

I have voted for it. We have passed a budget to set aside \$350 billion to add a prescription drug benefit to Medicare and to modernize Medicare. There is a company in my district called Express Scripts. They are a mail order pharmacy. They send out tens of thousands of prescriptions to people. But because Medicare is not modernized, there is a difference between if you have regular health insurance or if you are on Medicare. If you have regular health insurance, they get in the order for the medicine, they verify your eligibility online and they mail out the medicine that day. But if you are on Medicare, because Medicare is still back in the 1960s as a health plan, it takes 2 weeks to verify your eligibility with the Federal Government for Medicare. That is a senior who is out there waiting for their medicine because Medicare is not a modern program.

We have to add a prescription drug benefit to Medicare. We have to modernize Medicare. I am committed to working with my colleague from Ohio and others to do so. But we also have to narrow the education gap, to educate parents about what is available under Medicaid and under SCHIP and under employer-sponsored plans. Fifty-seven percent of small businesses in this country do not know that providing health care insurance for their employees is tax deductible. They do not know they can put it down as an expense. We need to make those changes, and we need to make sure that people know what the laws currently are so that we have fewer people uninsured, because uninsured people end up sicker than the rest of us. They end up in hospital emergency rooms more than people who have insurance. They are much more likely to be diagnosed with late stage cancers that are incurable. They end up getting their health care from emergency rooms rather than primary care physicians. They do not get annual pap smears and mammograms. They do not get immunizations for their children. We need to change the system so that the uninsured have the information and the access to insurance.

That is why I brought this resolution forward tonight. I ask for my colleagues' support.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentlewoman from New Mexico (Mrs. WILSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 271.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mrs. WILSON of New Mexico. 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 and the

Chair's prior announcement, further proceedings on this motion will be postponed.

ENHANCED BORDER SECURITY AND VISA ENTRY REFORM ACT OF 2001

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 3525) to enhance the border security of the United States, and for other purposes.

The Clerk read as follows:

Senate amendments:

Page 2, line 4, strike out "2001" and insert "2002".

Page 2, in the table of contents, after the item which reads

"Sec. 203. Commission on interoperable data sharing."

insert:

Sec. 204. Personnel management authorities for positions involved in the development and implementation of the interoperable electronic data system ("Chimera system").

Sec. 205. Procurement of equipment and services for the development and implementation of the interoperable electronic data system ("Chimera system").

Page 2, in the table of contents, strike out "TITLE IV—ADMISSION AND INSPECTION OF ALIENS"

and insert:

"TITLE IV—INSPECTION AND ADMISSION OF ALIENS".

Page 2, in the table of contents, after the item which reads

"Sec. 403. Time period for inspections."

insert:

Sec. 404. Joint United States-Canada projects for alternative inspections services.

Page 3, after line 15, insert:

(3) CHIMERA SYSTEM.—The term "Chimera system" means the interoperable electronic data system required to be developed and implemented by section 202(a)(2).

Page 3, line 16, strike out "(3)" and insert "(4)".

Page 4, line 15, strike out "(4)" and insert "(5)".

Page 4, line 19, strike out "(5)" and insert "(6)".

Page 5, line 4, strike out "(6)" and insert "(7)".

Page 5, line 16, strike out "2002" and insert "2003".

Page 6, line 1, strike out "2002" and insert "2003".

Page 6, strike out lines 17 through 20.

Page 6, line 21, strike out "(c)" and insert "(b)".

Page 7, line 2, after "pay" insert "effective October 1, 2002".

Page 8, line 1, strike out "(d)" and insert "(c)".

Page 8, line 10, strike out "and".

Page 8, line 21, strike out "(e)" and insert "(d)".

Page 15, line 11, strike out "one year" and insert "15 months".

Page 15, line 13, strike out "six months" and insert "one year".

Page 16, line 12, after "alien" insert "(also known as the "Chimera system")".

Page 20, line 13, after "about" insert "the".

Page 21, line 7, after "of" insert "Central".

Page 22, line 2, strike out "in this title" and insert "in section 202".

Page 22, line 24, strike out "against".

Page 23, after line 14, insert:

SEC. 204. PERSONNEL MANAGEMENT AUTHORITIES FOR POSITIONS INVOLVED IN THE DEVELOPMENT AND IMPLEMENTATION OF THE INTEROPERABLE ELECTRONIC DATA SYSTEM ("CHIMERA SYSTEM").

(a) IN GENERAL.—Notwithstanding any other provision of law relating to position classification or employee pay or performance, the Attorney General may hire and fix the compensation of necessary scientific, technical, engineering, and other analytical personnel for the purpose of the development and implementation of the interoperable electronic data system described in section 202(a)(2) (also known as the "Chimera system").

(b) LIMITATION ON RATE OF PAY.—Except as otherwise provided by law, no employee compensated under subsection (a) may be paid at a rate in excess of the rate payable for a position at level III of the Executive Schedule.

(c) LIMITATION ON TOTAL CALENDAR YEAR PAYMENTS.—Total payments to employees under any system established under this section shall be subject to the limitation on payments to employees under section 5307 of title 5, United States Code.

(d) OPERATING PLAN.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall submit to the Committee on Appropriations, the Committee on the Judiciary, the Select Committee on Intelligence, and the Committee on Foreign Relations of the Senate and the Committee on Appropriations, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Committee on International Relations of the House of Representatives an operating plan—

(1) describing the Attorney General's intended use of the authority under this section; and

(2) identifying any provisions of title 5, United States Code, being waived for purposes of the development and implementation of the Chimera system.

(e) TERMINATION DATE.—The authority of this section shall terminate upon the implementation of the Chimera system.

SEC. 205. PROCUREMENT OF EQUIPMENT AND SERVICES FOR THE DEVELOPMENT AND IMPLEMENTATION OF THE INTEROPERABLE ELECTRONIC DATA SYSTEM ("CHIMERA SYSTEM").

(a) EXEMPTION FROM APPLICABLE FEDERAL ACQUISITION RULES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, for the purpose of the development and implementation of the interoperable electronic data system described in section 202(a)(2) (also known as the "Chimera system"), the Attorney General may use any funds available for the Chimera system to purchase or lease equipment or any related items, or to acquire interim services, without regard to any otherwise applicable Federal acquisition rule, if the Attorney General determines that—

(A) there is an exigent need for the equipment, related items, or services in order to support interagency information sharing under this title;

(B) the equipment, related items, or services required are not available within the Department of Justice; and

(C) adherence to that Federal acquisition rule would—

(i) delay the timely acquisition of the equipment, related items, or services; and

(ii) adversely affect interagency information sharing under this title.

(2) DEFINITION.—In this subsection, the term "Federal acquisition rule" means any provision of title III or IX of the Federal Property and Administrative Services Act of

1949, the Office of Federal Procurement Policy Act, the Small Business Act, the Federal Acquisition Regulation, or any other provision of law or regulation that establishes policies, procedures, requirements, conditions, or restrictions for procurements by the head of a department or agency of the Federal Government.

(b) NOTIFICATION OF CONGRESSIONAL APPROPRIATIONS COMMITTEES.—The Attorney General shall immediately notify the Committees on Appropriations of the House of Representatives and the Senate in writing of each expenditure under subsection (a), which notification shall include sufficient information to explain the circumstances necessitating the exercise of the authority under that subsection.

Page 23, line 25, strike out “an alien” and insert “each alien”.

Page 24, line 16, strike out “202(a)(3)(B)” and insert “202(a)(4)(B)”.

Page 25, line 21, strike out “October 26, 2003” and insert “October 26, 2004”.

Page 26, line 2, after “comparison” insert “and authentication”.

Page 26, line 5, strike out “each report” and insert “the report required by that paragraph”.

Page 26, lines 12 and 13, strike out “October 26, 2003” and insert “October 26, 2004”.

Page 26, line 15, after “visas and” insert “other”.

Page 26, line 18, after “tablish” insert “document authentication standards and”.

Page 26, line 19, after “visas and” insert “other”.

Page 26, lines 24 and 25, strike out “October 26, 2003” and insert “October 26, 2004”.

Page 27, line 3, after “comparison” insert “and authentication”.

Page 27, line 4, after “visas and” insert “other”.

Page 27, line 13, strike out “and”.

Page 27, line 16, strike out “(c)(1).” and insert “(c)(1); and”.

Page 27, after line 16, insert “(iii) can authenticate the document presented to verify identity”.

Page 27, line 22, strike out “202(a)(3)(B)” and insert “202(a)(4)(B)”.

Page 28, line 2, strike out “October 26, 2003” and insert “October 26, 2004”.

Page 28, line 9, strike out all after “biometric” down to and including “identifiers” in line 10 and insert “and document authentication identifiers that comply with applicable biometric and document identifying”.

Page 28, line 16, strike out “October 26, 2003” and insert “October 26, 2004”.

Page 28, line 17, after “program” insert “under section 217 of the Immigration and Nationality Act”.

Page 29, line 4, after “mission” insert “to a foreign country”.

Page 29, line 23, strike out “The committee” and insert “Each committee established under subsection (a).”

Page 30, line 1, strike out “PERIODIC REPORTS” and insert “PERIODIC REPORTS TO THE SECRETARY OF STATE”.

Page 30, line 1, strike out “The committee” and insert “Each committee established under subsection (a).”

Page 30, line 2, strike out “quarterly” and insert “monthly”.

Page 30, line 5, strike out “quarter” and insert “month”.

Page 30, after line 5, insert:

(f) REPORTS TO CONGRESS.—The Secretary of State shall submit a report on a quarterly basis to the appropriate committees of Congress on the status of the committees established under subsection (a).

Page 30, line 6, strike out “(f)” and insert “(g)”.

Page 32, strike out all after line 22 over to and including line 5 on page 33 and insert:

(a) REPORTING PASSPORT THEFTS.—Section 217 of the Immigration and Nationality Act (8 U.S.C. 1187) is amended—

(1) by adding at the end of subsection (c)(2) the following new subparagraph:

“(D) REPORTING PASSPORT THEFTS.—The government of the country certifies that it reports to the United States Government on a timely basis the theft of blank passports issued by that country.”; and

(2) in subsection (c)(5)(A)(i), by striking “5 years” and inserting “2 years”; and

(3) by adding at the end of subsection (f) the following new paragraph:

“(5) FAILURE TO REPORT PASSPORT THEFTS.—If the Attorney General and the Secretary of State jointly determine that the program country is not reporting the theft of blank passports, as required by subsection (c)(2)(D), the Attorney General shall terminate the designation of the country as a program country.”.

Page 35, strike out lines 1 and 2 and insert:

TITLE IV—INSPECTION AND ADMISSION OF ALIENS

Page 35, line 10, strike out all after “the” down to and including “(a)” in line 11 and insert “President”.

Page 37, line 2, strike out “(i)” and insert “(j)”.

Page 37, strike out lines 3 and 4 and insert:

(3) by striking “SEC. 231.” and inserting the following:

“SEC. 231. (a) ARRIVAL MANIFESTS.—For

Page 37, lines 9 and 10, strike out “an immigration officer” and insert “any United States border officer (as defined in subsection (i))”.

Page 37, line 19, strike out “an immigration officer” and insert “any United States border officer (as defined in subsection (i))”.

Page 39, line 9, strike out “that” and insert “that.”.

Page 39, lines 9 and 10, strike out “, aircraft, or land carriers” and insert “or aircraft”.

Page 39, line 25, strike out “\$300” and insert “\$1,000”.

Page 40, line 5, strike out “, aircraft, or land carrier” and insert “or aircraft”.

Page 40, line 16, strike out “prescribe.” and insert “prescribe.”.

Page 40, after line 16, insert:

“(i) UNITED STATES BORDER OFFICER DEFINED.—In this section, the term ‘United States border officer’ means, with respect to a particular port of entry into the United States, any United States official who is performing duties at that port of entry.”.

Page 40, line 17, strike out all after “CARRIERS.” down to and including “the” the second time it appears in line 18 and insert:

(1) STUDY.—The

Page 41, after line 2, insert:

(2) REPORT.—Not later than two years after the date of enactment of this Act, the President shall submit to Congress a report setting forth the findings of the study conducted under paragraph (1).

Page 41, after line 22, insert:

SEC. 404. JOINT UNITED STATES-CANADA PROJECTS FOR ALTERNATIVE INSPECTIONS SERVICES.

(a) IN GENERAL.—United States border inspections agencies, including the Immigration and Naturalization Service, acting jointly and under an agreement of cooperation with the Government of Canada, may conduct joint United States-Canada inspections projects on the international border between the two countries. Each such project may provide alternative inspections services and shall undertake to harmonize the criteria for inspections applied by the two countries in implementing those projects.

(b) ANNUAL REPORT.—The Attorney General and the Secretary of the Treasury shall

prepare and submit annually to Congress a report on the joint United States-Canada inspections projects conducted under subsection (a).

(c) EXEMPTION FROM ADMINISTRATIVE PROCEDURE ACT AND PAPERWORK REDUCTION ACT.—Subchapter II of chapter 5 of title 5, United States Code (commonly referred to as the “Administrative Procedure Act”) and chapter 35 of title 44, United States Code (commonly referred to as the “Paperwork Reduction Act”) shall not apply to fee setting for services and other administrative requirements relating to projects described in subsection (a), except that fees and forms established for such projects shall be published as a notice in the Federal Register.

Page 48, line 16, strike out “or” and insert “and”.

Page 49, line 4, strike out all after “COMPLIANCE.” down to and including “reviews” in line 7 and insert “Not later than two years after the date of enactment of this Act, and every two years thereafter, the Commissioner of Immigration and Naturalization, in consultation with the Secretary of Education, shall conduct a review”.

Page 49, line 22, strike out all after “REVIEWS.” down to and including “reviews” in line 23 and insert “Not later than two years after the date of enactment of this Act, and every two years thereafter, the Secretary of State shall conduct a review”.

Page 50, line 16, strike out “(c) EFFECT OF FAILURE TO COMPLY.—Failure” and insert “(c) EFFECT OF MATERIAL FAILURE TO COMPLY.—Material failure”.

Page 50, line 24, strike out all after “1372,” over to and including “be.” in line 5 on page 51 and insert “shall result in the suspension for at least one year or termination, at the election of the Commissioner of Immigration and Naturalization, of the institution’s approval to receive such students, or result in the suspension for at least one year or termination, at the election of the Secretary of State, of the other entity’s designation to sponsor exchange visitor program participants, as the case may be.”

Page 54, lines 24 and 25, strike out “proceeding” and insert “proceedings”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from Texas (Ms. JACKSON-LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 3525, the bill under consideration.

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

There was no objection.

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

Madam Speaker, since September 11, we have learned how deeply vulnerable our immigration system is to exploitation by aliens who wish to harm Americans. H.R. 3525 makes needed changes to our immigration laws to fight terrorism and to prevent such exploitation. I wish to thank the gentleman from Pennsylvania (Mr.

GEKAS), the chairman of the Subcommittee on Immigration and Claims, for his invaluable assistance in crafting this legislation.

This is the third time that the House has considered the main provisions of this bill. We first passed H.R. 3525 last December, and then we incorporated the provisions of the bill into H.R. 1885, which passed in March. Now that we have the other body's cooperation, I can safely say that the third time is a charm and that President Bush will sign this bill into law shortly after we vote on it today.

I will briefly mention two of the bill's most significant provisions. Most importantly, it requires the Attorney General and the Secretary of State to issue machine readable, tamper proof visas that use standardized biometric identifiers. H.R. 3525 extends the same biometric identifier requirements to passports from visa waiver program countries.

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While I preferred the House language requiring such enhanced visas to be issued as of October 2003, the amended Senate date of October 2004 is acceptable.

Second, building upon the enhanced data-sharing requirement of the USA PATRIOT Act, the bill directs our law enforcement agencies and intelligence community to share information with the State Department and the INS relevant to the admissibility and deportability of aliens. This information will be made available in an electronic database.

Madam Speaker, this is important and long overdue legislation, and I urge my colleagues to support it.

Madam Speaker, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Madam Speaker, I yield myself such time as I may consume.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, let me just thank the chairman of the Committee on the Judiciary for again the perseverance and determination with respect to this legislation and to note that this is one of the first legislative initiatives that came through the House after September 11; the House moved quickly. Certainly, in the shadow of September 11, there was a definitive concern about the protection of this Nation and the security of its borders, and I certainly agree with that. I do appreciate the work of the other body and, of course, the gentleman from Michigan (Mr. CONYERS), the ranking member of the full committee, and the subcommittee chairman for their leadership on this issue.

As I rise to support the Border Security and Visa Entry Reform bill, which all of us have given our approval to the extent that it addresses some gaping holes in a system that even without the horrific tragedy of September 11, it

was our responsibility to correct, and I agree with that, I believe that we could and should make our borders more secure and certainly more responsive to the huge numbers of entries that we face all over the country, the northern border, the southern border, but also our other ports of entry.

But as I rise to support this legislation, let me be very clear and be very cautious that it is important that we in this country separate out legitimate and focused immigration policy from the concept of ferreting out terrorists. This bill is to enhance our border security and to place safeguards on our visa entry system. It is not meant to keep out legitimate nonimmigrants who are coming for a specific purpose or to eliminate the possibility of immigrants coming to contribute to our economy and our communities; for example, our tourism visas that have been so vital in the exchange of cultures and the understanding of people from different places around the world.

I am glad that this legislation provides for foreign consulates an opportunity to identify potential terrorists by establishing terrorist lookout committees. This is what we call collaborative. We are working with our neighbors, we are working with foreign consulates and countries who have committed to us that they too want to fight terrorism. We are doing it together in a nondiscriminatory fashion. That should be the key of any legislation that we pass in this House.

In an effort to improve the ability of our foreign consulates to identify potential terrorists, this legislation establishes terrorist lookout committees at each U.S. post abroad. These lookout committees will ensure that names of suspected terrorists are included in the appropriate lookout databases and that those names are transmitted to the appropriate person in the consulate. This bill requires the establishment of a government-wide electric data-sharing system on persons with terrorist ties to be used by Federal officials to determine whether to grant visa applications or permit an individual to enter the United States.

Additionally, the legislation prohibits visas from being issued to an alien from a country designated as a State sponsor of terrorism, which makes sense, unless the Secretary of State, after consultation with the Attorney General and other officials, determine that the alien poses no threat to the safety or security of the United States.

Additionally, this legislation conditions country membership in the visa waiver programs on the country's timely sharing of information regarding the threat of blank passports. Relatedly, this legislation also requires that the Attorney General and Secretary of State enter stolen passport information in the interoperable data system promptly. This bill does address many of the issues that we are concerned with.

Madam Speaker, let me, first of all, thank the chairman of the Committee on the Judiciary for his, again, persistence and determination in working through this legislation and working with the Senate. I might add my appreciation also to Senators KENNEDY, BROWNBACK, FEINSTEIN and KYL, and as well our ranking member, the gentleman from Michigan (Mr. CONYERS) and the chairman of the subcommittee, the gentleman from Pennsylvania (Mr. GEKAS).

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This legislation waives a limitation on the hiring of full-time personnel, giving greater control to decision-makers at the border and increasing the number of border personnel. It raises the pay of INS naturalization service border personnel and provides Custom agents, Border Patrol, and INS inspectors with essential training and cross-training. This bill focuses the agencies on the importance and the responsibility and gives them the tools and says to them, you must share intelligence, you must share information, you must help us thwart the terrible devastation of terrorists coming into this country or those coming here wanting to do harm.

Funds are also authorized to enhance technology available to the INS and Customs Service to improve and expand technology and to facilitate the flow of people and commerce at our ports of entry. To offset the cost of such improvements, the Attorney General is authorized to increase land border fees and the State Department is permitted to raise

fees from the use of machine-readable visas. In addition, the Attorney General is required to use authorized funds for installing biometric data readers and scanners at U.S. ports of entry. One of the difficulties at the southern border was that the individuals coming across the Mexican borders have their biometric cards, but we did not have the staff nor the readers of those cards; and there was a great logjam of those individuals who were legally trying to access the United States and were doing everything that they should have done. We must not tolerate that, and improve the systems at the border.

We must also improve our ability to monitor foreign nationals who are present in the United States. Consulate offices who issue visas will be required to transmit electronic versions of visa files to the INS so that critical information is available. A key failure on September 11, was there was no way to track individuals who had overstayed their visas, and there was no way to determine that they needed to be removed from this country.

This legislation also gives greater direction to the integrated entry and exit system established in 1996 by IIRIRA, including use of specific technology standards and technologies to facilitate across the border. What this does, it provides the INS with state-of-the-art technology at our borders. There has to be a better way and a better system and that is to improve the technology of our particular needs at the border.

We are also working with our consulate offices in ensuring that there is a relationship with the Secretary of State. Gaps still exist in the monitoring of foreign students. Accordingly, this legislation expands the monitoring program to include flight schools, language-training programs, and vocational schools; and it improves the reporting requirements on the INS as to the individuals going to these schools. In addition, this legislation requires the INS, in consultation with the Department of Education, to periodically review institutions enrolling foreign students and receiving exchange visitors to ensure that they adhere to the reporting and record keeping responsibilities.

Let me also note that we are very gratified with the inclusion of language from the legislation that the gentleman from Texas (Mr. REYES) and myself cosponsored that for all journeymen, border patrol agents, and inspectors who have completed at least 1 year of service and are receiving an annual rate of basic pay for positions GS-9 of the general schedule under section 5332 will receive an annual increase in their rate so that we can bind comparable and qualified individuals and provide a career pattern.

Let me simply say in closing, Madam Speaker, that I too have a disappointment in the comparing of the needs of developing a real immigration policy with the needs of finding terrorists.

Madam Speaker, just a few months ago, the House of Representatives passed this bill with the inclusion of Section 245(i). This bill that has come back from the Senate does not include that provision. I am aware that one Member from the other body held this up. How can this happen? How can we let it happen? The Extension of 245(i) is a simple measure that would allow for the adjustment of individuals who are here, who are accessing legalization in the right manner. Can we imagine

that we could not bring this bill to the floor of the House having passed it once; to allow a simple adjustment so that these individuals could be reunited with their families. I am hoping that we will come to our senses and realize that immigration is not terrorism, that immigration is not lawlessness, that we are a country of immigrants and, as well, laws, and we should find a way to pass 245(i) to reunite our families.

Madam Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Madam Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. GEKAS).

Mr. GEKAS. Madam Speaker, I thank the gentleman for yielding me this time, and I rise in support of the legislation.

Madam Speaker, the American people have been insisting for quite some time now that we tighten up our borders, that we prevent terrorists and potential terrorists from entering into our country in the first place and, most certainly, that if they do happen to get through, to be able to track them down and to deport them or somehow prevent an act of terrorism that might be in their minds and hearts. So now, after September 11, that insistence has grown into a crescendo of demands by the American public that we do something.

Here, we have the potential of taking gigantic steps in tracking those people who would come to our country under a student visa, shall we say, and then during the course of their academic curriculum at a particular institution, they either drop out and drop out of sight within our society, never to be seen again, or they come to the end of their student visa and again they drop off the face of the Earth into our society, and we sit around helpless as to where these individuals might be. That is why we have millions of illegal aliens in our country. That is part of the reason.

This bill helps protect some systems that can, with high tech, make it possible to track all of these people. So would it not be a great thing to be able to see a student come to our country, legally so, properly so, and whom we would welcome with open arms, and then at the end of his visa when he finishes his years or her years of curriculum at a particular institution, that at that moment the privileges of the visa end and that individual goes back to his or her home country? That is a simple little equation that this bill helps to prepare and to execute. That is just one.

But the other provisions of the bill tighten up our security by strengthening our capacity for border patrols and other screening processes which go across the board in a sweeping effort to heed what the American people are saying to us, tighten up the borders, prevent illegal aliens from coming in, and once they are in here, deport them or bring law enforcement measures against them.

Ms. JACKSON-LEE of Texas. Madam Speaker, I yield myself such time as I may consume.

I appreciate the words of the chairman of our subcommittee, because I do think he highlighted several important aspects of what this bill does. I think that we should also say to the American people that we are working on issues that many of us spoke to even before the tragedy of September 11, and I think it is important to note that one of the reasons why we could not succeed with our immigration policies is a lack of staffing. This legislation focuses on the importance of hiring personnel at the border, full-time personnel, giving greater control to decisionmakers at the border and increasing the number of border personnel.

It is interesting that one of the issues that we had was the lack of comparable pay, lack of professional training, and now we have that, and this legislation will include higher pay for our border service personnel and provides Customs agents and Border Patrol and INS inspectors with essential training and cross-training.

One of the issues that came up after September 11 was the lack of intelligence-sharing. I have even seen an improvement over these last couple of months. We must focus on the fact that the law enforcement agencies must share information. This bill emphasizes that. It also expands technology.

As a member of the Homeland Security Task Force, one of the major issues we talked about is increased technology aspects of the northern border and the southern border. How do we detect whether there is tainted food coming across the border, for instance? We are looking to expand the technology resources there.

To offset such costs of such improvements, the Attorney General is authorized to increase land border fees and the State Department is permitted to raise fees for the use of machine-readable visas.

One of the difficulties we have had at the southern border was that individuals coming across Mexican borders have their biometric cards. There have been a lot of accusations: why do you not use them? But we did not have the staff or the readers of those cards and there was a great logjam of those individuals who were legally trying to access the United States and were doing everything they could that they should have done, but we did not have the resources to deal with it.

This bill places a priority on having those kinds of resources. It also gives us the ability to improve our monitoring of foreign nationals who are present in the United States, and consulate offices who issue visas will be required to transmit electronic versions of visa files to the INS so that critical information is available. This is a key response to September 11 when the State Department was issuing visas and those who had the responsibility for enforcement had no knowledge of

it. Now we have a situation where that data must be transformed, and it was a key element of concern of mine and one of the issues that we raised, both in legislation and with respect to this particular bill.

This legislation also gives greater direction to the integrated entry and exit system established in 1996 by IIRIRA, including use of specific technology standards and technologies to facilitate across the border. What this does is it provides the INS with state-of-the-art technology at the borders. It also provides a working relationship, as I said, with the Secretary of State, the State Department, and consulate offices.

Gaps still exist in the monitoring of foreign students, but this legislation again puts student tracking on the list by doing the following: it expands the monitoring to include flight schools, language training schools, and vocational schools. It seems interesting that when we had the testimony of those who owned the flight schools in Florida, that trained the terrorists of September 11, it did not strike them as funny or somewhat unique that these individuals would want only a specific type of training, training that did not require landing or taking off. I believe with a more secure tracking and notice of these individuals, more serious questions will be asked when individuals come for unique training in the United States. We certainly are open to students, but we recognize that we must be cautious and diligent in that kind of training.

Let me simply say to my colleagues that this bill is an important bill, but this bill went to the Senate, the other body, with 245(i), and that is a bill that dealt with the reunification of families. The bill had been vetted, it had been studied, it had been subject to review here in the House, and that bill still stands idle without attention. The lack of attention to 245(i) does not serve us well, Madam Speaker. It is simply a bill that will allow for the adjustments of individuals who are here, who are accessing legalization, without them having to return to their country, maybe a country, of course, where they are jeopardized, or it may be a country where they are under threat of persecution.

Therefore, it is important that 245(i) get its hearing here in the United States Congress. We need to pass 245(i). It is of great importance that we allow those who are standing in line, thousands who are standing in line for the right kind of access to legalization, who are here with the kind of support systems and family members who can help them access legalization; 245(i) needs to pass.

Let me conclude my remarks by simply acknowledging an article by Daniel T. Griswold entitled "Don't Blame Immigrants for Terrorism" dated October 23, 2001. I would like to submit this for the RECORD and conclude my remarks by saying that this border security bill

speaks to immigration as it should be spoken to, and that is a fair balance of ensuring that there is access to those immigrants who are fairly and legally accessing this country and access to those who are trying to earn access to legalization without the overall veil that immigration equates to terrorism.

I believe that this is an important legislative initiative, and I ask my colleagues to support this legislation enthusiastically. I ask to submit this article into the RECORD: "Don't Blame Immigrants for Terrorism" by Daniel T. Griswold.

[From the Assistant Director of Trade Policy Studies at the Cato Institute, October 23, 2001]

DON'T BLAME IMMIGRANTS FOR TERRORISM
(By Daniel T. Griswold)

In the wake of the September 11 terrorist attacks on the Pentagon and the World Trade Center, the U.S. government must strengthen its efforts to stop terrorists or potential terrorists from entering the country. But those efforts should not result in a wider effort to close our borders to immigrants.

Obviously, any government has a right and a duty to "control its borders" to keep out dangerous goods and dangerous people. The U.S. federal government should implement whatever procedures are necessary to deny entry to anyone with terrorist connections, a criminal record, or any other ties that would indicate a potential to commit terrorist acts.

This will require expanding and upgrading facilities at U.S. entry points so that customs agents and immigration officials can be notified in a timely manner of persons who should not be allowed into the country. Communications must be improved between law enforcement, intelligence agencies and border patrol personnel. Computer systems must be upgraded to allow effective screening without causing intolerable delays at the border. A more effective border patrol will also require closer cooperation from Mexico and Canada to prevent potential terrorists from entering those countries first in an attempt to then slip across our long land borders into the United States.

Long-time skeptics of immigration, including Pat Buchanan and the Federation for American Immigration Reform, have tried in recent days to turn those legitimate concerns about security into a general argument against openness to immigration. But immigration and border control are two distinct issues. Border control is about who we allow to enter the country, whether on a temporary or permanent basis; immigration is about whom we allow to stay and settle permanently.

Immigrant are only a small subset of the total number of foreigners who enter the United States every year. According to the U.S. Immigration and Naturalization Service, 351 million aliens were admitted through INS ports of entry in fiscal year 2000—nearly a million entries a day. That total includes individuals who make multiple entries, for example, tourists and business travelers with temporary and aliens who hold border-crossing cards that allow them to commute back and forth each week from Canada and Mexico.

The majority of aliens who enter the United States return to their homeland after a few days, weeks, or months. Reducing the number of people we allow to reside permanently in the United States would do nothing to protect us from terrorists who do not come here to settle but to plot and commit

violent acts. And closing our borders to those who come here temporarily would cause a huge economic disruption by denying entry to millions of people who come to the United States each year for lawful, peaceful (and temporary) purposes.

It would be a national shame if, in the name of security, we were to close the door to immigrants who come here to work and build a better life for themselves and their families. Like the Statue of Liberty, the World Trade Center towers stood as monuments to America's openness to immigration. Workers from more than 80 different nations lost their lives in the terrorist attacks. According to the Washington Post, "The hardest hit among foreign countries appears to be Britain, which is estimating about 300 deaths . . . Chile has reported about 250 people missing, Colombia nearly 200, Turkey about 130, the Philippines about 115, Israel about 113, and Canada between 45 and 70. Germany has reported 170 people unaccounted for, but expects casualties to be around 100." Those people were not the cause of terrorism but its victims.

The problem is not that we are letting too many people into the United States but that the government is not keeping out the wrong people. An analogy to trade might be helpful: We can pursue a policy of open trade, with all its economic benefits, yet still exclude goods harmful to public health and safety, such as diseased meat and fruits, explosives, child pornography, and other contraband materials. In the same way, we should keep our borders open to the free flow of people, but at the same time strengthen our ability to keep out those few who would menace the public.

Immigrants come here to realize the American dream; terrorists come to destroy it. We should not allow America's tradition of welcoming immigrants to become yet another casualty of September 11.

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

Madam Speaker, I would like to respond to two of the points that have come up during this debate, first with respect to the comments on section 245(i) made by the distinguished gentleman from Texas (Ms. JACKSON-LEE). The House of Representatives has passed 245(i) legislation twice, once in May of last year and once in March of this year. The second passage of the 245(i) legislation was coupled with the same visa security and Border Patrol legislation that we are discussing here today.

□ 1815

The Senate, however, chose to pick this bill without 245(i), without the other bill which had 245(i) in it. That is why we are debating a 245(i)-less bill today. So the decision to hold up 245(i) this time does not rest with the House of Representatives, but, unfortunately, with the other body.

Secondly, with respect to the comments on student visa tracking made by the distinguished gentleman from Pennsylvania (Mr. GEKAS), he is absolutely right on that, but I would like to amplify the point that he made with one other fact.

Much was said about the fact that Mohammed Atta and one of the other September 11 hijackers had their student visas approved by the INS 6

months after they died flying planes into the Twin Towers in New York City. But the really shocking statistic was not that, it was the fact that the student visas were approved 13 months after these two terrorists graduated from flight school. The purpose for which the student visas were applied for had been fulfilled, and they should have left the country promptly after their course of study was concluded. They did not, and the rest is history, and over 3,000 people died as a result of that.

What this legislation does is that it provides a student visa tracking system so if someone enters the United States on a student visa and either does not show up at school, drops out of school, gets kicked out of school, or graduates from school, then the INS will know about it and take the appropriate action to make sure that those students return to their home countries.

Had this type of a system proposed by this bill been up and functional on September 11, Mr. Atta and his conspirator would not have been in the United States to go to an American airport to hijack two American planes and to kill thousands of people.

That is why it is important that this bill be passed, so that future Attas who wish to exploit the weaknesses in our visa system and to abuse the hospitality that is extended to them by the American people at American institutions will no longer be able to do so. I urge the House to concur in the Senate amendments.

Mr. ORTIZ. Madam Speaker, as co-chairman of the House Border Caucus and a representative of South Texas, I rise in support of H.R. 3525, the Enhanced Border Security and Visa Entry Reform Act and thank the House for moving this bill so quickly after Senate passage.

It is an important bill for the security of the nation—and my district sits square on some of the real estate most affected by our border policies. It ensures safety for the people within this country's borders and provides the tools necessary to the U.S. Customs and the Immigration and Naturalization Service to better serve the American people.

Most importantly for the taxpayers in my district, the bill also has a provision to extend the border crossing card deadline for residents along the Southwestern border of the United States. This extension will provide a much-needed boost to the economies that have suffered since the tragic attacks of September 11th.

After the attacks, Congress stopped work on a stand-alone bill with bi-partisan support to extend the deadline for one year to October 1, 2002. With the extension in today's bill, until Oct. 1, 2002, consumers whose lives transverse the border can conduct business normally again. Regular border shoppers can—after we finish this bill—use their border crossing cards to go to school, to go to work, to go shopping, or visit their families. They can once again participate in the border economy.

The Southwestern border is vitally important to the United States. It is the gateway to the United States from Latin and South America.

It is the port-of-entry for one of our most valued trading partners, and it represents the rich diversity of immigrants on which this country was founded. This bill is an excellent first step in recognizing that fact.

The Southwestern border, according to a recent U.S. Chamber of Commerce report, has a population of 6.2 million people in the U.S. and approximately 4.3 million people in Mexico. The buying power of border residents is immense and the economy of South Texas depends on their participation in our marketplace. In my district alone, 75–80% of Brownsville's downtown retail sales normally come from people crossing the border.

Since September 11th this number has dropped. This same report also cites the border crossing card deadline as one of the main reasons that fewer people are crossing the border. The economic effects of the attacks in September were bad for the country; they were devastating for the Southwestern border.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 3525.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SENSENBRENNER. 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 and the Chair's prior announcement, further proceedings on this motion will be postponed until tomorrow.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 6:30 p.m.

Accordingly (at 6 o'clock and 18 minutes p.m.), the House stood in recess until 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DUNCAN) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on motions to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

H.R. 2911, by the yeas and nays;

House Concurrent Resolution 271, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

HARVEY W. WILEY FEDERAL BUILDING

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2911.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arkansas (Mr. BOOZMAN) that the House suspend the rules and pass the bill, H.R. 2911, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 402, nays 0, not voting 32, as follows:

[Roll No. 127]

YEAS—402

Abercrombie	Conyers	Goodlatte
Aderholt	Cooksey	Gordon
Akin	Cox	Goss
Allen	Coyne	Graham
Andrews	Cramer	Granger
Armey	Crenshaw	Graves
Baca	Crowley	Green (TX)
Bachus	Cubin	Green (WI)
Baird	Culberson	Greenwood
Baldacci	Cummings	Grucci
Baldwin	Cunningham	Gutknecht
Ballenger	Davis (CA)	Hall (OH)
Barcia	Davis (IL)	Hall (TX)
Barr	Davis, Jo Ann	Hansen
Barrett	Davis, Tom	Harman
Bartlett	Deal	Hart
Barton	DeFazio	Hastings (FL)
Bass	DeGette	Hastings (WA)
Becerra	Delahunt	Hayes
Bentsen	DeLauro	Hayworth
Bereuter	DeLay	Hefley
Berkley	DeMint	Heger
Berman	Deutsch	Hill
Berry	Diaz-Balart	Hilleary
Biggert	Dicks	Hilliard
Bilirakis	Dingell	Hinche
Bishop	Doggett	Hinojosa
Blumenauer	Dooley	Hobson
Blunt	Doolittle	Hoeffel
Boehlert	Doyle	Hoekstra
Boehner	Dreier	Holden
Bonilla	Duncan	Holt
Bono	Dunn	Honda
Boozman	Edwards	Hooley
Borski	Ehlers	Horn
Boswell	Ehrlich	Hostettler
Boucher	Emerson	Houghton
Boyd	Engel	Hoyer
Brady (PA)	English	Hulshof
Brady (TX)	Eshoo	Hyde
Brown (FL)	Etheridge	Inslee
Brown (SC)	Evans	Isakson
Bryant	Everett	Israel
Burr	Farr	Issa
Callahan	Fattah	Istook
Calvert	Ferguson	Jackson (IL)
Camp	Filner	Jackson-Lee
Cannon	Flake	(TX)
Cantor	Fletcher	Jefferson
Capito	Foley	Jenkins
Capps	Forbes	John
Capuano	Ford	Johnson (CT)
Cardin	Frank	Johnson (IL)
Carson (OK)	Frelinghuysen	Johnson, E. B.
Castle	Frost	Johnson, Sam
Chabot	Galleghy	Jones (NC)
Chambliss	Ganske	Kanjorski
Clay	Gekas	Kaptur
Clayton	Gephardt	Keller
Clement	Gibbons	Kelly
Clyburn	Gilchrest	Kennedy (MN)
Coble	Gillmor	Kennedy (RI)
Collins	Gilman	Kerns
Combest	Gonzalez	Kildee
Condit	Goode	Kilpatrick