a great contribution, particularly in the effort to further the computerization, the dignitization of this institution. I think we will all be better off as a result.

My concerns really are not in the area where increased expenditures will be required to bring about this communications revolution for the House of Representatives. It is really more the need to monitor carefully any additional costs that accrue to Members as a result of getting the same services that used to be provided by central agencies, now on a direct basis, often with the private sector, or others who are doing work on a contractual basis for the House of Representatives providing the services. Mr. Speaker, I think the gentleman from Michigan shows an openness to continue to review these matters, so that Members can continue to have at least as many resources to focus on the needs of their constituents.

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

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

Mr. Speaker, I want to reiterate the value to the House of Representatives of the bill that is before us. It cleans up over 200 years of statutes and regulations which have accumulated, will result in a much more efficient operation of the House of Representatives, and I ask all my colleagues to join me in voting for the final passage of this particular bill.

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

The SPEAKER pro tempore (Mr. RIGGS). The question is on the motion offered by the gentleman from Michigan [Mr. EHLERS] that the House suspend the rules and pass the bill, H.R. 2739, 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.

PROVIDING FOR CONSIDERATION OF H.R. 2202, IMMIGRATION IN THE NATIONAL INTEREST ACT OF 1995

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 384 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 384

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2202) to amend the Immigration and Nationality Act to improve deterrence of illegal immigration to the United States by increasing border patrol and investigative personnel, by increasing penalties for alien smuggling and for document fraud, by reforming exclusion and deportation law and procedures, by improving the verification system for eligibility for employment, and through other measures, to reform the legal immigration system and facilitate legal entries into the United States, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under section 425(a) of the Congressional Budget Act of 1974. General debate shall be confined to the bill and shall not exceed two hours to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, modified by the amendment printed in part 1 of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. No other amendment shall be in order except the amendments printed in part 2 of the report of the Committee on Rules and amendments en bloc described in section 2 of this resolution. Each amendment printed in part 2 of the report may be considered only in the order printed, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in the report, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against amendments made in order by this resolution are waived except those arising under section 425(a) of the Congressional Budget Act of 1974. The chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment. The chairman of the Committee of the Whole may reduce to not less than five minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall be not less than fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. It shall be in order at any time for the chairman of the Committee on the Judiciary or a designee to offer amendments en bloc consisting of amendments printed in the report of the Committee on Rules accompanying this resolution that were not earlier disposed of or germane modifications of any such amendments. Amendments en block offered pursuant to this section shall be considered as read (except that modifications shall be reported), shall be debatable for twenty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. For the purpose of inclusion in such amendments en bloc, an amendment printed in the form of a motion to strike may be modified to the form of a germane perfecting amendment to the text originally proposed to be stricken. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. DREIER] is recognized for 1 hour.

MODIFICATIONS TO CERTAIN AMENDMENTS PRINTED IN HOUSE REPORT 104–483

Mr. DREIER. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 2202, pursuant to House Resolution 384, it shall be in order for the designated proponents of the amendments numbered 11, 12, and 13 in part 2 of House Report 104–483 to offer their amendments in modified forms to accommodate the changes in the amendment in the nature of a substitute recommended by the Committee on the Judiciary that are reflected in part 1 of that report, and effected by the adoption of the rule; and it shall be in order for the designated proponent of the amendment numbered 19 in part 2 of House Report 104–483 to offer his amendment in a modified form that strikes from title V all except section 522 of subtitle D.

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

There was no objection.

Mr. DREIER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. BEILENSON]. All time yielded is for the purposes of debate only.

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

(Mr. DREIER asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. DREIER. Mr. Speaker, stopping the 300,000 illegal immigrants that stream across our border each year in pickup trucks and under barbed wire fences is the most important Federal law and order issue in generations. This is a modified closed rule providing for comprehensive consideration of H.R. 2202, legislation addressing two critical national issues: Getting control of illegal immigration, and improving our system of legal immigration.

Mr. Speaker, make no mistake, while H.R. 2202 is tough on those who enter this country illegally, it maintains and strengthens legal immigration, ensuring that immigrants remain a positive force for change, growth, and prosperity. This rule provides for 2 hours of general debate, equally divided between the chairman and ranking minority member of the Committee on

the Judiciary. The rule waives all points of order against the bill except those relating to unfunded Federal mandates.

I would note that the Congressional Budget Office has determined that the mandates in the bill are minimal and do not establish grounds for a point of order against the bill.

The rule makes in order the Committee on the Judiciary amendment in the nature of a substitute as modified by the amendment printed in part 1 of the report of the Committee on Rules. That amendment establishes a voluntary program to permit businesses to check the validity of Social Security numbers in order to help ensure that Federal laws regarding the employment of illegal immigrants are obeyed. The amendment in the nature of a substitute is considered as read.

The rules provides for the consideration of 32 amendments. Let me say that again, Mr. Speaker: 32 amendments have been made in order. That are printed in the report of the Committee on Rules. They shall be considered only in the order in which they are printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debated for the time specified in the report, shall not be subject to amendment unless specified in the committee report, and shall not be subject to a division of the question in the House or in the Committee of the Whole.

The rule waives all points of order against the amendments, other than those relating to the unfunded mandates issue.

Mr. Speaker, the rule allows the chairman of the Committee of the Whole to postpone votes during consideration of the bill, as well as to reduce to 5 minutes the time on a postponed question if it follows a 15-minute vote. The rule also permits the chairman of the Committee on the Judiciary or his designee to offer amendments en bloc or germane modifications thereof. Amendments offered en bloc shall be considered as read and shall be debatable for 20 minutes.

The issue of both legal and illegal immigration is one of the most contentious debates that we will have this year. This rule, while not an open rule, is fair and very balanced. It offers the House the opportunity to debate nearly all of the important and substantive issues surrounding both illegal and legal immigration reform. This debate will stretch over more than 2 days, and will highlight the important issues addressed by this well-crafted legislation.

The bill's principal author, the gentleman from Texas [Mr. SMITH], has worked long and hard ensuring that all parties truly interested in dealing with the overlapping issues of illegal and legal immigration have participated in a bipartisan process.

Mr. Speaker, illegal immigration has reached crisis proportions in my State of California. We deal daily with a flood of illegal immigrants who are coming across the border seeking government services, job opportunities, and family members. There is simply no question that the President, for all his rhetoric, has failed to make this a top priority. He opposed California's proposition 187. He vetoed legislation establishing that illegal immigrants are not entitled to Federal and State welfare services. He vetoed reimbursement to the States for the cost of incarcerating illegal immigrant felons, and his Justice Department has been woefully slow in disbursing to States the meager incarceration funds that were appropriated back in 1994.

Mr. Speaker, as Members well know, California will never support a President that is soft on illegal immigration. Illegal immigration might just be taking center stage in Washington today, but the issue is like an overnight sensation in Hollywood. This is a problem that has been building up for years and years. A decade ago my colleague, the gentleman from Glendale, CA [Mr. MOORHEAD], who is retiring after 24 years of highly distinguished service, offered amendments to strengthen the Border Patrol when Congress last addressed immigration reform.

Many Members of Congress, especially the Members from California, like Mr. KIM, Mr. BILBRAY, Mrs. SEASTRAND, Mr. RIGGS, Mr. GALLEGLY, and others, have worked for years to address illegal immigration in the comprehensive manner of H.R. 2202. Just as California suffers from more illegal immigration than any State, California is home to more legal immigrants and refugees than any other State. Those immigrants have brought tremendous benefits to our State. I am proud of the fact that H.R. 2202 will allow us to maintain one of the highest levels of legal immigration in 70 years. That in itself is a good and positive move, because this country was founded on legal immigration.

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Legal immigrants continue to provide the United States with a steady stream of hard-working, freedom-loving, patriotic new Americans. Legal immigrants bringing special skills to our workplace have been instrumental in placing American firms, especially many in California, on the cutting edge of high technology.

Mr. Speaker, as we look at the broad range of amendments that will be brought forward this week, we will first debate issues relating to illegal immigration. Then after addressing that issue, the House will address the different but related issue of legal immigration. We will clearly have an opportunity to debate nearly all controversial issues.

The gentleman from California [Mr. GALLEGLY], the chairman of the Speaker's task force on illegal immigration, will offer amendments to create a mandatory but clearly nonintrusive Social Security number verification program to reduce the employment lure for illegal immigration. He will also offer a very sensible amendment to clarify that States have the right to determine if local and State tax dollars will be used to give free education to illegal immigrants.

Mr. Speaker, the gentleman from Washington [Mr. TATE] and the gentlewoman from California [Mrs. SEASTRAND] will offer a commonsense amendment to clarify that if someone violates American laws and enters the country illegally, then they will no longer be eligible to later become a legal immigrant. Legal immigration should be reserved for those who respect our laws.

Mr. Speaker, finally we are certain to have lively debates regarding the creation of a tamper resistant Social Security card as well as an effort to eliminate the bill's voluntary system to verify the accuracy of Social Security numbers. The House bill will also be able to debate the legal immigration provisions of the bill.

Mr. Speaker, make no mistake, this bill establishes a very generous level of immigration by historical standards; however, it focuses legal immigration policy on reunifying nuclear families so that spouses and young children are reunited in strong families. This is a good and very important thing. Nevertheless, there is disagreement on these provisions and the House will decide this question.

The bipartisan amendment offered by the gentleman from Michigan [Mr. CHRYSLER] and the gentleman from California [Mr. BERMAN] and the gentleman from Kansas [Mr. BROWNBACK], which seeks to maintain the status quo on legal immigration, is in order under this rule. The amendment by the Committee on Agriculture to create a new guest worker program will also come before this House by the gentleman from California [Mr. POMBO] and others.

Mr. Speaker, the Committee on Rules has made in order 32 amendments, as I have said. This is a fair rule that will let the House deal responsibly with H.R. 2202 and send the legislation to the Senate in a timely manner. Immigration reform is important to our Nation's economic and social future, and I urge my colleagues to support this rule.

Mr. Speaker, I include the following material for the RECORD.

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,[1] 103D CONGRESS V. 104TH CONGRESS

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,[1] 103D CONGRESS V. 104TH CONGRESS

[As of March 15, 1996]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open[2]	46	44	59	61
Modified Closed[3]	49	47	24	25
Closed[4]	9	9	13	14
Total	104	100	96	100

[1] This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

[2] An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

[3] A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

[4] A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of March 15, 1996]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350–71 (1/19/95).
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255–172 (1/25/95).
		H.J. Res. 1	Balanced Budget Amdt	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95).
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95).
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/1/95).
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95).
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95).
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95).
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95).
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95).
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/13/95).
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PQ: 229–100; A: 227–127 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PQ: 230–191; A: 229–188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282–144 (2/22/95).
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252–175 (2/23/95).
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253–165 (2/27/95).
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271–151 (3/2/95).
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	A: voice vote (3/6/95).
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 105 (3/6/95)	MO			A: 257–155 (3/7/95).
H. Res. 108 (3/7/95)	Debate	H.R. 956	Product Liability Reform	A: voice vote (3/8/95).
H. Res. 109 (3/8/95)	MC			PQ: 234–191 A: 247–181 (3/9/95).
H. Res. 115 (3/14/95)	MO	H.R. 1159	Making Emergency Supp. Approps	A: 242–190 (3/15/95).
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt	A: voice vote (3/28/95).
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/21/95).
H. Res. 119 (3/21/95)	MC			A: 217–211 (3/22/95).
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 423–1 (4/4/95).
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	A: voice vote (4/6/95).
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: 228–204 (4/5/95).
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 253–172 (4/6/95).
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: voice vote (5/2/95).
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/9/95).
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: 414–4 (5/10/95).
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: voice vote (5/15/95).
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95).
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	A: voice vote (5/15/95).
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PQ: 252–170 A: 255–168 (5/17/95).
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	A: 233–176 (5/23/95).
H. Res. 164 (6/8/95)	MC	H.R. 1530	Nat. Defense Auth. FY 1996	PQ: 225–191 A: 233–183 (6/13/95).
H. Res. 167 (6/15/95)	O	H.R. 1817	MilCon Appropriations FY 1996	PQ: 223–180 A: 245–155 (6/16/95).
H. Res. 169 (6/19/95)	MC	H.R. 1854	Leg. Branch Approps. FY 1996	PQ: 232–196 A: 236–191 (6/20/95).
H. Res. 170 (6/20/95)	O	H.R. 1868	For. Ops. Approps. FY 1996	PQ: 221–178 A: 217–175 (6/22/95).
H. Res. 171 (6/22/95)	O	H.R. 1905	Energy & Water Approps. FY 1996	A: voice vote (7/12/95).
H. Res. 173 (6/27/95)	C	H.J. Res. 79	Flag Constitutional Amendment	PQ: 258–170 A: 271–152 (6/28/95).
H. Res. 176 (6/28/95)	MC	H.R. 1944	Emer. Supp. Approps	PQ: 236–194 A: 234–192 (6/29/95).
H. Res. 185 (7/11/95)	O	H.R. 1977	Interior Approps. FY 1996	PQ: 235–193 D: 192–238 (7/12/95).
H. Res. 187 (7/12/95)	O	H.R. 1977	Interior Approps. FY 1996 #2	PQ: 230–194 A: 229–195 (7/13/95).
H. Res. 188 (7/12/95)	O	H.R. 1976	Agriculture Approps. FY 1996	PQ: 242–185 A: voice vote (7/18/95).
H. Res. 190 (7/17/95)	O	H.R. 2020	Treasury/Postal Approps. FY 1996	PQ: 232–192 A: voice vote (7/18/95).
H. Res. 193 (7/19/95)	C	H.J. Res. 96	Disapproval of MFN to China	A: voice vote (7/20/95).
H. Res. 194 (7/19/95)	O	H.R. 2002	Transportation Approps. FY 1996	PQ: 217–202 (7/21/95).
H. Res. 197 (7/21/95)	O	H.R. 70	Exports of Alaskan Crude Oil	A: voice vote (7/24/95).
H. Res. 198 (7/21/95)	O	H.R. 2076	Commerce, State Approps. FY 1996	A: voice vote (7/25/95).
H. Res. 201 (7/25/95)	O	H.R. 2099	VA/HUD Approps. FY 1996	A: 230–189 (7/25/95).
H. Res. 204 (7/28/95)	MC	S. 21	Terminating U.S. Arms Embargo on Bosnia	A: voice vote (8/1/95).
H. Res. 205 (7/28/95)	O	H.R. 2126	Defense Approps. FY 1996	A: 409–1 (7/31/95).
H. Res. 207 (8/1/95)	MC	H.R. 1555	Communications Act of 1995	A: 255–156 (8/2/95).
H. Res. 208 (8/1/95)	O	H.R. 2127	Labor, HHS Approps. FY 1996	A: 323–104 (8/2/95).
H. Res. 215 (9/7/95)	O	H.R. 1594	Economically Targeted Investments	A: voice vote (9/12/95).
H. Res. 216 (9/7/95)	MO	H.R. 1655	Intelligence Authorization FY 1996	A: voice vote (9/12/95).
H. Res. 218 (9/12/95)	O	H.R. 1162	Deficit Reduction Lockbox	A: voice vote (9/13/95).
H. Res. 219 (9/12/95)	O	H.R. 1670	Federal Acquisition Reform Act	A: 414–0 (9/13/95).
H. Res. 222 (9/18/95)	O	H.R. 1617	CAREERS Act	A: 388–2 (9/19/95).
H. Res. 224 (9/19/95)	O	H.R. 2274	Natl. Highway System	PQ: 241–173 A: 375–39–1 (9/20/95).
H. Res. 225 (9/19/95)	MC	H.R. 927	Cuban Liberty & Dem. Solidarity	A: 304–118 (9/20/95).
H. Res. 226 (9/21/95)	O	H.R. 743	Team Act	A: 344–66–1 (9/27/95).
H. Res. 227 (9/21/95)	O	H.R. 1170	3-Judge Court	A: voice vote (9/28/95).
H. Res. 228 (9/21/95)	O	H.R. 1601	Internatl. Space Station	A: voice vote (9/27/95).
H. Res. 230 (9/27/95)	C	H.J. Res. 108	Continuing Resolution FY 1996	A: voice vote (9/28/95).
H. Res. 234 (9/29/95)	O	H.R. 2405	Omnibus Science Auth	A: voice vote (10/11/95).
H. Res. 237 (10/17/95)	MC	H.R. 2259	Disapprove Sentencing Guidelines	A: voice vote (10/18/95).
H. Res. 238 (10/18/95)	MC	H.R. 2425	Medicare Preservation Act	PQ: 231–194 A: 227–192 (10/19/95).
H. Res. 239 (10/19/95)	C	H.R. 2492	Leg. Branch Approps	PQ: 235–184 A: voice vote (10/31/95).
H. Res. 245 (10/25/95)	MC	H. Con. Res. 109	Social Security Earnings Reform	PQ: 228–191 A: 235–185 (10/26/95).
		H.R. 2491	Seven-Year Balanced Budget	
H. Res. 251 (10/31/95)	C	H.R. 1833	Partial Birth Abortion Ban	A: 237–190 (11/1/95).
H. Res. 252 (10/31/95)	MO	H.R. 2546	D.C. Approps.	A: 241–181 (11/1/95).
H. Res. 257 (11/7/95)	C	H.J. Res. 115	Cont. Res. FY 1996	A: 216–210 (11/8/95).
H. Res. 258 (11/8/95)	MC	H.R. 2586	Debt Limit	A: 220–200 (11/10/95).
H. Res. 259 (11/9/95)	O	H.R. 2539	ICC Termination Act	A: voice vote (11/14/95).
H. Res. 261 (11/9/95)	C	H.J. Res. 115	Cont. Resolution	A: 223–182 (11/10/95).
H. Res. 262 (11/9/95)	C	H.R. 2586	Increase Debt Limit	A: 220–185 (11/10/95).
H. Res. 269 (11/15/95)	O	H.R. 2564	Lobbying Reform	A: voice vote (11/16/95).
H. Res. 270 (11/15/95)	C	H.J. Res. 122	Further Cont. Resolution	A: 229–176 (11/15/95).
H. Res. 273 (11/16/95)	MC	H.R. 2606	Prohibition on Funds for Bosnia	A: 239–181 (11/17/95).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS—Continued

[As of March 15, 1996]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 284 (11/29/95)	O	H.R. 1788	Amtrak Reform	A: voice vote (11/30/95).
H. Res. 287 (11/30/95)	O	H.R. 1350	Maritime Security Act	A: voice vote (12/6/95).
H. Res. 293 (12/7/95)	C	H.R. 2621	Protect Federal Trust Funds	PQ: 223–183 A: 228–184 (12/14/95).
H. Res. 303 (12/13/95)	O	H.R. 1745	Utah Public Lands.	
H. Res. 309 (12/18/95)	C	H. Con. Res. 122	Budget Res. W/President	PQ: 230–188 A: 229–189 (12/19/95).
H. Res. 313 (12/19/95)	O	H.R. 558	Texas Low-Level Radioactive	A: voice vote (12/20/95).
H. Res. 323 (12/21/95)	C	H.R. 2677	Natl. Parks & Wildlife Refuge	Tabled (2/28/96).
H. Res. 366 (2/27/96)	MC	H.R. 2854	Farm Bill	PQ: 228–182 A: 244–168 (2/28/96).
H. Res. 368 (2/28/96)	O	H.R. 994	Small Business Growth	
H. Res. 371 (3/6/96)	C	H.R. 3021	Debt Limit Increase	A: voice vote (3/7/96).
H. Res. 372 (3/6/96)	MC	H.R. 3019	Cont. Approps. FY 1996	PQ: voice vote A: 235–175 (3/7/96).
H. Res. 380 (3/12/96)	MC	H.R. 2703	Effective Death Penalty	A: 251–157 (3/13/96).
H. Res. 384 (3/14/96)	MC	H.R. 2202	Immigration	

Codes: O-open rule; MO-modified open rule; MC-modified closed rule; C-closed rule; A-adoption vote; D-defeated; PQ-previous question vote. Source: Notices of Action Taken, Committee on Rules, 104th Congress.

Mr. DREIER. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Glens Falls, NY, [Mr. SOLOMON] chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I thank the vice chairman of the Committee on Rules for an excellent explanation of the rule. I thank my good friend from California, TONY BEILENSON, who is always more than reasonable, for letting me go out of order because of an emergency that is coming up that may expedite the procedures for the House for the next several days. It will inure to his benefit and to all the other Members.

Mr. Speaker, having said that, I do rise in support of this rule and the bill that it makes in order, the Immigration in the National Interest Act.

Mr. Speaker, just to put into perspective the problem we will be considering over the next 2 days, let me begin with a few facts.

No. 1: Nationwide more than one-quarter of all Federal prisoners are illegal aliens.

According to the Immigration and Naturalization Service, in 1980, the total foreign-born population in Federal prisons was 1,000 which was less than 4 percent of all inmates. In 1995, the foreign-born population in Federal prisons was 27,938, which constitutes 29 percent of all inmates. The result is an enormous extra expense to be picked up by the Federal taxpayers.

Fact No. 2: the U.S. welfare system is rapidly becoming a retirement home for the elderly of other countries. In 1994, nearly 738,000 noncitizen residents were receiving aid from the Supplemental Security Income program known as SSI. This is a 580-percent increase—up from 127,900 in 1982—in just 12 years.

The overwhelming majority of noncitizen SSI recipients are elderly. Most apply for welfare within 5 years of arriving in the United States. By way of comparison, the number of U.S.-born applying for SSI benefits has increased just 49 percent in the same period. Without reform, according to the Wall Street Journal, the total cost of SSI and Medicaid benefits for elderly noncitizen immigrants will amount to more than $328 billion over the next 10 years.

Fact No. 3: In the public hospitals of our largest State, California, 40 percent of the births are to illegal aliens. Since each newborn is automatically a citizen, he or she becomes eligible for all the benefits of citizenship.

Fact No. 4: There is a link between legal immigration and illegal immigration. According to the report of the Judiciary Committee on this bill, close to half of all illegal aliens come in on legal temporary visas, and never return home.

Fact No. 5: According to a Roper Poll in December of 1995, 83 percent of all Americans are in favor of reducing all immigration. Within these totals, 80 percent of African-Americans favor reducing all immigration and 67 percent of Hispanic-Americans favor reducing all immigration.

Mr. Speaker, these facts serve to point out the nature of the problem we are facing.

The poll numbers point the direction our constituents want us to go.

The bill which will be before the House over the next couple of days is a giant step toward solving the problems facing our Nation and I commend the members of the Judiciary Committee who did the work to put it together.

I would particularly like to commend the chairman of the Immigration and Claims Subcommittee, the gentleman from Texas, Mr. LAMAR SMITH, and his ranking minority member, the gentleman from Texas, Mr. JOHN BRYANT, for long hours spent on this legislation.

And I also owe thanks to the chairman of that full committee, the gentleman from Illinois, Mr. HENRY HYDE, and his ranking member, the gentleman from Michigan, Mr. CONYERS for perseverance under difficult circumstances.

Mr. Speaker, any rule that does not make in order every amendment requested is going to be unpopular with some. But given the need to finish the bill on the floor this week, the Rules Committee has come up with a reasonable solution. I ask for a ''yes'' vote on the motion for the previous question, and a ''yes'' vote on adoption of this balanced rule on the immigration bill.

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

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

Mr. Speaker, H.R. 2202, the Immigration in the National Interest Act, which this modified closed rule makes in order, is one of the most important pieces of legislation we shall consider this year. There is no question that U.S. immigration policy needs to be revised and improved to respond to our national interests and this bill is a sensible and measured response to that critical challenge.

I, too, commend our colleagues from Texas, Mr. SMITH, the chairman of the Immigration Subcommittee, and the ranking member of the subcommittee, Mr. BRYANT, for their outstanding work in bringing this bipartisan bill to the floor. I would also like to point out the important work of my friend and fellow Californian, Mr. GALLEGLY, who chaired the Speaker's task force on immigration. As a member of that task force, I know how diligently Mr. GALLEGLY and the other members worked to help develop recommendations for the subcommittee.

Mr. Speaker, this bill would affect many aspects of life in the United States and a broad range of national issues and concerns, including the availability of jobs for skilled and unskilled American workers; the responsibility of businesses and corporations to obey the laws we have already enacted to prohibit the hiring of individuals who have entered the United States in violation of our border and our immigration laws; the serious stress that population growth fueled by immigration is creating for our country; and, most important, the kind of country we will leave to our children and grandchildren who will have to live with the consequences of our decisions in terms of how heavily populated the United States will become.

Because of the significance of this bill, we commend the Committee on Rules for allowing debate on 32 amendments. More than 100 amendments were submitted to the committee and for the most part, we think, the committee did a good job of making in order amendments that cover most of the important areas of disagreement in this wide-ranging piece of legislation. However, we do want our colleagues to know that we are disappointed that the rule did not make in order several important amendments. For that reason, after debate on the rule, Mr. Speaker, we shall move to defeat the previous question so that we may amend the rule to make the following three additional amendments in order:

An amendment that would delete the H–1B foreign temporary worker provisions in the bill and replace them with

provisions that protect American workers; an amendment that would promote self-sufficiency for refugees and make the Federal Government, not the States or local communities, assume the cost for refugees; and an amendment that would increase civil penalties for already existing employer sanctions.

Mr. Speaker, one of those amendments in particular lies at the heart of this debate, the third amendment, the one that would increase the civil penalties for already existing employer sanctions.

The amendment's intent is to finally stop employers from knowingly hiring illegal immigrants by making the existing employer-sanction law truly effective and meaningful. While H.R. 2202 includes increased penalties for document fraud by immigrants, it does not include any increased penalties for employers who knowingly violate the law prohibiting the hiring of individuals who are here illegally.

Enhanced employer enforcement penalties have bipartisan support. They were advocated by the Speaker's congressional task force on immigration reform, by the late Congresswoman Barbara Jordan's U.S. Commission on Immigration Reform, and by the administration. They were included also in the immigration bill reported to the Senate Immigration Subcommittee.

These increased penalties are essential to reducing the incentive employers have for hiring illegal aliens and the lure of employment that brings illegal immigrants to this country. If we have learned anything at all from the failures of the 1986 immigration laws, it must be that weak sanctions are meaningless and will do little to prevent illegals from seeking jobs and employers from hiring illegals for those jobs.

The need for this amendment is underscored not only by the lack of any increased penalties on employers in the bill but also by the rule's self-executing provision that makes the Judiciary Committee's modest worker verification system voluntary instead of mandatory as the committee itself had recommended.

While the Gallegly amendment to restore the committee-reported language will be considered, it is obvious that if we think it is necessary to get tougher on employers who break the law by hiring illegals, we must also have the opportunity to consider an amendment increasing penalties on them.

In order to reduce the employment magnet for illegal immigrants, penalties for knowing violations of the law should be more than merely a nominal cost of doing business. In addition, while some illegal aliens obtain employment through the use of fraudulent documents, others are employed in the underground economy by businesses that do not even check documentation. Many of those businesses violate other labor standards as well.

The presence of unauthorized workers too fearful of deportation to complain about working conditions may be the very factor that enables those employers to break other labor laws. Thus, increased penalties and effective enforcement are critical not only to reducing illegal immigration but also to protecting the workers themselves from unfair labor practices.

Importantly, Mr. Speaker, this amendment would protect Americans from losing jobs to those who are here in violation of our laws and it would protect Americans from being paid less than they are worth because of low-wage competition.

□ 1630

If we care at all about protecting jobs for Americans and improving their economic security, if we really believe that all Americans, those seeking jobs and those doing the hiring, should be held responsible for obeying the law, then we must defeat the previous question and allow a vote on that amendment.

Despite the absence of the opportunity to debate these amendments, as I said earlier, the rule would allow the House to debate a large number of amendments, 32 in total, on a wide range of issues. One of the most important issues, Mr. Speaker, the amendments will address is the bill's employment verification system, which was weakened significantly in the full Committee on the Judiciary and which, as I mentioned earlier, this rule, through its self-executing provision, will unfortunately weaken further by making it voluntary rather than mandatory.

To succeed in reducing illegal immigration, we must do two things; tighten control of our borders and remove to the greatest extent possible the incentives that encourage illegal immigration. The most powerful incentive of all, Mr. Speaker, is the opportunity to work in this country. When Congress enacted employer sanctions as part of the Immigration Reform and Control Act of 1986, we did so in recognition of the fact that, because immigrants come here primarily to find jobs, it is necessary to deter employers from hiring those who are not here legally. What we failed to do at that time, however, was to provide a sound and dependable way for employers to determine whether or not a prospective employee is here legally. Without that, it is virtually impossible, as we have discovered, to enforce the employer sanction laws.

Our failure to establish a reliable means of enforcing the law has created other problems as well. The law has generated widespread discrimination against U.S. citizens and legal residents who may look or sound foreign and has created a huge mulitmillion-dollar underground industry, in counterfeit and fraudulent Social Security cards, green cards, voter registration cards, and the 26 other kinds of documents that can be used to demonstrate one's work eligibility under the current law.

H.R. 2202 wisely reduces that number, but it does not go far enough toward making employer sanctions enforceable. Establishing a dependable widescale and mandatory system for checking individuals' authorization to work in this country is the only way to solve those problems.

In fact, to crack down on the more than 50 percent of illegal immigrants who come here legally and overstay their visas and remain often permanently, improving employer sanctions is essential, because we cannot obviously stop those immigrants from settling here permanently simply by improving border control.

There will be three amendments dealing with employment verification that we would like to bring to our colleagues' attention. One is the McCollum amendment, which would provide for development of a counterfeit-proof Social Security card. Establishing such a card is, I believe, absolutely essential to making the prohibition on hiring illegal immigrants enforceable, and I believe it deserves our strong support.

The second is the Gallegly amendment, which would make the bill's telephone employment verification system mandatory in the States, where it will be tried on an experimental basis, restoring the provision to the form it was in when it was reported by the House Committee on the Judiciary. That amendment also deserves our strong support.

In the same vein, if I may say so, Mr. Speaker, the Chabot-Conyers amendment to eliminate entirely the verification system should be rejected if we are at all serious about doing something real about this very real problem of illegal immigration.

Mr. Speaker, in another major issue, perhaps the most important one to be considered in this debate, will be when to retain the bill's reductions in legal immigration. Our decision on that issue will occur whether we consider the Chrysler-Berman-Brownback amendment to strike the legal immigration sections of the bill. It is essential in the view of many of us that we reject that amendment. The limits on legal immigration in the bill go to the crucial question that up until now has been missing from this debate, which is how big do we want this country to be, how populated do we want the United States to be.

The population of this country, currently about 263 million, is growing so quickly that by the end of this decade, less than 4 years from now, our population will reach 275 million, more than double its present size at the end of World War II. Only during the 1950's, at the height of the so-called baby boom, were more people added to the Nation's population than are projected to be added during the 1990's.

The long-term picture is even more alarming. The U.S. Census Bureau conservatively projects our population will rise to 400 million by the year 2050, a more than 50 percent increase from today's level, the equivalent of adding

more than 40 cities the size of Los Angeles to our population. That is by far the fastest growing growth rate projected for any industrialized country in the world. But many demographers, Mr. Speaker, believe it will even be much worse. The alternative Census Bureau projections agree if current trends continue, the Nation's population will more than double during this same time period and reach half a billion people by the middle of the next century, a little more than 50 years from now. The Census Bureau says one-third of the U.S. population growth is due to immigration, both legal and illegal. That is a misleading statistic; if U.S.-born children of recent immigrants are counted, immigration now accounts for more than 50 percent of recent growth in the United States.

Post-1970 immigrants and their descendants have been responsible for U.S. population increases of nearly 25 million, half the growth of those years. In other words, much of what demographers consider our natural growth rate is actually the result of our Nation's large number of immigrants. Those numbers have led the Census Bureau to forecast much higher population growth over the coming decades than in the past. As recently as 1990, the bureau assumed the population of the United States would peak about 45 years from now and then decline to and level off at about 300 million, about 300 million, Mr. Speaker, by the year 2050. But as a result of unexpected rates of immigration, the Census Bureau revised its figures just 2 years ago by adding another 92 million to the number of people projected for the year 2050. But that projection is probably much too low because the bureau assumes a net immigration rate of about 820,000 a year, at least 400,000 below today's annual level. And even with that conservative assumption about immigration, the Census Bureau estimates about 93 percent, 93 percent of the population growth by the year 2050 will result from immigration that has occurred since 1991.

The really frightening change in the Census Bureau's 1994 forecast is that it now assumes the population of this country will not level off a few decades from now as was thought would be the case and as recently as 1990, but will continue to grow unabated into the late 21st century.

Those of us who represent communities where large numbers of immigrants have settled have long felt the effects of our Nation's high rate of immigration, the highest in the world. Our communities are being overwhelmed by the burden of providing educational, health, and social services for the newcomers. With a population of half a billion or more, it will be extremely difficult to solve our most serious environmental problems, such as air and water pollution, water disposal, waste disposal and loss of our arable land. But the challenges of having our population double our current size will go far beyond dealing with simply environmental problems. With twice as many people, we can expect to have at least twice as much crime, twice as much congestion, twice as much poverty. We will also face demands for twice as many jobs, twice as many schools, twice as much food at a time when many of our communities are already straining now to educate, house, protect, provide services for the people we have right now, Mr. Speaker. How will they begin to cope with the needs and problems of twice as many people?

The legal immigration provisions of this bill constitute a relatively modest response to the enormous problems our children and grandchildren will face in the next century if we do not reduce the enormous number of new residents the United States accepts each year beginning now.

So I urge Members, Mr. Speaker, to reject the Chrysler-Berman-Brownback amendment when that proposal is offered.

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

Mr. DREIER. Mr. Speaker, I yield 3 minutes to my dear friend and Committee on Rules colleague, the gentleman from Sanibel, FL [Mr. GOSS], chairman of the Subcommittee on Legislative and Budget Process.

(Mr. GOSS asked and was given permission to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, this is a fair and generous rule which allows for a broad debate on a massive subject. I congratulate Mr. SMITH for persevering in bringing H.R. 2202 to the floor—and I am proud to be a cosponsor. This is about the failure of the Federal Government to control our borders and the impact that failure has had on our society. Although I agree that the issues of illegal and legal immigration are distinct, I know that they are closely related. All immigration is out of control. We cannot consider either legal or illegal in a vacuum without looking at the other—a conclusion with which many Americans agree. In recent weeks the Wall Street Journal reported that 50 percent of Americans surveyed oppose any legal immigration. Such views are born of years of watching the system fail. Mr. Speaker, the problems of illegal immigration are readily definable. Today more than one quarter of all Federal prisoners are illegal immigrants; fraudulent employment and benefit documentation is rampant; and criminal aliens linger in our country at significant taxpayer expense. Well, H.R. 2202 doubles the number of Border Patrol agents; dedicates more resources to prosecuting illegal aliens; streamlines the rules for removal of illegal and criminal aliens; and strengthens penalties against those who disobey orders to leave. H.R. 2202 also clamps down on illegal aliens accessing public benefits. And it implements a program to address a major incentive of today's illegal immigration—the promise of jobs—by setting up a 1–800 number for employers to call and verify citizenship status. This provision does not—repeat, does not—create a ''Big Brother is watching you'' system with a new national identity card. And this provision is not an unfair burden on employers. In fact, employers who have tried it have given it rave reviews.

When it comes to legal immigration, there are also serious problems. Today there are approximately 1.1 million cases pending in the system, which can translate into a 40-year waiting period. Those who get caught up in this bureaucratic nightmare suffer from prolonged separation from their families and uncertainty about their futures. It's no surprise that they get frustrated and seek to jump the line. H.R. 2202 increases the percentage of immigrants admitted on the basis of needed skills and education. It places emphasis on core family units, favoring ''nuclear family'' admission over ''extended family'' admissions. And it guarantees a way for bona fide refugees to enter our country in an orderly manner.

Immigrants have contributed immeasurably to the greatness of this Nation. This legislation doesn't close the door—but it does seek to balance the generous nature of Americans with the reality of limited resources. That is a laudable result.

Mr. BEILENSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I take the well to regrettably indicate that I do not intend to vote for this rule, and I do intend to support the gentleman from California [Mr. BEILENSON] in his motion, because I think the Committee on Rules made a major mistake in deciding which amendments they were going to allow this House to vote on.

We have a very serious issue facing this country with respect to refugees, and I am talking about legal refugees, not illegal refugees. The problem is that the U.S. Government makes a foreign policy decision to allow thousands and thousands and thousands of refugees to come into this country and then it dumps the cost of educating and training and supporting those refugees onto local units of government.

Now, I think that ought to stop. So I offered an amendment before the Committee on Rules which would simply say that if the Federal Government is going to make a foreign policy decision to allow refugees into this country, that they then ought to pay for the cost of educating and training them and providing worker training and providing language training so that a foreign policy decision of the U.S. Government does not become an unfair burden on local taxpayers.

Now, Gov. Pete Wilson of California has been making this point strenuously for years with respect to immigrants. I think the point is equally correct with respect to refugees. So my amendment would have required that Uncle Sam

pay for the costs of those refugees for the first 3 years rather than dumping it off on the local governments, and it would have required something which both the Bush administration and the Clinton administration tried to do but which they were blocked from doing by the court. And that is to require that, for the first year, those refugees be enrolled in intensive language training programs and job training programs so that they do not become long term burdens to local taxpayers.

□ 1645

I see absolutely nothing whatsoever wrong with that amendment, and I would point out this is not a new idea. Catholic Charities tested this approach in Chicago and they reduced the long-term percentage of refugees who remained on welfare by astounding percentages. They tried the same thing in San Diego and had similar very successful results. They tried it in Florida and also had very successful results.

So what the amendment would have tried to do is simply take a proposal which has already been tested at the local level in pilot projects and implement it, so that we require for any refugee that comes into this country for the first year, rather than marching them right into the local welfare office, as now occurs, that what you do is instead put them in a private program run by local PVO's to teach them job training and to teach them English. The long-term savings of that cannot be doubted. For the life of me, I do not understand any substantive reason why the Committee on Rules did not make that amendment in order.

We can talk all we want about cleaning up the immigration and refugee problems that this country faces, but until this Congress recognizes that they have absolutely no moral right to stick local property taxpayers with the cost of foreign policy decisions, this Congress is not living up to its job in dealing with major problems presented to local governments by actions of the Federal Government.

I do not see, for instance, why local school districts should be burdened with the inordinate cost of providing education and language training to legal refugees, rather than having the Federal Government meet the costs, since the Federal Government made the decision to require those costs to be incurred by somebody in the first place.

This is a case of the Federal Government, in my view, bugging out on its responsibilities to both the refugees they allow into this country and to the local communities and school districts who get hit with the consequences; and I think it is also a case in this instance of the Congress itself bugging out on its responsibilities to correct the situation, which is why I intend to support the amendment of the gentleman from California, if given that opportunity.

Mr. DREIER. Mr. Speaker, I am proud to yield 1½ minutes to the gentleman from California [Mr. HUNTER], a tireless advocate of border security, my classmate from El Cajon, CA.

Mr. HUNTER. Mr. Speaker, I thank my friend for yielding me time.

Mr. Speaker, let me join with him in thanking the gentleman from California [Mr. GALLEGLY] for his great work on helping to put together this package. If he is not here to offer his amendments, I know a number of us will be carrying the torch for him.

We also owe a great deal of thanks to the gentleman from Texas [Mr. SMITH] who had a very difficult job of putting together in a very statesmanlike way a package that involved not only a lot of figures and a lot of issues, but a lot of passions.

We have put together a package here, and I think we should pass this rule and pass this bill, that brings some degree of order to illegal immigration and to legal immigration.

The illegal immigration we deal with by adding Border Patrol, by forward deploying those Border Patrolmen to the border, by putting in roads, and by putting in a triple fence, that will make it more difficult for smugglers to move people across the southern border of the United States.

The legal immigration we bring some degree of order to by bringing in accountability. That means when people sponsor other people, immigrants, to come to this country, the sponsor has to give some fiscal accountability. That person cannot just come in and get on welfare and bog our system down to the degree of $28 billion a year which the present legal immigrants are costing the system.

So it is important that we deal with these two questions together. It is important that we bring order to illegal immigration and to legal immigration. The gentleman from Texas [Mr. SMITH] has done an excellent job of balancing these competing interests and giving us an excellent package. We should vote for the rule and for the bill.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, let me say two things: First, I am going to join the gentleman in supporting his motion so that we can get another shot at the rule. In general I would say that there are lots of amendments that were good amendments, fine amendments, in terms of improving and honing this bill, that were not allowed. In certain cases it seems that the most extreme amendments were allowed, but not those that would have moved the bill in a more moderate direction. I think that is regrettable. It looks a little bit political. I understand that we should not have politics in this Chamber, but it is a little too much.

The fact that our subcommittee chairman, Mr. BRYANT, only got one small amendment, the gentleman from California, Mr. BECERRA, who has strong views on this issue, some of which I disagree with, but he got no amendments at all, I find bothersome.

I want to speak specifically about the issue of asylum. I had an amendment with the gentleman from New Jersey [Mr. SMITH] and the gentleman from New York [Mr. GILMAN] which would have gone a long way toward resolving the asylum problem.

With asylum we face a very difficult issue. I think most Americans believe that that torch that shines so brightly in Madam Liberty's hand should remain lit; there are those that face persecution that we have to, we do not have to, but we ought to allow to come to America.

On the other hand, there is no secret that the asylum process was totally abused and that hundreds of thousands of people, literally, in the last decade, have used the asylum process, some on their own, some at the urging of smugglers, some at the urging of lawyers, to abuse it. They did not deserve asylum. But because the system worked in such a rinky-dinky, jerry-built way, they asked for it.

The amendment we proposed I think would have dealt with that issue in the right way. It would have been tougher than the present bill in eliminating all defensive asylum. In other words, the idea you come into this country, are here illegally or overstay your welcome, that you would no longer be allowed when the INS caught up with you and said you have to go home, to say ''Wait a minute, I claim asylum.'' You have no right in my judgment if you believe in America to not come forward affirmatively.

On the other hand, the bill does make a step forward in saying that if you come forward affirmatively, you should have to do it in 180 days rather than 30 days. However, I have become convinced, and I was the original sponsor of the 30-day bill, that there are lots of people, or a good number of people, who truly deserve asylum, who cannot come forward in that period of time.

The amendment that we had proposed would have been tougher on defensive asylum, but let some of these deserving people come into the country. I regret it has not been allowed to be debated, because I think we had solved the problem in the most equitable way, and yet we are not allowing it, and that is one of the reasons I will support the gentleman's amendment to modify the rule and allow that amendments like this one, carefully thought out, reasonable, dealing with the abuses, but not cutting off immigration altogether, be allowed.

Mr. DREIER. Mr. Speaker, I am happy to yield 2 minutes to the gentleman from Huntington Beach, CA [Mr. ROHRABACHER], my very good friend and the chairman of the Subcommittee on Energy and Environment.

Mr. ROHRABACHER. Mr. Speaker, I rise in support of this rule, but with a major reservation. I had planned to

offer an amendment which I feel is vital to stem the tide of illegal immigration pounding our Nation, but the Rules Committee did not make this amendment in order.

My amendment would have simply applied the employer telephone verification system in title IV of H.R. 2202 to Government agencies and require administrators of federally funded Government assistance programs to use the verification system to check the eligibility of applicants for public benefits.

As the bill stands now, only employers can use the telephone verification system to check on the eligibility of job applicants. Why shouldn't public agencies use the same verification system to check on the eligibility of applicants for federally funded benefits?

If the bill is left the way it is, it threatens to create a perverse incentive that makes it safer for illegal aliens to apply for welfare than to apply for jobs. This is insane. With our welfare system nearly stretched to the breaking point, why in the world are we making it easier for illegal aliens to get welfare than jobs?

We all know that a large number of illegal aliens use fake documents to get jobs. This is why we need a telephone verification system. But what everyone seems to be forgetting is that illegal aliens can use these same fake documents to get billions of dollars in public benefits.

I am glad to see that the Senate version of this bill does includes a verification system which is to be used to verify a person's eligibility for both welfare and employment. Hopefully, the House conferees will agree to the Senate's provision. If we truly want to get serious about stemming the tide of illegal immigration, we must eliminate the magnets which draw them here.

There are free enterprisers who claim not to care if illegal aliens come here to work.

But there is a dynamic at play that needs consideration. Many illegal immigrants work at wages so low even the illegal immigrants wouldn't accept the job—if not for the health care, education and other benefits provided by the taxpayers.

Government benefits subsidize the exploitation on illegals. As it turns out American taxpayers and illegal aliens are being exploited by avaricious businessmen who are not offering a living wage. Correcting the error of providing benefits will help solve the job problem as well.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from New Mexico [Mr. RICHARDSON].

(Mr. RICHARDSON asked and was given permission to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, historically our country has made few distinctions between legal immigrants and American citizens. Instead we have always drawn a clear line between legal immigrants and undocumented workers.

Our current debate, however, combines legal and illegal immigration and focuses mainly on the economic outcomes while neglecting our social, cultural and moral goals.

Too many people wrongly believe today that today's immigrants drain our economy and use far more welfare than native born Americans. Plain and simple, this is not true. Legal immigrants not only pay taxes and can be drafted in time of war, which are the main legal obligations of citizens, but they also start businesses, purchase goods and services, and create jobs, which is essential for the well-being of our economy.

We must address this issue in the rule and we should support the Chrysler-Berman amendment. If we are going to have immigration reform, legal immigration and reform, we should first of all promote the strength of families and their values through family reunification. We should also protect American workers from unfair competition while providing employers with appropriate access to international labor markets to promote our competitiveness. Third, we should promote naturalization to encourage full participation in the national community.

Instead, the bill as it is today drastically and unnecessarily restricts the ability of American citizens to reunite with family members, even clogs family members such as parents and some children. This bill fails to protect American workers in the legal immigration provisions. Last, it fails to recognize the role that naturalization can serve to advance the Nation's immigration policy.

But what really, really is the most dramatic and in a way hypocritical part of this proposal is the provision on guest workers. We have a new agricultural guest worker program. At the same time we are saying no to immigration, we are saying it is OK to bring guest workers into the country.

What this provision would do is it would increase illegal immigration, it would reduce work opportunities for American citizens and other legal residents, it would depress wages and work standards for U.S. farm workers, and it is not a sustainable solution to any labor shortage which might develop.

Mr. Speaker, this is an important bill because it strikes at the core of the men and women in this country. We are a Nation of immigrants. Let us do this bill right, let us do it humanely, let us try to be efficient about it. The first thing we should do is separate legal immigration and illegal immigration. They are two different parts of the issue, of our society, of our morals. And then let us also be consistent. Let us find ways to deal with deterring illegal immigration, finding ways to improve the legal immigration program, but not go ahead and start a guest worker program which is totally antithetical to what we are trying to do.

Historically, our Nation has made few distinctions between legal immigrants and American citizens. Instead we have always drawn a clear line between legal immigrants and undocumented aliens.

Our current debate, however, combines legal and illegal immigration and focuses mainly on the economic outcomes while neglecting our social, cultural, and moral goals.

Despite the fact that the majority of nonrefugee immigrants of working age use welfare far less than their American counterparts, and that the Federal Government spends less on immigrants than on citizens, this bill denies legal residents the same benefits as other Americans.

Too many people wrongly believe that today's immigrants drain our economy and use far more welfare than native-born Americans. Plain and simple, this is not true.

Legal immigrants not only pay taxes and can be drafted in time of war, which are the main legal obligations of citizens, but also start businesses, purchase goods and services, and create jobs, which is essential for the well-being of our economy.

The Immigration in the National Interest Act of 1995 treats legal and illegal immigration as if they were the same issue, places extreme income restrictions and eliminates family preference categories which will permanently keep American families apart.

Making good and fair policy requires clear separation of these two distinct parts of U.S. immigration policy.

☐ 1700

Mr. DREIER. Mr. Speaker, I yield 2 minutes to my good friend, the gentlewoman from Jacksonville, FL [Mrs. FOWLER].

(Mrs. FOWLER asked and was given permission to revise and extend her remarks.)

Mrs. FOWLER. Mr. Speaker, a recent survey I conducted found that over 90 percent of my constituents who responded support some type of immigration reform. Since my district is in Florida, that is not surprising. Florida consistently ranks among the top five States of residence for illegal immigrants, and consistently high levels of immigration exact a heavy toll upon our State's taxpayers and infrastructure. Our citizens also pay the price for unchecked immigration in the form of health, education, and welfare benefits that are diverted from lawful citizens to illegal aliens.

The overwhelming support for immigration reform that characterizes my district is not unique to Florida, however. It is mirrored across the Nation. I am a cosponsor of this bill because I believe that Congress has an obligation to respond to the concerns of the American people and reform our immigration laws.

The problems caused by illegal immigration are obvious. But a poorly constructed legal immigration system is also contrary to our national interest. America cannot be both the land of opportunity and the land of welfare dependency, and current law encourages many legal immigrants to participate in welfare programs directly or to bring elderly family members to the United States to retire at the taxpayer's expense. Our immigration system should reward those who bring

skills and initiative into this country, but it is not right to penalize our citizens by forcing them to pay benefits to people who have never contributed to the system.

Support for immigration reform cuts across all economic strata, as well as ethnic and social lines. Without compromising our commitment to opportunity and diversity, we must take the initiative and reform our immigration laws in such a way that they serve the needs of our lawful citizens. The Immigration in the National Interest Act provides this opportunity, and I urge my colleagues to support the rule and the bill.

Mr. BEILENSON. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. BECERRA].

(Mr. BECERRA asked and was given permission to revise and extend his remarks.)

Mr. BECERRA. Mr. Speaker, let me first acknowledge the work of the chairman of the subcommittee which I sit on, the gentleman from Texas [Mr. SMITH] for his work in trying to bring forward a bill on immigration.

Let me say that I am very disappointed in the rule today because, despite what we have constantly heard over the last 2 years from the new majority about having open rules, this is a very, very closed and restricted rule. Although we have about 32 amendments on the floor for debate, some for only 5 to 10 minutes, we had over 130 amendments that we wished to have heard, and unfortunately very few of those are now made in order.

This is also a very unfair bill. Despite the characterizations of this as a very fair bill, it is a very unfair bill for both American families and for American workers. Unfair for American families because the only choice American families have under this legislation to preserve their opportunity to bring in a spouse, a child, a brother or sister is to try to strike an entire portion of this bill. If we leave in that particular portion of the bill that deals with immigration of family members, what we will see is devastation for families trying to bring in their immediate family relatives.

For American workers, it is a devastating bill because it has no protection for American workers. In fact, on the contrary, what we see is a program that will allow up to 250,000 temporary foreign workers to be imported into this country to do the work that American workers are dying to be able to do. That is unfair to America's workers.

It is also unfair that this bill does nothing to try to enhance worker protections or the ability to enforce our current labor laws so that at the workplace we know that workers, American and those legally allowed to work in this country, are protected from abuse.

Everyone should strive for immigration reform. Talk to anyone. It makes no difference what poll we take or what poll we listen to. Everyone wants to see reform of our immigration laws. But it should be meaningful reform of our immigration laws. We should not be targeting legal immigrants because we have to attack the issue of illegal immigration.

Mr. Speaker, I would suggest to all the Members here to look closely at this legislation and vote with their heart and their mind. This is not a good bill. Vote against the rule.

Mr. DREIER. Mr. Speaker, I would remind my California colleague that we have made 32 amendments in order, which will allow for a full 2 days of debate looking at almost every aspect of this legislation.

Mr. Speaker, with that, I yield 1½ minutes to my very good friend, the gentleman from Roanoke, VA [Mr. GOODLATTE].

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman from California for yielding me this time.

I rise in strong support of this rule. I think it is a very fair rule. This legislation has been marked up very, very extensively in the Subcommittee on Immigration and Claims and in the full Committee on the Judiciary for weeks and weeks, and I think the legislation we brought forward is outstanding.

We have allowed nonetheless 32 separate opportunities to amend the bill, and I commend the Committee on Rules for their work and strongly support this rule. I also strongly support the underlying legislation.

I want to particularly call to my colleagues' attention an amendment that I strongly oppose, and that is the Chrysler-Berman-Brownback amendment that deals with what some are representing as splitting out the legal portion of this bill and only dealing with illegal immigration. The fact of the matter is this does not split the bill. In the Senate, they voted to split the bill and are actually moving two separate bills forward. But this amendment would not do that.

Mr. Speaker, what this amendment does is kill legal immigration reform because there is no provision anywhere to move forward with those provisions of the bill dealing with legal immigration. Therefore I would strongly urge the Members of the House to oppose that amendment when it comes up for consideration probably tomorrow.

I also would urge strong support for the amendment that I will be offering dealing with the H–2B program as a much more reasonable reform of the current H–2A program than to go with the Pombo amendment which sets up an entirely new program with 250,000 new nonimmigrants coming into the country. That is not good, and I would urge opposition to that and support for the rule.

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

Mr. DREIER. Mr. Speaker, I yield 1½ minutes to the hard-working gentleman from Iowa [Mr. GANSKE].

Mr. GANSKE. Mr. Speaker, I rise in support of the rule and this bill.

Mr. Speaker, my heritage is German, Irish, Polish, and even a little Bohemian, and my children are all of that plus Norwegian, and I appreciate America as a melting pot.

Our current immigration laws are broken and they must be fixed. One-quarter of all Federal prisoners are illegal aliens. Forty percent of all births in California's public hospitals are due to illegal aliens. In Los Angeles alone, 60 percent of all births in the county hospital are to women who are in this country illegally.

In the last 12 years, the number of immigrants applying for Social Security income has increased by 580 percent. These facts signal an immigration crisis in America. This bill is a bipartisan, reasonable bill that addresses serious flaws in the current law. The legislation doubles the number of border patrol agents, streamlines rules and procedures for removing illegal aliens and makes it tougher for illegal immigrants to fraudulently obtain jobs and take those jobs away from our citizens who need them.

Mr. Speaker, we must act quickly and decisively or the economic and social consequences for this country could be devastating. I urge my colleagues to support this bill and this rule.

Mr. DREIER. Mr. Speaker, I yield 1 minute to the gentlewoman from Miami, FL [Ms. ROS-LEHTINEN], who is here on the floor with her very able assistant Patty.

Ms. ROS-LEHTINEN. Mr. Speaker, I am an immigrant to this country. I arrived here in 1960 as a refugee from a tyranny that still rules the country of my birth, Cuba.

Immigration is an issue that has caught this country by storm, and the problems created by a growing number of illegal immigrants as well as by the reality that we do not have control over our borders have spilled over and clouded our collective judgment on legal immigration. I would like to make four quick points today.

First, there is a genuine need to address the problems of illegal immigration. Second, placing a cap on legal refugees is not in the best interest of the United States. Third, the assault on the current distribution of Federal funds through targeted assistance will leave my home area of Dade County with an unfunded mandate of at least $16 million.

Finally, I would like to salute the provisions in the bill which emphasizes becoming a U.S. citizen. As a naturalized American, I know that this is the type of positive approach that we needed more of in this bill, a positive, not a punitive approach. That is the way to solve our immigration crisis.

Mr. BEILENSON. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Texas [Mr. BRYANT], the ranking member of the subcommittee.

(Mr. BRYANT of Texas asked and was given permission to revise and extend his remarks.)

Mr. BRYANT of Texas. Mr. Speaker, I rise in opposition to the rule.

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

Mr. Speaker, to repeat, we appreciate the good work, the outstanding work, actually, of the Committee on the Judiciary in developing a thoughtful piece of legislation. It tries to deal with our immigration system which virtually everybody agrees is badly in need of reform.

We also appreciate the fairly good work of the Committee on Rules. We question only the fact that the Committee on Rules did not make in order several amendments which we think should have been made in order, and we urge our colleagues to defeat the previous question so that at least three of those amendments can be made in order.

We have mentioned them earlier. One of those amendments would replace the H–1B temporary-foreign temporary-worker provisions in the bill with provisions that protect American jobs. The second would promote self-sufficiency for refugees and make the Federal Government responsible for the full cost of refugees. That was the amendment spoken to earlier from the well by the gentleman from Wisconsin [Mr. OBEY].

The third one which I discussed at some length in my opening statement would hold businesses responsible for their hiring practices and for helping to protect jobs for Americans.

Mr. Speaker, as I said earlier, the intent of that amendment, which would increase civil penalties for already existing employer sanctions, is to finally stop employers from knowingly hiring immigrants who are here illegally. Increased penalties on employers have bipartisan support. They were advocated by our congressional task force on immigration, by the Jordan Immigration Commission, by the administration.

We have to take this opportunity, it seems to me, to strengthen the weak sanctions we approved 10 years ago. Penalties on employers who knowingly break the law have to be severe enough to deter them from coming to flout our immigration laws.

Mr. Speaker, if we are really serious about preventing illegals from seeking jobs and serious about employers from hiring illegals for those jobs which should be protected for Americans, we will pass this amendment.

Mr. Speaker, I include for the RECORD the text of the amendment that we are proposing, as follows:

AMENDMENT TO HOUSE RESOLUTION 384

After the period on page 5, line 13, insert the following:

''SEC. 3.—Notwithstanding any other provision in this resolution it shall be in order to consider the following amendments as if printed at the end of part 2 of the report to accompany this resolution as amendments No. 33, No. 34, and No. 35. Each amendment shall be debatable for 20 minutes.''

NO. 33, TO BE OFFERED BY MR. BEILENSON OF CALIFORNIA

At the end of title IV, add the following new sections (and conform the table of contents accordingly);

SEC. 408. EMPLOYER SANCTIONS PENALTIES.

(a) INCREASED CIVIL MONEY PENALTIES FOR HIRING, RECRUITING, AND REFERRAL VIOLATIONS.—Section 274A(e)(4)(A) (8 U.S.C. 1324(e)(4)(A)) is amended—

(1) in clause (i), by striking ''$250'' and ''$2,000'' and inserting ''$1,000'' and ''$3,000'', respectively;

(2) in clause (ii), by striking ''$2,000'' and ''$5,000'' and inserting ''$3,000'' and ''$8,000'', respectively; and

(3) in clause (iii), by striking ''$3,000'' and ''$10,000'' and inserting ''$8,000'' and ''$25,000'', respectively.

(b) INCREASED CIVIL MONEY PENALTIES FOR PAPERWORK VIOLATIONS.—Section 274A(e)(5) (8 U.S.C. 1324a(e)(5)) is amended by striking ''$100'' and ''$1,000'' and inserting ''$200'' and ''$5,000'', respectively.

(c) INCREASED CRIMINAL PENALTIES FOR PATTERN OR PRACTICE VIOLATIONS.—Section 274A(f)(1) (8 U.S.C. 1324a(f)(1)) is amended by striking ''$3,000'' and ''six months'' and inserting ''$7,000'' and ''two years'', respectively.

SEC. 409. INCREASED PENALTIES FOR EMPLOYER SANCTIONS INVOLVING LABOR STANDARDS VIOLATIONS.

(a) EMPLOYER SANCTIONS.—Section 274A(e) (8 U.S.C. 1324a(e)) is amended by adding at the end the following new paragraph:

''(10) AUTHORITY FOR INCREASED PENALTIES.—

''(A) IN GENERAL.—The administrative law judge shall have the authority to require payment of a civil money penalty in an amount up to two times the level of the penalty prescribed by this subsection in any case where the employer has been found to have committed willful or repeated violations of any of the following statutes:

''(i) The Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.), pursuant to a final determination by the Secretary of Labor or a court of competent jurisdiction.

''(ii) The Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801 et seq.), pursuant to a final determination by the Secretary of Labor or a court of competent jurisdiction.

''(iii) The Family and Medical Leave Act of 1993 (29 U.S.C. et seq.), pursuant to a final determination by a court of competent jurisdiction.

''(B) CONSULTATION.—The Secretary of Labor and the Attorney General shall consult regarding the administration of the provisions of this paragraph.''.

(b) ANTI-DISCRIMINATION.—Section 274B(g) (8 U.S.C. 1324b(g)) is amended by adding at the end the following new paragraph:

''(4) AUTHORITY FOR INCREASED PENALTIES.—

''(A) IN GENERAL.—The administrative law judge shall have the authority to require payment of a civil money penalty in an amount up to two times the level of the penalty prescribed by this subsection in any case where the employer has been found to have committed willful or repeated violations of any of the following statutes:

''(i) The Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.), pursuant to a final determination by the Secretary of Labor or a court of competent jurisdiction.

''(ii) The Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801 et seq.), pursuant to a final determination by the Secretary of Labor or a court of competent jurisdiction.

''(iii) The Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.), pursuant to a final determination by a court of competent jurisdiction.

''(B) CONSULTATION.—The Secretary of Labor and the Attorney General shall consult regarding the administration of the provisions of this paragraph.''

(c) Section 274C(d) (8 U.S.C. 1324c(d) is amended by adding at the end the following new paragraph:

''(7) INCREASED PENALTIES.—

''(A) IN GENERAL.—The administrative law judge shall have the authority to require payment of a civil money penalty in an amount up to two times the level of the penalty prescribed by this subsection in any case where the employer has been found to have committed willful or repeated violence of any of the following statutes:

''(i) The Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.), pursuant to a final determination by the Secretary of Labor or a court of competent jurisdiction.

''(ii) The Migrant and Seasonal Agricultural Worker Protection Act, (29 U.S.C. 1801 et seq.), pursuant to a final determination by the Secretary of Labor or a court of competent jurisdiction.

''(iii) The Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.), pursuant to a final determination by a court of competent jurisdiction.

''(B) CONSULTATION.—The Secretary of Labor and the Attorney General shall consult regarding the administration of the provisions of this paragraph.''

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to violations occurring on or after the date of the enactment of this Act.

SEC. 410. INCREASED CIVIL PENALTIES FOR UNFAIR IMMIGRATION-RELATED EMPLOYMENT PRACTICES.

(a) IN GENERAL.—Section 274(g)(2)(B)(iv) (8 U.S.C. 1324(g)(2)(B)) is amended—

(1) in subclause (I), by striking ''$250'' and ''$2,000'' and inserting ''$1,000'' and ''$3,000'', respectively;

(2) in subclause (II), by striking ''$2,000'' and ''$5,000'' and inserting ''$3,000'' and ''$8,000'', respectively;

(3) in subclause (III), by striking ''$3,000'' and ''$10,000'' and inserting ''$8,000'' and ''$25,000'', respectively; and

(4) in subclause (IV), by striking ''$100'' and ''$1,000'' and inserting ''$200'' and ''$5,000'', respectively.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to unfair immigration-related employment practices occurring on or after the date of the enactment of this Act.

SEC. 411. RETENTION OF EMPLOYER SANCTIONS FINES FOR LAW ENFORCEMENT PURPOSES.

(a) IN GENERAL.—Section 286(c) (8 U.S.C. 1356(c) is amended by striking the period at the end and inserting the following: ''and that all monies received during each fiscal year in payment of penalties under section 274A in excess of $5,000,000 shall be credited to the Immigration and Naturalization Service Salaries and Expenses appropriations account that funds activities and related expenses associated with enforcement of such section and shall remain available until expended.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply beginning with fiscal year 1997.

SEC. 413. SUBPOENA AUTHORITY.

(a) IMMIGRATION OFFICER AUTHORITY.—

(1) EMPLOYER SANCTIONS CASES.—Section 274A(e)(2) (8 U.S.C. 1324(e)(2)) is amended—

(A) by striking ''and'' at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph (B) and inserting'', and''; and

(C) by inserting after subparagraph (B) the following new subparagraph

''(C) immigration officers designated by the Commissioner may compel by subpoena the attendance of witnesses and the production of evidence at any designated place

prior to the filing of a complaint in a case under paragraph (3).''.

(2) DOCUMENT FRAUD CASES.—Section 274C(d)(1) (8 U.S.C. 1324(A)(3)(2)) is amended—

(A) by striking ''and'' at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph (B) and inserting '', and''; and

(C) by inserting after subparagraph (B) the following new subparagraph:

''(C) immigration officers designated by the Commissioner may compel by subpoena the attendance of witnesses and the production of evidence at any designated place prior to the filing of a complaint in a case under paragraph (2).''.

(b) SECRETARY OF LABOR SUBPOENA AUTHORITY.—(1) The Immigration and Nationality Act is amended by inserting after section 293 the following new section:

''SUBPOENA AUTHORITY OF SECRETARY OF LABOR

''SEC. 294. IN GENERAL.—The Secretary of Labor may issue subpoenas requiring the attendance and testimony of witnesses or the production of any records, books, papers, or documents in connection with any investigation or hearing conducted in the enforcement of any immigration program for which the Secretary of Labor has been delegated enforcement authority under the Act. In such hearing, the Secretary of Labor may administer oaths, examine witnesses, and receive evidence. For the purpose of any such hearing or investigation, the authority contained in section 9 and 10 of the Federal Trade Commission Act (15 U.S.C. 49, 50), relating to the attendance of witnesses and the production of books, papers, and documents, shall be available to the Secretary of Labor.''.

(b) CLERICAL AMENDMENT.—The table of contents is amended by inserting after the item relating to section 293 the following new item:

''Sec. 294. Subpoena authority of Secretary of Labor.''.

NO. 34, TO BE OFFERED BY MR. OBEY OF WISCONSIN

At the end of subtitle B of title VIII insert the following new sections:

SEC. 837. EXPANSION OF PERIOD AND SCOPE OF RESPONSIBILITY OF SPONSORING AGENCY.

(a) SPONSORING AGENCY RESPONSIBLE FOR FIRST 12 MONTHS.—

(1) IN GENERAL.—Section 412(a)(7)(C) of the Immigration and Nationality Act (8 U.S.C. 1522(a)(7)(c)) is amended by adding at the end following: ''Such responsibility shall extend over the 12-month period beginning with the first month in which such refugee has entered the United States and shall include responsibility for health insurance.''.

(2) INCREASE IN GRANT AMOUNTS TO REFLECT ADDITIONAL RESPONSIBILITIES.—The grant amounts provided under section 412(a) of the Immigration and Nationality Act for refugees who enter the United States on or after October 1, 1996, shall be increased by such amount as may be necessary to permit sponsoring agencies to assume the additional responsibilities required under the amendment made by paragraph (1), including providing greater case management in order to facilitate refugees' promptly securing employment and assimilating into the community.

(b) LIMITATION ON REFUGEE CASH AND MEDICAL ASSISTANCE.—Section 412(e) of the Immigration and Nationality Act (8 U.S.C. 1522(e)) is amended by adding at the end the following new paragraph:

''(9) Notwithstanding any other provision of law, during the first 12 months of such 36-month period, during which the sponsoring agency is responsible under subsection (a)(7)(C) for meeting basic needs (including health insurance), only elderly and disabled refugees are eligible for any Federal or State program of cash or medical assistance.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to refugees who enter the United States on or after October 1, 1996.

SEC. 3. EDUCATIONAL IMPACT AID.

(a) IN GENERAL.—Section 412(d) of the Immigration and Nationality Act (8 U.S.C. 1522(d)) is amended by adding at the end the following new paragraph:

''(3)(A) The Secretary of Education is authorized to make grants, and enter into contracts, for payments to local educational agencies which are identified as being heavily and disproportionately impacted by groups of refugees that are historically dependent on welfare or otherwise historically more difficult to assimilate into the community.

''(B) The amount of payment to a local educational agency shall be based on the number of refugees served by the agency and the average per pupil costs in the State in which the agency is located.

''(C) Funds provided under this paragraph may be used to pay for educational services for refugees, including purposes described in section 7307 of the Elementary and Secondary Education Act of 1965.

''(D) The number of refugees shall be computed under this paragraph without regard to the period of time in which the refugees have been in the United States.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to fiscal years beginning with fiscal year 1997.

NO. 35, TO BE OFFERED BY MR. BRYANT OF TEXAS

Amend section 806 to read as follows:

SEC. 806. CHANGES RELATING TO H–1B NONIMMIGRANTS.

(a) ATTESTATIONS.—

(1) COMPENSATION LEVEL.—Section 212(n)(1)(A)(i) (8 U.S.C. 1182(n)(1)(A)(i)) is amended—

(A) in subclause (I), by inserting ''100 percent of'' before ''the actual wage level'',

(B) in subclause (II), by inserting ''100 percent of'' before ''the prevailing wage level'', and

(C) by adding at the end the following: ''is offering and will offer during such period the same benefits and additional compensation provided to similarly-employed workers by the employer, and''.

(2) DISPLACEMENT OF UNITED STATES WORKERS.—Section 212(n)(1) (8 U.S.C. 1182(n)(1)) is amended by inserting after subparagraph (D) the following new subparagraph:

''(E)(i) The employer—

''(I) has not, within the six-month period prior to the filing of the application, laid off or otherwise displaced any United States worker (as defined in clause (ii)), including any worker obtained by contract, employee leasing, temporary help agreement, or other similar basis, in the occupational classification which is the subject of the application and in which the nonimmigrant is intended to be (or is) employed; and

''(II) within 90 days following the application, and within 90 days before and after the filing of a petition for any H–1B worker pursuant to that application, will not lay off or otherwise displace any United States worker in the occupational classification which is the subject of the application and in which the nonimmigrant is intended to be (or is) employed.

''(ii) For purposes of this subparagraph, the term 'United States worker' means—

''(I) a citizen or national of the United States;

''(II) an alien lawfully admitted to the United States for permanent residence; and

''(III) an alien authorized to be so employed by this Act or by the Attorney General.

''(iii) For purposes of this subparagraph, the term 'laid off', with respect to an employee, means the employee's loss of employment, other than a discharge for cause or a voluntary departure or voluntary retirement.''.

(3) RECRUITMENT OF UNITED STATES WORKERS.—Section 212(n)(1) (8 U.S.C. 1182(n)(1)), as amended by paragraph (2), is further amended by inserting after subparagraph (E) the following new subparagraph:

''(F) The employer, prior to filing the application, attempted unsuccessfully and in good faith to recruit a United States worker for the employment that will be done by the alien whose services are being sought, using recruitment procedures that meet industry-wide standards and offering wages that are at least—

''(i) 100 percent of the actual wage level paid by the employer to other individuals with similar experience and qualifications for the specific employment in question, or

''(ii) 100 percent of the prevailing wage level for individuals in such employment in the area of employment, whichever is greater, based on the best information available as of the date of filing the application, and offering the same benefits and additional compensation provided to similarly-employed workers by the employer.''.

(4) DEPENDENCE ON H–1B WORKERS.—Section 212(n)(1) (8 U.S.C. 1182(n)(1)), as amended by paragraphs (2) and (3), is further amended by inserting after subparagraph (F) the following new subparagraph:

''(G)(i) Whether the employer is dependent on H–B workers, as defined in clause (ii) and in such regulations as the Secretary of Labor may develop and promulgate in accordance with this paragraph.

''(ii) For purposes of clause (i), an employer is 'dependent on H–1B workers' if the employer—

''(I) has fewer than 41 full-time equivalent employees who are employed in the United States and employs four or more nonimmigrants under section 101(a)(15)(H)(i)(b); or

''(II) has at least 41 full-time equivalent employees who are employed in the United States, and employees nonimmigrants described in section 101(a)(15)(H)(i)(b) in a number that is equal to at least ten percent of the number of such full-time equivalent employees.

''(iii) In applying this subparagraph, any group treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of the Internal Revenue Code of 1986 shall be treated as a single employer under this subparagraph. Aliens with respect to whom the employer has filed such an application shall be treated as employees, and counted as nonimmigrants under section 101(a)(15)(H)(i)(b), under this paragraph.''.

(5) JOB CONTRACTORS.—(A) Section 212(n)(1) (8 U.S.C. 1182(n)(1)), as amended by paragraphs (2) through (4), is further amended by inserting after subparagraph (G) the following new subparagraph:

''(H) In the case of an employer that is a job contractor (within the meaning of regulations promulgated by the Secretary of Labor to carry out this subsection), the contractor will not place any H–1B employee with another employer unless such other employer has executed an attestation that the employer is complying and will continue to comply with the requirements of this paragraph in the same manner as they apply to the job contractor.''.

(B) Section 212(n)(2) (8 U.S.C. 1182(n)(2)) is amended by adding at the end the following new subparagraph:

''(E) The provisions of this paragraph shall apply to complaints respecting a failure of another employer to comply with an attestation described in paragraph (1), that has been made as the result of the requirement imposed on job contractors under paragraph (1)(H), in the same manner that they apply to complaints of a petitioner with respect to a failure to comply with a condition described in paragraph (1) by employers generally.''.

(b) SPECIAL RULES FOR EMPLOYERS DEPENDENT ON H–1B WORKERS.—Section 212(n) (8 U.S.C. 1182(n)) is amended by adding at the end the following new paragraph:

''(3)(A) No alien may be admitted or provided status as a nonimmigrant described in section 101(a)(15)(H)(i)(b) if the employer who is seeking the services of such alien has attested under paragraph (1)(G) that the employer is dependent on H–1B workers unless the following conditions are met:

''(i) The Secretary of Labor has determined and certified to the Secretary of State and the Attorney General that the employer who is seeking the services of such alien is taking steps described in subparagraph (C) (including having taken the step described in subparagraph (D)).

''(ii) The alien has demonstrated to the satisfaction of the Secretary of State and the Attorney General that the alien has a residence abroad which he has no intention of abandoning.

''(B)(i) It is unlawful for a petitioning employer to require, as a condition of employment by such employer, or otherwise, that the fee described in subparagraph (A)(i), or any part of it, be paid directly or indirectly by the alien whose services are being sought.

''(ii) Any person or entity which is determined, after notice and opportunity for an administrative hearing, to have violated clause (i) shall be subject to a civil penalty of $5,000 for each violation, to an administrative order requiring the payment of the fee described in subparagraph (A)(i), and to disqualification for 1 year from petitioning under section 204 or 214(c).

''(iii) Any amount determined to have been paid, directly or indirectly, to the fund by the alien whose services were sought, shall be repaid from the fund or by the employer, as appropriate, to such alien.

''(C)(i) An employer who attests under paragraph (1)(G) to dependence on H–1B workers shall take timely, significant, and effective steps (including the step described in subparagraph (D)) to recruit and retain sufficient United States workers in order to remove as quickly as reasonably possible the dependence of the employer on H–1B workers.

''(ii) For purposes of clause (i), steps under clause (i) (in addition to the step described in subparagraph (D)) may include the following:

''(I) Operating a program of training existing employees who are United States workers in the skills needed by the employer, or financing (or otherwise providing for) such employees' participation in such a training program elsewhere.

''(II) Providing career development programs and other methods of facilitating United States workers in related fields to acquire the skills needed by the employer.

''(III) Paying to employees who are United States workers compensation that is equal in value to more than 105 percent of what is paid to persons similarly employed in the geographic area.

The steps described in this clause shall not be considered to be an exhaustive list of the significant steps that may be taken to meet the requirements of clause (i).

''(iii) The steps described in clause (i) shall not be considered effective if the employer has failed to decrease by at least 10 percent in each of two consecutive years the percentage of the employer's total number of employees in the specific employment in which the H–1B workers are employed which is represented by the number of H–1B workers.

''(iv) The Attorney General shall not approve petitions filed under section 204 or 214(c) with respect to an employer that has not, in the prior two years, complied with the requirements of this subparagraph (including subparagraph (D)).

''(D)(i) The step described in this subparagraph is payment of an amount consistent with clause (ii) by the petitioning employer into a private fund which is certified by the Secretary of Labor as dedicated to reducing the dependence of employers in the industry of which the petitioning employer is a part on new foreign workers and which expends amounts received under this subclause consistent with clause (iii).

''(ii) An amount is consistent with this clause if it is a percent of the value of the annual compensation (including wages, benefits, and all other compensation) to be paid to the alien whose services are being sought, equal to 5 percent in the first year, 7.5 percent in the second year, and 10 percent in the third year.

''(iii) Amounts are expended consistent with this clause if they are expended as follows:

''(I) One-half of the aggregate amounts are expended for awarding scholarships and fellowships to students at colleges and universities in the United States who are citizens or lawful permanent residents of the United States majoring in, or engaging in graduate study of, subjects of direct relevance to the employers in the same industry as the petitioning employer.

''(II) One-half of the aggregate amounts are expended for enabling United States workers in the United States to obtain training in occupations required by employers in the same industry as the petitioning employer.''.

(c) INCREASED PENALTIES FOR MISREPRESENTATION.—Section 212(n)(2)(C) (8 U.S.C. 1182(n)(2)(C)) is amended—

(1) in subparagraph (C) in the matter before clause (i), by striking ''(1)(C) or (1)(D)'' and inserting ''(1)(C), (1)(D), (1)(E), or (1)(F) or to fulfill obligations imposed under subsection (b) for employers defined in subsection (a)(4)'';

(2) in subparagraph (C)(i), by striking ''$1,000'' and inserting ''$5,000'';

(3) by amending subparagraph (C)(ii) to read as follows:

''(ii) the Attorney General shall not approve petitions filed with respect to that employer (or any employer who is a successor in interest) under section 204 or 214(c) for aliens to be employed by the employer—

''(I) during a period of at least 1 year in the case of the first determination of a violation or any subsequent determination of a violation occurring within 1 year of that first violation or any subsequent determination of a nonwillful violation occurring more than 1 year after the first violation;

''(II) during a period of at least 5 years in the case of a determination of a willful violation occurring more than 1 year after the first violation; and

''(III) at any time in the case of a determination of a willful violation occurring more than 5 years after a violation described in subclause (II).''; and

(3) in subparagraph (D), by adding at the end the following: ''If a penalty under subparagraph (C) has been imposed in the case of a willful violation, the Secretary shall impose an additional civil monetary penalty on the employer in an amount equalling twice the amount of backpay.''.

(d) LIMITATION ON PERIOD OF AUTHORIZED ADMISSION.—Section 214(g)(4) (8 U.S.C. 1184(g)(4)) is amended—

(1) by inserting ''or section 101(a)(15)(H)(ii)(b)'' after ''section 101(a)(15)(H)(i)(b)''; and

(2) by striking ''6 years'' and inserting in lieu thereof ''3 years''.

(e) REQUIREMENT FOR RESIDENCE ABROAD.—Section 101(a)(15)(H)(i)(b) (8 U.S.C. 1101(a)(15)(H)(i)(b)) is amended by inserting ''who has a residence in a foreign country which he has no intention of abandoning,'' after ''212(j)(2),''.

(f) EFFECTIVE DATES.—

(1) Except as provided in paragraph (2), the amendments made by this section shall take effect 60 days after the date of the enactment of this Act.

(2) The amendments made by subsection (d) shall apply with respect to offenses occurring on or after the date of enactment of this Act.

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

Mr. Speaker, again I rise in strong support of this very fair and balanced rule. The issue of illegal immigration and legal immigration are among the most pressing that we will face in the 104th Congress. The Federal Government, through the legislative branch, is finally stepping up to the plate and acknowledging its responsibility to deal with the issue of illegal immigration, and we are calling for the very important reforms to legal immigration that the American people believe are essential.

I said the legislative branch because, unfortunately, this administration has failed time and time again to deal with the issue of illegal immigration. As we looked at questions like proposition 187 in California, it was designed to end the magnet of government services drawing people illegally across the border. President Clinton fought hard against proposition 187. Fortunately the voters of California overwhelmingly passed proposition 187.

When we look at the issue of the Federal Government reimbursing the States for the incarceration of illegal immigrant felons, what happened? President Clinton vetoed that legislation. When we look at a wide range of proposals, we have had to tackle this issue time and time again. Our friend down at 1600 Pennsylvania Avenue has stood in the way of our attempts to deal responsibly with this.

Mr. BEILENSON. Mr. Speaker, would my friend yield on that subject?

Mr. DREIER. Mr. Speaker, I am trying to give my closing remarks.

Mr. BEILENSON. They are the same as your opening remarks, I would say to my friend. I want to say this only in fairness. As the gentleman well knows, this is a bipartisan issue that many of us on both sides have been working hard together on. And I really think it is fair to point out that the gentleman's comment about the President, his position, is unfair and uncalled for.

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This is the first administration in history that has tried to help us do something about illegal immigration. Neither he, nor we, have been entirely successful.

Mr. DREIER. Reclaiming my time, Mr. Speaker, I am simply stating the facts on what this administration has done. The President vetoed the bill that called for funding for reimbursement to the States for the incarceration of illegals. The President opposed proposition 187.

Mr. BEILENSON. Mr. Speaker, I say to the gentleman, and that money is flowing to California.

The SPEAKER pro tempore (Mr. RIGGS). The gentleman from California [Mr. DREIER] declines to yield to the gentleman from California [Mr. BEILENSON].

Mr. DREIER. Mr. Speaker, I appreciate the very kind remarks from my friend from Los Angeles.

Mr. Speaker, I am stating the facts as to what this administration has done. The President stood here in his State of the Union message and said he is what my friend, the gentleman from California [Mr. BEILENSON] just said, the first President to stand up and deal with this issue. The fact of the matter is when he has had opportunities to deal with it he has not.

Yes, the legislative branch in a bipartisan way is recognizing the importance of this, and this rule allows us to bring forward bipartisan amendments and amendments the Democrats offer. We will have 32 amendments that will be considered.

Now it is my hope that we will be able to pass this quickly over the next couple of days, get an agreement with the Senate on this and get it to the President, so he can sign this legislation and so that he will be able to be exactly what my friend, the gentleman from California [Mr. BEILENSON], claims that he is. Unfortunately he has not been that up to this point, but we are going to give him a chance to do it.

Pass this rule, pass this very important legislation, so that we can turn the corner on these very important problems that we face.

Mr. Chairman, I rise in support of the rule on H.R. 2202, the Immigration in the National Interest Act.

Before the House begins debate on the immigration reform measure before us today, I wanted to set the stage for this debate and to put H.R. 2202 into a proper perspective.

For many years the American people have expressed frustration that its leaders in Congress have failed to enact tough policies which would eliminate the high levels of illegal entry into our country.

After the highly controversial amnesty of 1986 and today's feeling of deja vu all over again, the American people are demanding action.

Sensing this national frustration and recognizing that one of the most critical challenges facing the 104th Congress was the passage of comprehensive and effective immigration reform legislation, Speaker GINGRICH last year appointed me chairman of a Congressional Task Force on Immigration Reform.

This 54-member, bipartisan task force was asked by the Speaker to review existing laws and practices to determine the extent of needed reform and to provide a report with recommendations to him by June 1995.

To expedite our work, the task force was organized into 6 working groups focusing on the most crucial areas of immigration policy—border enforcement, workplace enforcement, public benefits, political asylum, deportation, and visa overstays. I want to again thank the chairs of those groups, Representatives ROYCE, DEAL, GOSS, MCCOLLUM, CONDIT, and GOODLATTE for all their hard work.

In order to obtain a first-hand understanding of the problem, the task force reviewed the record of the Immigration Reform and Control Act of 1986, received testimony and reports from a wide range of individuals and organizations and conducted 3 fact-finding missions to San Diego, New York, and Miami. With an estimated 4 million persons illegally crossing the border each year the issues of border enforcement and enhancement, political asylum, and refugees were explored at these major ports of entry. The insights we gained during these trips were critical to our efforts to find effective solutions to the problem of illegal immigration. I would like to thank all of the members who accompanied me on those visits.

Once the investigating and fact finding concluded the task force set out to produce a comprehensive and results oriented report.

On June 29, the task force presented to the Speaker its findings and recommendations.

Our Task Force concluded that the 1986 IRCA law had failed to deter illegal immigration; that the Federal Government did not provide the necessary resources to combat the problem; and that the incentives which bring people here illegally—employment, social welfare benefits, and free education—had to be seriously addressed or our success at ending this problem would be minimal.

Our Task Force made 100 separate recommendations ranging from ways to enhance and enforce existing policies such as additional border patrol agents and new barriers, to proposing enactment of new, but forceful laws regarding criminal incarceration and verification.

Mr. Chairman, we all know task forces come and task forces go and little is ever accomplished. We knew that our work to produce the report was just the beginning and that we had to translate our efforts into meaningful legislation.

Working closely with Immigration Subcommittee Chairman LAMAR SMITH, who deserves so much praise for his efforts, the task force was successful in including over 25 of our recommendations in H.R. 2202 when it was first introduced.

By the time H.R. 2202 emerged from the subcommittee and full Judiciary Committee markups, over 80 percent of our recommendations were incorporated into what I consider a forceful bill.

In conclusion my colleagues, America is often described as a land of immigrants. But it is also true that certain areas of this Nation have become a land of illegal immigrants. Despite the amnesty of 1986, it is estimated that between 4 and 6 million persons are in this country illegally with that number growing by 300,000 each year.

America is also referred to as the ''land of opportunity.'' Again, that is true. But America is not the land of unlimited resources. The impact of illegal immigration is profound: It severely affects our Federal budget as well as those of our State and local governments. It contributes to high crime rates and is often linked to criminal activities such as narcotics trafficking. It displaces American workers. And most of all, it is in itself against the law.

My colleagues, the legislation before you today is the product of a very intense and comprehensive review of our current immigration crisis. And believe me, we are in a crisis.

The provisions of H.R. 2202 provide the legislative reforms and enforcement procedures necessary to accomplish our two principle objectives—discouraging and preventing illegal entry, and identifying, apprehending, and removing illegals already here.

I am proud of the work of the task force which I chaired which has become such an integral part of H.R. 2202. I urge all Members to support this bill—it is legislation which is absolutely needed.

Mr. Chairman, I include for the RECORD an Executive Summary of the Congressional Task Force on Immigration Reform.

MEMBERS OF THE CONGRESSIONAL TASK FORCE ON IMMIGRATION REFORM

Chairman: Elton Gallegly (R–CA).
Matt Salmon (R–AZ).
Bob Stump (R–AZ).
Duke Cunningham (R–CA).
Dana Rohrabacher (R–CA).
Bill Baker (R–CA).
Brian Bilbray (R–CA).
John Doolittle (R–CA).
Jane Harman (D–CA).
Stephen Horn (R–CA).
Jay Kim (R–CA).
Carlos Moorhead (R–CA).
George Radanovich (R–CA).
Andrea Seastrand (R–CA).
Porter Goss (R–FL).
Charles Canady (R–FL).
Cliff Stearns (R–FL).
Nathan Deal (R–GA).
Michael Flanagan (R–IL).
Dan Burton (R–IN).
Billy Tauzin (D–LA).
Barbara Vucanovich (R–NV).
Bill Martini (R–NJ).
Jim Saxton (R–NJ).
Charles Taylor (R–NC).
John Duncan (R–TN).
Bill Archer (R–TX).
Bob Goodlatte (R–VA).
John Shadegg (R–AZ).
Tony Beilenson (D–CA).
Gary Condit (D–CA).
Ed Royce (R–CA).
Howard Berman (D–CA).
Ken Calvert (R–CA).
David Dreier (R–CA).
Wally Herger (R–CA).
Duncan Hunter (R–CA).
Buck McKeon (R–CA).
Ron Packard (R–CA).
Frank Riggs (R–CA).
Christopher Shays (R–CT).
Karen Thurman (D–FL).
Bill McCollum (R–FL).
Mark Foley (R–FL).
Dennis Hastert (R–IL).
Thomas Ewing (R–IL).
Jan Meyers (R–KS).
Bill Emerson (R–MO).
Joe Skeen (R–NM).
Marge Roukema (R–NJ).
Susan Molinari (R–NY).
Frank Cremeans (R–OH).
Ed Bryant (R–TN).
Pete Geren (D–TX).

TASK FORCE MISSION AND ORGANIZATION

The Congressional Task Force on Immigration Reform was created by Speaker Newt Gingrich at the beginning of the 104th session of Congress. It has become apparent to many Americans that the federal government has failed in its efforts to enforce existing laws, to enact new laws or adopt effective policies to prevent illegal immigration.

Speaker Gingrich created the Task Force to find solutions to the on-going crisis of illegal immigration. Specifically, the Speaker charged the Task Force with stopping all illegal immigration at the border and finding the means to remove illegal aliens who are already in the United States.

Congressman Elton Gallegly (R–CA) was named Chairman of the Task Force, which is comprised of fifty four Members of Congress, both Republicans and Democrats. The Task Force was asked to provide a report to the Speaker and relevant congressional committees by June 30, 1995. Chairman Gallegly was asked by the Speaker to develop recommendations to end illegal entry and to encourage those residing in our country illegally to return to their homeland.

In preparing this report, the Task Force on Immigration Reform reviewed existing laws; committee reports; testimony before Committees of Congress; and various existing reports prepared by a wide-range of organizations and individuals. To enhance the expertise of the panel and obtain a first-hand view of the problem, the Task Force conducted fact-finding missions to San Diego, California; New York, New York; and Miami, Florida.

The Task Force was organized into six working groups to focus on the most crucial areas of immigration policy that need to be reformed: Border Enforcement, Chaired by Congressman Royce (R–CA); Workplace Enforcement, Chaired by Congressman Deal (R–GA); Public Benefits, Chaired by Congressman Goss (R–FL); Political Asylum, Chaired by Congressman McCollum (R–FL); Deportation, Chaired by Congressman Condit (D–CA); and Visa Overstays, Chaired by Congressman Goodlatte (R–VA). These working groups made specific recommendations to the entire Task Force.

This report represents the findings and recommendations agreed to by the members of the Immigration Reform Task Force, as requested by the Speaker. Members who were not in agreement with recommendation of the Task Force were invited to present dissenting views. They are included in Appendix II of this report. The recommendations contained within this report are to serve as the basis for administrative and legislative reform of immigration policy during the 104th Congress.

EXECUTIVE SUMMARY

Background

America is often described as a ''land of immigrants''. That is true, but it is also true that certain areas of the United States have become a land of illegal immigrants. The Immigration and Naturalization Service estimates there are over four million illegal aliens in the United States and the number is growing by 300,000 to 400,000 per year. These figures indicate a failure of the federal government to honor its constitutional obligation to secure the nation's borders. Only the federal government can pass, implement, and enforce immigration laws.

America is also often described as a ''land of opportunity.'' While that is also true, our nation is not a nation of unlimited resources. The impact of illegal immigration is profound: it severely affects certain local, state and federal budgets; it increases the crime rate and threat to public safety; it displaces American workers; and it is linked to narcotics trafficking. But most of all, illegal immigration is in itself against the law.

This report discusses the various impacts of illegal immigration at federal, state and local levels. The Task Force finds that the Immigration Reform and Control Act of 1986 (IRCA), the last major attempt by Congress to deal with illegal immigration, has failed. Provisions to deter illegal entry and to identify, apprehend and deport individuals residing in the nation illegally have failed in large measure due to the lack of resources provided to INS to do its job and to do it well.

Recommendations

The recommendations of the Task Force provide the legislative reforms and enforcement procedures necessary to accomplish the two principal objectives identified by the Speaker—to prevent illegal entry and to identify, apprehend and remove illegal aliens already in this country. The Congressional Task Force on Immigration Reform is confident that if the recommendations set forth in this Report are implemented, the federal government can accomplish both of these goals and put an end to illegal immigration.

Preventing and Deterring Illegal Entry

Restoring credibility to our immigration policy must start with preventing illegal entry into the United States: Tightening security at the border and imposing severe consequences on those who attempt to illegally enter the country. Lax law enforcement efforts have had grave public safety, economic and social consequences on the U.S. side of the border while causing death and misery to illegal aliens attempting to cross into the United States.

The key recommendations by the Task Force to improve security at and between ports of entry include:

Merge Customs enforcement with INS enforcement at ports of entry to overcome management deficiencies and streamline operations.

Double the number of border patrol agents stationed at the border to 10,000 in three years.

Form a mobile border patrol response team so that INS is prepared and can respond to emergency situations.

Construct triple barrier fences and lighting at appropriate urban areas on the border to assistance law enforcement.

Expand pre-inspection in foreign airports to more easily deny entry to persons with fraudulent documents or criminal backgrounds.

In order to effectively deter illegal immigration, laws must be strengthened and enforced so there are consequences for individuals who attempt to enter the country illegally. The Task Force offers the following main recommendations in this area:

Impose a mandatory fine of no less than $50 and no more than $250 for aliens who attempt to enter the country illegally.

For illegal aliens caught re-entering the country twice within one year, the INS would have the ability to seize assets.

Mandatory prosecution and full sentencing of all illegal aliens caught re-entering the United States over 2 times.

Increase penalties for immigrant smuggling so that first offenses carry fines and a minimum of three years imprisonment, assessed on a per immigrant (rather than transaction) basis; a doubling of penalties for employers who knowingly use immigrant smugglers; and adding immigrant smuggling to the list of crimes punishable under current anti-racketeering laws (RICO).

The most powerful ''pull'' factors are access to jobs and public benefits. Taking away access to jobs and public benefits will deter future illegal entry while acting as an incentive for illegal aliens already in the country to return to their country of citizenship. Task Force recommendations in this area include:

Implement an aggressive campaign against fraudulent documents by creating an interstate database of birth and death records and standardizing birth certificates.

Increase criminal penalties for possession and production of fraudulent documents from five years to fifteen years.

Implement two pilot programs for worker verification: One pilot would provide for a computerized registry using INS and Social Security data and the other would provide for a tamper-proof social security card.

Increase penalties on businesses who hire illegal aliens.

Deny all federal public benefits to illegal aliens except emergency medical services.

Provide states with the ability to provide or deny public education for primary, secondary, and post-secondary education to illegal aliens.

Require illegal aliens who have received or are receiving public benefits or services illegally to pay back the full costs of these benefits and services, with penalties.

Allow states to notify INS of the presence of illegal aliens so that INS can apprehend and deport such individuals.

End birthright citizenship to children of illegal immigrants.

Removal of illegal aliens residing in the United States

The United States must have the will and capability to remove illegal immigrants. An important part of the Task Force's strategy involves the deportation and exclusion of illegal aliens, as well as reform of the political asylum process. INS must be equipped, both in terms of resources and legislative reforms, to detain and physically remove aliens who have forfeited the right to be in this country.

The key recommendations by the Task Force to exclude or deport aliens who are violating our laws are:

Increase INS detention space to at least 9,000 beds.

Use closed military bases for the detention of inadmissable or deportable aliens.

Provide for expedited exclusion at ports of entry to prevent the entry of illegal aliens.

Streamline deportation process to reduce time to process cases.

Keep deportation orders in force for deported aliens who re-enter the United States illegally to more efficiently use INS' limited resources.

Extend minimum deportation period from five to ten years for illegal aliens.

Designate aliens who enter without INS inspection as excludable, placing them in the same position as aliens who attempt to enter illegally at a port of entry.

Require detention of all criminal aliens.

Provide for Federal reimbursement to state and local governments for the costs of incarcerating criminal aliens.

Mandate INS to take custody of criminal aliens on probation and parole before they are released onto our streets.

Modify prisoner transfer treaty programs to save taxpayers' dollars.

Deport criminal aliens to the interior of their native country to prevent immediate re-entry.

Significantly increase resources to prosecute deported felons who illegally re-enter our country.

Develop computerized system to identify visa overstays to increase deportations of long-term violators.

Deny long-term visa overstays from receiving future visas.

Tighten visa issuance procedures in problem countries.

Eliminate consulate shopping for persons seeking visas to improve screening of visa applicants.

Restrict visa waiver program to countries with low visa overstay rates.

This strategy also includes long overdue political asylum reforms. Simply put, the abuse in this system has to be stopped. Persons with valid claims who are fleeing persecution abroad need to be processed and approved quickly. On the other hand, those

with fraudulent applications need to be adjudicated and returned overseas without tying up our courts for years. Key recommendations are:

Provide procedures for expedited exclusion of persons claiming asylum.

Streamline present exclusion procedures and decrease length of asylum process.

Deny political asylum to alien terrorists.

Establish proactive interdiction programs to respond more effectively to immigration emergencies.

Mr. NADLER. Mr. Speaker, I rise in opposition to this closed rule.

I had filed two important amendments with the Rules Committee be made in order. Although these amendments have drawn bipartisan support in this House, and far reaching support from religious organizations, such as the U.S. Catholic Conference and major Jewish and Protestant organizations, the Rules Committee did not see fit to allow debate on either of them.

This decision is especially troubling because, unless these major flaws in this bill are corrected, this country will inevitably deport those fleeing persecution back into the hands of their oppressors.

The first amendment I proposed would have ensured that individuals subject to deportation as accused terrorists would have a reasonable opportunity to answer those charges, with appropriate due process. Under the bill as reported, an alien, including a permanent resident who may have resided in the United States for decades, accused of being a terrorist may be removed based on classified evidence that the accused may not review. In fact, the accused need not be provided with so much as a declassified summary of the information.

Moreover, the bill provides for a special panel of attorneys who would be appointed by the court and precleared to review the classified information, but who could not discuss that vital evidence with their clients. All such evidence would be reviewed by the court in camera and ex parte. While deporting alien terrorists must remain a high priority, experience demonstrates that there is no need to give the Attorney General the unchecked power to declare individuals as terrorists and deport them.

My amendment follows the approach taken by the Congress in enacting the Classified Information Procedures Act [CIPA], a statute that has worked well in criminal cases which have a higher burden of proof. In fact, the Judiciary Committee received no evidence that CIPA had not worked well in practice. Under CIPA, if the Government believes some of the evidence is too sensitive to reveal, it may present the accused with a summary of the evidence that would provide the accused with the same ability to prepare a defense. If no such summary is possible, that information may not be used in the case.

Without this amendment, H.R. 2202 will establish the modern equivalent of the ''Star Chamber'' court, in which the accused could be deported without the opportunity to know the charges or evidence and with no realistic opportunity to answer those charges.

My second amendment would have modified the procedure for expedited exclusion of individuals arriving at the border without appropriate documents. The bill presumptively considers such individuals to be presumptively engaged in immigration fraud and allows their exclusion merely on the unreviewed judgment of an immigration officer and his or her supervisor. That false presumption actually gets the case backward. It is precisely those who are fleeing persecution who are least likely to receive proper travel papers, whether they are fleeing coercive population policies in China or religious persecution in Iran. Their fate should not be left to the unreviewed judgment of an immigration officer and his or her supervisor.

My amendment would have ensured that fraud is controlled without this Nation sending individuals who are truly fleeing persecution into the hands of their persecutors.

I believe that, while all Americans want us to do everything we can to ensure that our immigration laws are respected and enforced, they do not want us to violate individual rights in ways that would send innocent people back into the hands of repressive governments.

Many of our families arrived on these shores seeking a better life of freedom and justice. We violate that basic American birthright if we pass these draconian and unnecessary provisions. At the very least, this House deserves the opportunity to examine whether there is a better, more just way to achieve the important end of ensuring the strict enforcement of our immigration laws.

I urge the rejection of this closed rule.

Mr. BRYANT of Texas. Mr. Speaker, I am the ranking minority member on the Judiciary Committee's Subcommittee on Immigration. I am an original cosponsor of H.R. 2202, the Immigration in the National Interest Act. I have supported the bill and worked to improve it throughout the legislative process to date.

I did not expect to have every amendment I might have wanted to offer on the House floor to be made in order, so I only filed three. I told the members of the Rules Committee that I considered two to be crucial. Only one was made in order under this rule. Inexplicably, my amendment to protect American jobs for American workers was not.

While the H–1B language in H.R. 2202 makes some improvement, it does not go far enough. Under the bill skilled American workers still can be laid off and replaced with H–1B nonimmigrant foreign workers to do their jobs. It was contrary to good public policy when it was enacted—and I voted against it—and it is contrary to good public policy now.

My amendment will protect skilled U.S. workers from being laid off to benefit foreign workers. It will require employers to recruit U.S. workers who have the skills for these jobs. it will require employers to help train U.S. workers who want these jobs. And, it will give U.S. workers a better shot at getting those jobs. H.R. 2202 does none of this.

And, don't be fooled by assertions that my amendment will somehow cause America to lose its competitive edge, that we won't be able to get the best and the brightest brains from around the world. The Department of Labor reports that 50 percent of all H–1B workers brought in are physical and respiratory therapists and that most of the jobs taken by H–1B foreign workers pay less than $50,000.

Not one single American job should be jeopardized by U.S. immigration policy. I urge Members to vote ''no'' on the previous question so that my amendment to protect American workers can be considered by the full House of Representatives.

Mr. DREIER. Mr. Speaker, I yield back the balance of my time, and I move the previous question 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. BEILENSON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 5 of rule XV, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of adoption of the resolution.

The vote was taken by electronic device and there were—yeas 233, nays 152, not voting 46, as follows:

[Roll No. 68]

YEAS—233

Allard	Dreier	Largent
Archer	Duncan	LaTourette
Armey	Dunn	Laughlin
Bachus	Ehlers	Lazio
Baker (CA)	Ehrlich	Leach
Baker (LA)	Emerson	Lewis (CA)
Ballenger	English	Lewis (KY)
Barr	Ensign	Lincoln
Barrett (NE)	Everett	Linder
Bartlett	Ewing	Livingston
Barton	Fields (TX)	LoBiondo
Bass	Foley	Lofgren
Bateman	Forbes	Longley
Bereuter	Fowler	Lucas
Bevill	Fox	Manzullo
Bilbray	Franks (CT)	McCollum
Bilirakis	Franks (NJ)	McCrery
Bliley	Frelinghuysen	McDade
Blute	Frisa	McHugh
Boehlert	Funderburk	McInnis
Boehner	Gallegly	McIntosh
Bonilla	Ganske	McKeon
Bono	Gekas	Metcalf
Boucher	Geren	Meyers
Brewster	Gilchrest	Mica
Browder	Gillmor	Miller (FL)
Brownback	Gilman	Molinari
Bunn	Goodlatte	Montgomery
Bunning	Goodling	Moorhead
Burr	Goss	Morella
Burton	Graham	Myers
Buyer	Greenwood	Myrick
Callahan	Gunderson	Nethercutt
Calvert	Hall (TX)	Neumann
Camp	Hancock	Ney
Campbell	Hansen	Norwood
Canady	Hastert	Nussle
Castle	Hastings (WA)	Oxley
Chabot	Hayworth	Packard
Chambliss	Hefley	Parker
Chenoweth	Heineman	Paxon
Christensen	Herger	Petri
Clinger	Hilleary	Pombo
Coble	Hobson	Portman
Coburn	Hoekstra	Quillen
Collins (GA)	Horn	Quinn
Combest	Houghton	Ramstad
Condit	Hunter	Regula
Cooley	Hutchinson	Richardson
Cox	Hyde	Riggs
Cramer	Istook	Roberts
Crane	Johnson (CT)	Rogers
Crapo	Johnson, Sam	Rohrabacher
Cremeans	Jones	Ros-Lehtinen
Cubin	Kasich	Roth
Cunningham	Kelly	Roukema
Davis	Kim	Royce
Deal	King	Salmon
DeLay	Kingston	Sanford
Diaz-Balart	Klug	Saxton
Dickey	Knollenberg	Scarborough
Doolittle	Kolbe	Schaefer
Dornan	LaHood	Schiff

Seastrand	Spence	Walsh
Sensenbrenner	Stearns	Wamp
Shadegg	Stockman	Watts (OK)
Shaw	Stump	Weldon (FL)
Shays	Tate	Weldon (PA)
Shuster	Tauzin	Weller
Skeen	Taylor (NC)	White
Skelton	Thomas	Whitfield
Slaughter	Thornberry	Wicker
Smith (MI)	Tiahrt	Wolf
Smith (NJ)	Torkildsen	Young (AK)
Smith (TX)	Traficant	Young (FL)
Smith (WA)	Upton	Zeliff
Solomon	Vucanovich	Zimmer
Souder	Waldholtz	

NAYS—152

Abercrombie	Gonzalez	Oberstar
Ackerman	Gordon	Obey
Andrews	Green	Ortiz
Baesler	Gutknecht	Orton
Baldacci	Hall (OH)	Owens
Barcia	Hamilton	Pallone
Barrett (WI)	Harman	Pastor
Becerra	Hastings (FL)	Payne (NJ)
Beilenson	Hefner	Payne (VA)
Bentsen	Hilliard	Pelosi
Berman	Hinchey	Peterson (MN)
Bonior	Holden	Pickett
Borski	Jackson (IL)	Pomeroy
Brown (CA)	Jackson-Lee	Poshard
Brown (FL)	(TX)	Rahall
Brown (OH)	Jacobs	Reed
Bryant (TX)	Jefferson	Rivers
Cardin	Johnson (SD)	Roemer
Chapman	Johnson, E. B.	Rose
Clayton	Kanjorski	Roybal-Allard
Clement	Kaptur	Sabo
Coleman	Kennedy (RI)	Sanders
Collins (MI)	Kennelly	Sawyer
Conyers	Kildee	Schroeder
Coyne	Kleczka	Schumer
Danner	Klink	Scott
de la Garza	LaFalce	Serrano
DeFazio	Lantos	Sisisky
DeLauro	Levin	Skaggs
Deutsch	Lewis (GA)	Spratt
Dicks	Lowey	Stark
Dingell	Luther	Stenholm
Dixon	Manton	Studds
Doggett	Markey	Stupak
Dooley	Martinez	Tanner
Doyle	Mascara	Taylor (MS)
Edwards	Matsui	Tejeda
Engel	McCarthy	Thurman
Evans	McDermott	Towns
Fattah	McHale	Velazquez
Fazio	McKinney	Vento
Fields (LA)	McNulty	Visclosky
Flake	Meek	Volkmer
Foglietta	Menendez	Ward
Ford	Miller (CA)	Watt (NC)
Frank (MA)	Minge	Williams
Frost	Mink	Wilson
Furse	Mollohan	Wise
Gejdenson	Moran	Woolsey
Gephardt	Murtha	Wynn
Gibbons	Neal	Yates

NOT VOTING—46

Bishop	Hoke	Porter
Bryant (TN)	Hostettler	Pryce
Chrysler	Hoyer	Radanovich
Clay	Inglis	Rangel
Clyburn	Johnston	Rush
Collins (IL)	Kennedy (MA)	Stokes
Costello	Latham	Talent
Dellums	Lightfoot	Thompson
Durbin	Lipinski	Thornton
Eshoo	Maloney	Torres
Farr	Martini	Torricelli
Fawell	Meehan	Walker
Filner	Moakley	Waters
Flanagan	Nadler	Waxman
Gutierrez	Olver	
Hayes	Peterson (FL)	

□ 1736

The Clerk announced the following pair: On this vote:

Mr. Radanovich for, with Mr. Filner against.

Mr. PAYNE of Virginia changed his vote from ''yea'' to ''nay.''

Mrs. SEASTRAND changed her vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. LATHAM. Mr. Speaker, on rollcall No. 68, I was unavoidably detained. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. LIGHTFOOT. Mr. Speaker, I missed rollcall vote No. 68. I was unavoidably detained due to a late flight on my return from Iowa. Had I been present, I would have voted ''yea'' on rollcall vote No. 68.

PERSONAL EXPLANATION

Ms. ESHOO. Mr. Speaker, during rollcall vote No. 68 on the previous question to House Resolution 384, I was unavoidably detained because of a flight being late. Had I been present, I would have voted ''nay.''

PERSONAL EXPLANATION

Mr. FARR of California. Mr. Speaker, during Rollcall Vote No. 68 on the previous question to House Resolution 384, I was on the same flight and detained. Had I been present, I would have voted ''nay.''

The SPEAKER pro tempore (Mr. RIGGS). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PARLIAMENTARY INQUIRY

Mr. SOLOMON. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SOLOMON. Mr. Speaker, I understand there are two pending votes. Could. the Chair inform us as to the order in which those votes will be taken?

The SPEAKER pro tempore. The gentleman from New York [Mr. SOLOMON] is correct, there are two remaining recorded votes one that has been ordered, the other has been requested on legislation under suspension of the rules.

The Chair is prepared to state the order of voting.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order: H.R. 2937, by the yeas and nays; and House Concurrent Resolution 148, de novo.

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

REIMBURSEMENT OF FORMER WHITE HOUSE TRAVEL OFFICE EMPLOYEES

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2937, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. 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. 2937, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 350, nays 43, not voting 38, as follows:

[Roll No. 69]

YEAS—350

Abercrombie	Dicks	Jackson (IL)
Allard	Dingell	Jackson-Lee
Andrews	Dixon	(TX)
Archer	Doggett	Jefferson
Armey	Dooley	Johnson (CT)
Bachus	Doolittle	Johnson (SD)
Baker (CA)	Dornan	Johnson, E. B.
Baker (LA)	Doyle	Johnson, Sam
Baldacci	Dreier	Jones
Ballenger	Duncan	Kaptur
Barcia	Dunn	Kasich
Barrett (NE)	Edwards	Kelly
Barrett (WI)	Ehlers	Kennedy (RI)
Bartlett	Ehrlich	Kennelly
Barton	Emerson	Kildee
Bass	Engel	Kim
Bateman	English	King
Becerra	Eshoo	Kingston
Beilenson	Evans	Kleczka
Bentsen	Everett	Klink
Bereuter	Ewing	Knollenberg
Berman	Farr	Kolbe
Bevill	Fattah	LaFalce
Bilbray	Fazio	LaHood
Bilirakis	Fields (LA)	Lantos
Bliley	Fields (TX)	Largent
Blute	Flake	LaTourette
Boehlert	Foglietta	Laughlin
Boehner	Foley	Lazio
Bonilla	Forbes	Leach
Bonior	Ford	Levin
Bono	Fowler	Lewis (CA)
Borski	Fox	Lewis (GA)
Boucher	Frank (MA)	Lewis (KY)
Brewster	Franks (CT)	Lightfoot
Browder	Franks (NJ)	Linder
Brown (CA)	Frelinghuysen	Livingston
Brown (FL)	Frisa	LoBiondo
Brown (OH)	Frost	Longley
Bryant (TX)	Funderburk	Lowey
Bunn	Furse	Lucas
Bunning	Gallegly	Luther
Burr	Ganske	Manton
Burton	Gejdenson	Manzullo
Buyer	Gekas	Markey
Callahan	Gephardt	Martinez
Calvert	Geren	Martini
Camp	Gibbons	Mascara
Canady	Gilchrest	Matsui
Cardin	Gillmor	McCarthy
Castle	Gilman	McCollum
Chabot	Gonzalez	McCrery
Chambliss	Goodlatte	McDade
Chapman	Goodling	McDermott
Chenoweth	Goss	McHale
Clayton	Graham	McHugh
Clement	Greenwood	McInnis
Clinger	Gunderson	McIntosh
Coble	Hall (OH)	McKeon
Coleman	Hamilton	Menendez
Collins (GA)	Hancock	Meyers
Collins (MI)	Hansen	Mica
Combest	Harman	Miller (CA)
Condit	Hastert	Miller (FL)
Costello	Hastings (WA)	Minge
Cox	Hayworth	Mink
Coyne	Hefley	Molinari
Cramer	Hefner	Montgomery
Crane	Heineman	Moorhead
Crapo	Herger	Moran
Cremeans	Hilleary	Morella
Cubin	Hilliard	Myers
Cunningham	Hinchey	Myrick
Danner	Hobson	Neal
Davis	Hoekstra	Nethercutt
de la Garza	Holden	Ney
Deal	Horn	Norwood
DeFazio	Houghton	Nussle
DeLauro	Hoyer	Oberstar
DeLay	Hunter	Obey
Deutsch	Hutchinson	Olver
Diaz-Balart	Hyde	Ortiz
Dickey	Istook	Oxley