

Drug Control Policy until September 30, 1999, to expand the responsibilities and powers of the Director of the Office of National Drug Control Policy, and for other purposes.

By Mr. HATCH, from the Committee on the Judiciary, without amendment and with a preamble:

S. Res. 93. A resolution designating the week beginning November 23, 1997, and the week beginning on November 22, 1998, as "National Family Week", and for other purposes.

By Mr. HATCH, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 191. A bill to throttle criminal use of guns.

By Mr. THOMPSON, from the Committee on Governmental Affairs, without amendment:

S. 336. A bill to convert certain excepted service positions in the United States Fire Administration to competitive service positions, and for other purposes.

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

S. 508. A bill to provide for the relief of Mai Hoa "Jasmin" Salehi.

S. 857. A bill for the relief of Roma Salobrit.

By Mr. HATCH, from the Committee on the Judiciary, with amendments:

S. 1304. A bill for the relief of Belinda McGregor.

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

S. 1336. A bill for the relief of Roy Desmond Moser.

S. 1337. A bill for the relief of John Andre Chalot.

S. 1371. A bill to establish felony violations for the failure to pay legal child support obligations, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. HELMS, from the Committee on Foreign Relations:

Betty Eileen King, of Maryland, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador.

(The above nomination was reported with the recommendation that she be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. HATCH, from the Committee on the Judiciary:

Seth Waxman, of the District of Columbia, to be Solicitor General of the United States.

Stanley Marcus, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

Ann L. Aiken, of Oregon, to be United States District Judge for the District of Oregon.

Rodney W. Sippel, of Missouri, to be United States District Judge for the Eastern and Western Districts of Missouri.

Jerome B. Friedman, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Charles R. Breyer, of California, to be United States District Judge for the Northern District of California.

Frank C. Damrell, Jr., of California, to be United States District Judge for the Eastern District of California.

Martin J. Jenkins, of California, to be United States District Judge for the Northern District of California.

A. Richard Caputo, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

G. Patrick Murphy, of Illinois, to be United States District Judge for the Southern District of Illinois.

Michael P. McCuskey, of Illinois, to be United States District Judge for the Central District of Illinois.

Frederica A. Massiah-Jackson, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Bruce C. Kauffman, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Lynn S. Adelman, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin.

Norman K. Moon, of Virginia, to be United States District Judge for the Western District of Virginia.

James William Blagg, of Texas, to be United States District Judge for the Western District of Texas for the term of four years.

G. Douglas Jones, of Alabama, to be United States District Judge for the Northern District of Alabama for the term of four years.

(The above nominations were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. ABRAHAM:

S. 1382. A bill to reform the naturalization process, to clarify the procedures for investigating the criminal background of individuals submitting applications in connection with certain benefits under the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. MCCAIN (for himself and Mr. HOLLINGS):

S. 1383. A bill to provide a 6-month extension of safety programs under ISTEA; to the Committee on Commerce, Science, and Transportation.

By Mr. DASCHLE:

S. 1384. A bill to amend title 5, United States Code, to make the Federal Employees Health Benefits Program available to the general public, and for other purposes; to the Committee on Governmental Affairs.

By Mr. WELLSTONE:

S. 1385. A bill to amend title 38, United States Code, to expand the list of diseases presumed to be service connected with respect to radiation-exposed veterans; to the Committee on Veterans Affairs.

By Mr. LEVIN:

S. 1386. A bill to facilitate the remediation of contaminated sediments in the waters of the United States; to the Committee on Environment and Public Works.

By Mr. KYL (for himself and Mrs. HUTCHISON):

S. 1387. A bill to authorize additional appropriations for the Department of Defense for ballistic missile defenses and other measures to counter the emerging threat posed to the United States and its allies in the Middle East and Persian Gulf region by the development and deployment of ballistic missiles by Iran; to the Committee on Armed Services.

By Mr. ROBERTS (for himself and Mr. BROWNBACK):

S. 1388. A bill to provide relief from unfair interest and penalties on refunds retroactively ordered by the Federal Energy Regulatory Commission; to the Committee on Energy and Natural Resources.

By Ms. SNOWE (for herself and Mr. BURNS):

S. 1389. A bill to amend title 39, United States Code, to allow postal patrons to contribute to funding for prostate cancer research through the voluntary purchase of certain specially issued United States postage stamps; to the Committee on Governmental Affairs.

By Mr. D'AMATO:

S. 1390. A bill to provide redress for inadequate restitution of assets seized by the United States Government during World War II which belonged to victims of the Holocaust, and for other purposes; to the Committee on Foreign Relations.

By Mr. DODD (for himself, Mr. WARNER, Mr. BENNETT, Mr. GRAMS, Mr. JEFFORDS, Mr. BINGAMAN, and Mr. LEAHY):

S. 1391. A bill to authorize the President to permit the sale and export of food, medicines, and medical equipment to Cuba; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWNBACK:

S. 1392. A bill to provide for offsetting tax cuts whenever there is an elimination of a discretionary spending program; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, as modified by the order of April 11, 1986, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

By Mr. DORGAN (for himself, Mr. DASCHLE, Mr. JOHNSON, and Mr. CONRAD):

S. 1393. A bill to amend the Internal Revenue Code of 1986 to provide for the permanent extension of the incentives for alcohol used as a fuel; to the Committee on Finance.

By Mr. BROWNBACK:

S. 1394. A bill to establish procedures to ensure a balanced Federal budget by fiscal year 2002 and to create a tax cut reserve fund to protect revenues generated by economic growth; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, as modified by the order of April 11, 1986, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

By Mr. SARBANES:

S. 1395. A bill to amend the Higher Education Act of 1965 to provide for the establishment of the Thurgood Marshall Legal Educational Opportunity Program; to the Committee on Labor and Human Resources.

By Mr. JOHNSON:

S. 1396. A bill to amend the Child Nutrition Act of 1966 to expand the School Breakfast Program in elementary schools; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DURBIN (for himself and Ms. MOSELEY-BRAUN):

S. Res. 144. A resolution to express support for an interpretive site near Wood River, Illinois, as the point of departure of the Lewis and Clark Expedition; to the Committee on Energy and Natural Resources.

By Mr. CAMPBELL (for himself, Mr. INOUE, Mr. ABRAHAM, Mr. ALLARD, Mr. BAUCUS, Mr. BENNETT, Mr. BINGAMAN, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. BRYAN, Mr. CHAFEE,

Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. D'AMATO, Mr. DASCHLE, Mr. DODD, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. ENZI, Mr. FAIRCLOTH, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FORD, Mr. FRIST, Mr. GORTON, Mr. GRAHAM, Mr. HATCH, Mr. INHOFE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Mr. LOTT, Mr. MCCAIN, Ms. MIKULSKI, Ms. MOSELEY-BRAUN, Mrs. MURRAY, Mr. REID, Mr. ROCKEFELLER, Mr. SMITH of Oregon, Mr. THOMAS, Mr. THURMOND, Mr. WARNER, Mr. WELLSTONE, and Mr. WYDEN):

S. Res. 145. A resolution designating the month of November 1997 as "National American Indian Heritage Month"; to the Committee on the Judiciary.

By Mr. DOMENICI:

S. Con. Res. 64. A concurrent resolution providing for corrections to be made in the enrollment of H.R. 1119; considered and agreed to.

By Ms. SNOWE (for herself and Ms. MIKULSKI):

S. Con. Res. 65. A concurrent resolution calling for a United States effort to end restriction on the freedoms and human rights of the enclaved people in the occupied area of Cyprus; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ABRAHAM:

S. 1382. A bill to reform the naturalization process, to clarify the procedures for investigating the criminal background of individuals submitting applications in connection with certain benefits under the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

THE NATURALIZATION REFORM ACT OF 1997

Mr. ABRAHAM. Mr. President, today I am pleased to introduce the Naturalization Reform Act of 1997. This bill addresses some of the serious failings in the Immigration and Naturalization Service's conduct of the naturalization process that have come to light during the past 2 years. This legislation does not attempt a comprehensive reform of the naturalization process, a topic that likely should be a subject of serious consideration but regarding which much additional work is needed. Rather, it includes a few targeted measures designed to address critical issues that have emerged, particularly concerning the granting of citizenship to criminal aliens and the INS' conduct of criminal background checks. Given that these issues have been the subject of extensive oversight in both Houses of Congress, it is important that we work together on this. In that vein, I have developed this legislation with my counterpart on the House side, Representative LAMAR SMITH, the chairman of the House Immigration Subcommittee. Today, he is introducing identical legislation in the House.

Let me state at the outset that citizenship is the most precious gift and honor that our Nation can bestow. I have spoken many times before—both

in the Immigration Subcommittee and elsewhere—about my own grandparents' experience of immigrating to America. Their citizenship papers give me a particular pride, and I know what citizenship papers mean to my own family and for millions of others across America. The vast majority of citizenship applicants are law-abiding legal immigrants who have every right and desire to become full-fledged American citizens.

Nonetheless, serious concerns about the naturalization process have been raised this session, particularly concerning the Immigration and Naturalization Service's provision of citizenship papers to some undeserving criminal aliens. Some initial reports did overestimate the number of aliens who were improperly naturalized in 1995 and 1996 despite being statutorily ineligible for naturalization based on criminal convictions. Regardless of the number, however, it is still a concern to me that any obviously ineligible criminal aliens were naturalized. Moreover, it remains of grave concern that the INS was naturalizing large numbers of applicants without having completed their criminal background checks, which have been central to the way the INS conducts its inquiry into an applicant's good moral character. Even if an applicant did not have a conviction making that applicant statutorily ineligible, one would think that the good moral character determination might very well have turned out differently if the INS had had information concerning an applicant's arrests or other criminal background information. The mere fact that the INS was moving forward in this manner in itself raises concerns about how the INS is carrying out its statutory responsibilities.

Many of these problems are not new, and it is disappointing that they have gone unresolved for so long. Reports from the Justice Department and from the General Accounting Office over the past 10 years have repeatedly found significant faults with the fingerprint check process, which the INS uses to conduct its criminal background checks. For instance, a 1988 Department of Justice audit found that, in 47 percent of naturalization files reviewed at random, there was no record that a fingerprint check had been requested or no record of when fingerprints were mailed to the FBI. In a 1989 report, the Department of Justice audit staff discovered an almost complete absence of evidence that background checks and fingerprint checks were conducted in naturalization cases. A 1994 report of the inspector general's office found that the INS did not verify that fingerprints submitted with an application actually belonged to the applicant; that report also documented that the Service failed to ensure that fingerprint checks were completed by the FBI. A 1994 GAO report disclosed similar findings.

Despite such observations and disclosures, the INS continued to permit ap-

plicants to submit their own fingerprints without verifying whether the prints belonged to the applicant, and fingerprint cards submitted to the FBI often contained incomplete or inaccurate information. The INS also continued to permit naturalizations to go forward after 60 days following the submission of fingerprints to the FBI, regardless of whether a definitive response had been received from the FBI on the fingerprint check.

In 1996, weaknesses in the criminal history validation process received renewed attention in the midst of the President's Citizenship USA program, a roughly 1-year effort to speed the pace of naturalizations significantly. Those weaknesses were exacerbated as pressure grew to increase naturalizations. As a result of various severe problems that came to light, a number of investigations, audits, and reviews into the naturalization process are now taking place.

The Department of Justice's Justice Management Division, in conjunction with KPMG Peat Marwick and with some participation from the General Accounting Office, has been conducting an ongoing review of the roughly 1.4 million cases of aliens naturalized under Citizenship USA. Preliminary results indicate that INS failed to complete criminal background checks on some 180,000 immigrants who were naturalized between August 1995 and September 1996, and that more than 71,500 applicants who did undergo background checks had criminal records and were naturalized anyway. It is true that a much smaller number had convictions for offenses for which there is a statutory bar to naturalization. As I have noted, however, it remains of great concern that such a large number were processed improperly, regardless of what the particular results were.

In response to weaknesses identified by those reviews, on November 29 of last year, the INS finally announced major changes to its criminal background verification procedures in an effort to respond to some of the serious and ongoing problems in that area. The Service did so through a policy memo announcing new "Naturalization Quality Procedures." That memo went out—or was supposed to go out—from the Commissioner to all INS regional, district, and local offices. That specific and detailed memo, which was to be effective immediately, provided that no naturalizations were to go forward without a response on the fingerprint check from the FBI and unless the new policies and procedures were in place.

Unfortunately, we learned this year that the administration's policy failed to go into effect as mandated by the Commissioner. On April 17, KPMG Peat Marwick issued a report based on its review of the INS' management and implementation of the new criminal record verification guidelines. Building