the NATO Special Immigrant Amendments of 1997.".

(b) CONFORMING NONIMMIGRANT STATUS FOR CERTAIN PARENTS OF SPECIAL IMMIGRANT CHILDREN.—Section 101(a)(15)(N) of such Act (8 U.S.C. 1101(a)(15)(N)) is amended—

(1) by inserting "(or under analogous authority under paragraph (27)(L))" after "(27)(I)(i)", and

(2) by inserting "(or under analogous authority under paragraph (27)(L))" after "(27)(I)".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from North Carolina (Mr. WATT) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. SMITH).

#### GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 429, as amended.

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

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2429, the NATO Special Immigrant Amendments of 1998, was introduced by our colleague, the gentleman from Virginia (Mr. PICKETT). The bill would allow aliens who are civilian employees of the North Atlantic Treaty Organization and have worked for many years in the United States to retire here with their families as special immigrants. The number of special immigrant visas available each year, currently about 10,000, would not be increased.

Currently aliens who have been longtime employees in the United States of numerous international organizations are eligible to retire here as special immigrants. NATO employees are also deserving, and should be granted this same privilege.

The North Atlantic Treaty Organization kept the peace in Europe for four decades, saving untold American lives. We should now bestow this small honor on its employees as well.

According to testimony received at the hearing of the Subcommittee on Immigration Claims held on H.R. 429, the total number of people who would benefit from this bill is about 130.

Also at the hearing, Paul Virtue of the Immigration and Naturalization Service stated, "We do not oppose this proposal and do not foresee any budgetary or resource impact on the Service if this bill should be enacted."

Mr. Speaker, I urge my colleagues to vote in favor of H.R. 429.

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

Mr. WATT of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this bill. It is not a controversial bill. H.R. 429 would grant special immigrant status to retired civilian NATO employees who served in the headquarters of the Protocol on the Status of International Military in Norfolk, Virginia. Special immigrants and their families are entitled to permanent resident status in the United States now. H.R. 429 would immediately impact 60 families and only approximately 132 individuals.

We certainly have no quarrel with NATO civilian employees who have lived in the United States for extended periods of time exercising this privilege, or extending this right to them or this privilege to them. However, we do believe there should be some degree of reciprocity for Americans who are working for NATO abroad who would like to retire with their families in Belgium or Germany, for example, if they should elect to do that, and that has not been addressed in any way.

That is not a knock against the bill; the bill is fine. It would have been nice if we could have put something in there or if the other countries could address that issue to demonstrate some degree of reciprocity.

The final point I would like to make though is that while we believe that the NATO personnel and their families who remain in the United States after retirement certainly should be extended this prerogative, many of the requirements are equally applicable to some other circumstances, and I would like to spend a minute or two just laying those out for my colleagues, because we need to address some of these issues and make sure that our immigration policy continues to be consistent and the rationale for our immigration policy continues to be consistent.

Supporters of H.R. 429 have asserted that NATO personnel should be allowed to remain permanently in the United States for four reasons.

Number one, they say their children came to the United States at elementary school age and have never experienced a lifestyle in their country of origin. That is correct.

Number two, they say their children possess educational qualifications and experiences that are unique to the United States and that are unlikely to be fully recognized if they return to their native countries. That is also correct.

Number three, they say that current law requires children of NATO employees to return to their native country

upon graduating from high school or college, thereby breaking up families. That, too, is correct, and a good argument in support of this bill.

Finally, they say that NATO employees should be able to retire into the communities that have become their home after years of service to NATO in the United States. That, too, is correct.

All four of those arguments are good arguments in support of this bill. But they are also good arguments for addressing the issues that relate to Haitians who have been in this country under the same or similar circumstances and to which the same arguments would be equally applicable.

So I hope as we pass this piece of legislation, we take time to understand the rationale for passing this legislation, and apply that same rationale to other people for whom these four arguments would be applicable, such as the Haitians, the Hmongs, and some other folks who have come to this country at our invitation and with our blessing and have exactly the same arguments in favor of extending citizenship to them on a permanent basis.

Mr. Speaker, I yield five minutes to the gentleman from Virginia (Mr. PICKETT), the sponsor of this bill.

Mr. PICKETT. Mr. Speaker, I thank the gentleman for yielding me this time, and thank the committee for their dispatch of this legislation.

Mr. Speaker, I am very proud to say that the Supreme Allied Command Atlantic is in my Congressional District, and H.R. 429 was introduced so that non-U.S. NATO civilian employees would be treated the same as civilian employees of all other international organizations located in the United States.

Mr. Speaker, there are only approximately 60 non-U.S. employees employed by NATO in southeastern Virginia, and these civilians are divided between the Allied Command Atlantic Communications Logistic Depot, ACLANT, in Yorktown, and the headquarters of the Supreme Allied Commander Atlantic, SACLANT, in Norfolk.

The civilians and their dependents, a total of about 132 people, are from eight NATO nations: Belgium, Canada, Denmark, Germany, the Netherlands, Norway, Turkey, and the United Kingdom. They are issued a NATO-6 visa, and most are employed on contracts of indefinite duration.

Under the terms of their visa, they are considered nonresident aliens and can only remain in the United States as long as they continue to be employed at ACLANT or SACLANT. The dependent children of these civilians are not allowed to retain the NATO-6 visa after attaining the age of 21. However, those children who are full-time students may retain their visa until age 23.

The dilemma facing a number of these families is that their children come to the United States at elemen-

tary school age and never experience the lifestyle of their country of origin. They acquire educational qualifications and experiences that are unique to the United States.

□ 1430

Under present legislation, when these children graduate from high school or college, the family is forced to break apart because the children, having attained the age of 21, must leave the United States. A similar situation faces a NATO employee upon retirement. The civilian and his or her spouse are unable to retire into a community that has become their home after their years of service to NATO in the United States. I would add here that these people do reside in the community in my district, and make very, very fine community citizens.

Until 1990, the problem confronted employees of all international organizations located in the United States. Amendments to the U.S. Immigration and Nationality Act passed in 1990 and 1997 resolved this situation to a large degree for G-4 visa employees of international organizations and their dependents. These amendments provide G-4 visa holders with the opportunity to obtain special immigrant status for adults if they have lived in the United States for 15 years, and for children if they have lived in this country for 7 years, based upon certain other conditions.

The provisions of these amendments apply to non-U.S. civilians employed by all international organizations located in the United States except for NATO. Presently there is no executive order that defines NATO as an international organization in the United States, and due to their NATO status, additional legislation is required to enable 1992 civilians to benefit from the privilege accorded to G-4 visa holders. These are employees such as those of the United Nations.

The SACLANT administration has consulted the Secretary of Defense, Foreign Military Rights Affairs, the State Department, and the Immigration and Naturalization Service. It has been concluded by them that this issue can best be resolved by legislation to further amend the Immigration and Nationality Act to provide for special immigrant status for NATO employee civilians in the same manner as for employees of international organizations. H.R. 429 has been introduced for this purpose.

This initiative is fully endorsed by NATO headquarters and is urgently needed to redress what is regarded as a very unfair situation for employees working for the collective security of all NATO nations. I request that you give favorable consideration to the privilege of special immigrant status which is enjoyed by those employed by all other international organizations in the United States.

I might add, again, that this is a very small group of people we are speaking

of. All of them are highly educated and highly trained. They work in very sensitive positions for NATO and their present status is, I believe, an oversight that should be corrected.

Mr. WATT of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just reiterate to my colleagues that this is not a controversial bill. It serves a very worthy purpose, and the fact that I have talked about some things that the bill could cover and should cover should not overshadow the good aspects of the bill. I hope that the House will have the courage to address some of those issues, but that is not a negative about this bill. This bill should be supported.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I just want to say to my friend, the gentleman from North Carolina, that I appreciate his effort to expand the four criteria that he listed to include other groups like the Haitians and the Hmongs that he mentioned. But unfortunately, that is not a valid application of those criteria.

I say this because there are at least two major distinctions. One is in the case of the NATO employees, who were specifically admitted to work for NATO and indirectly for the United States, and that is not the case with these other groups that were mentioned.

Secondly, the NATO employees have to have been in the United States for an aggregate of 15 years. Again, that would distinguish the NATO employees from members of the other groups that were mentioned by the gentleman from North Carolina.

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

The SPEAKER pro tempore (Mr. SHAW). The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 429, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### EXAMINATION PARITY AND YEAR 2000 READINESS FOR FINANCIAL INSTITUTIONS ACT

Mr. LEACH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3116) to address the year 2000 computer problems with regard to financial institutions, to extend examination parity to the Director of the Office of Thrift Supervision and the National Credit Union Administration, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3116

*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 "Examination Parity and Year 2000 Readiness for Financial Institutions Act".

#### SEC. 2. YEAR 2000 READINESS FOR FINANCIAL INSTITUTIONS.

(a) FINDINGS.—The Congress finds that—

(1) the Year 2000 computer problem poses a serious challenge to the American economy, including the Nation's banking and financial services industries;

(2) thousands of banks, savings associations, and credit unions rely heavily on internal information technology and computer systems, as well as outside service providers, for mission-critical functions, such as check clearing, direct deposit, accounting, automated teller machine networks, credit card processing, and data exchanges with domestic and international borrowers, customers, and other financial institutions; and

(3) Federal financial regulatory agencies must have sufficient examination authority to ensure that the safety and soundness of the Nation's financial institutions will not be at risk.

(b) DEFINITIONS.—For purposes of this section—

(1) the terms "depository institution" and "Federal banking agency" have the same meanings as in section 3 of the Federal Deposit Insurance Act;

(2) the term "Federal home loan bank" has the same meaning as in section 2 of the Federal Home Loan Bank Act;

(3) the term "Federal reserve bank" means a reserve bank established under the Federal Reserve Act;

(4) the term "insured credit union" has the same meaning as in section 101 of the Federal Credit Union Act; and

(5) the term "Year 2000 computer problem" means, with respect to information technology, any problem which prevents such technology from accurately processing, calculating, comparing, or sequencing date or time data—

(A) from, into, or between—

(i) the 20th and 21st centuries; or

(ii) the years 1999 and 2000; or

(B) with regard to leap year calculations.

(c) SEMINARS AND MODEL APPROACHES TO YEAR 2000 COMPUTER PROBLEM.—

(1) SEMINARS.—

(A) IN GENERAL.—Each Federal banking agency and the National Credit Union Administration Board shall offer seminars to all depository institutions and insured credit unions under the jurisdiction of such agency on the implication of the Year 2000 computer problem for—

(i) the safe and sound operations of such depository institutions and credit unions; and

(ii) transactions with other financial institutions, including Federal reserve banks and Federal home loan banks.

(B) CONTENT AND SCHEDULE.—The content and schedule of seminars offered pursuant to subparagraph (A) shall be determined by each Federal banking agency and the National Credit Union Administration Board taking into account the resources and examination priorities of such agency.

(2) MODEL APPROACHES.—

(A) IN GENERAL.—Each Federal banking agency and the National Credit Union Administration Board shall make available to each depository institution and insured credit union under the jurisdiction of such agency model approaches to common Year 2000 computer problems, such as model approaches with regard to project management, vendor contracts, testing regimes, and business continuity planning.

(B) VARIETY OF APPROACHES.—In developing model approaches to the Year 2000 computer problem pursuant to subparagraph (A),

each Federal banking agency and the National Credit Union Administration Board shall take into account the need to develop a variety of approaches to correspond to the variety of depository institutions or credit unions within the jurisdiction of the agency.

(3) COOPERATION.—In carrying out this section, the Federal banking agencies and the National Credit Union Administration Board may cooperate and coordinate their activities with each other, the Financial Institutions Examination Council, and appropriate organizations representing depository institutions and credit unions.

#### SEC. 3. REGULATION AND EXAMINATION OF SERVICE PROVIDERS.

(a) REGULATION AND EXAMINATION OF SAVINGS ASSOCIATION SERVICE COMPANIES.—

(1) AMENDMENT TO HOME OWNERS' LOAN ACT.—Section 5(d) of the Home Owners' Loan Act (12 U.S.C. 1464(d)) is amended by adding at the end the following:

"(7) REGULATION AND EXAMINATION OF SAVINGS ASSOCIATION SERVICE COMPANIES, SUBSIDIARIES, AND SERVICE PROVIDERS.—

"(A) GENERAL EXAMINATION AND REGULATORY AUTHORITY.—A service company or subsidiary that is owned in whole or in part by a savings association shall be subject to examination and regulation by the Director to the same extent as that savings association.

"(B) EXAMINATION BY OTHER BANKING AGENCIES.—The Director may authorize any other Federal banking agency that supervises any other owner of part of the service company or subsidiary to perform an examination described in subparagraph (A).

"(C) APPLICABILITY OF SECTION 8 OF THE FEDERAL DEPOSIT INSURANCE ACT.—A service company or subsidiary that is owned in whole or in part by a savings association shall be subject to the provisions of section 8 of the Federal Deposit Insurance Act as if the service company or subsidiary were an insured depository institution. In any such case, the Director shall be deemed to be the appropriate Federal banking agency, pursuant to section 3(q) of the Federal Deposit Insurance Act.

"(D) SERVICE PERFORMED BY CONTRACT OR OTHERWISE.—Notwithstanding subparagraph (A), if a savings association, a subsidiary thereof, or any savings and loan affiliate or entity, as identified by section 8(b)(9) of the Federal Deposit Insurance Act, that is regularly examined or subject to examination by the Director, causes to be performed for itself, by contract or otherwise, any service authorized under this Act or, in the case of a State savings association, any applicable State law, whether on or off its premises—

"(i) such performance shall be subject to regulation and examination by the Director to the same extent as if such services were being performed by the savings association on its own premises; and

"(ii) the savings association shall notify the Director of the existence of the service relationship not later than 30 days after the earlier of—

"(I) the date on which the contract is entered into; or

"(II) the date on which the performance of the service is initiated.

"(E) ADMINISTRATION BY THE DIRECTOR.—The Director may issue such regulations and orders, including those issued pursuant to section 8 of the Federal Deposit Insurance Act, as may be necessary to enable the Director to administer and carry out this paragraph and to prevent evasion of this paragraph.

"(8) DEFINITIONS.—For purposes of this section—

"(A) the term 'service company' means—

"(i) any corporation—