

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

The SPEAKER pro tempore (Mr. OSE). The question is on the motion offered by the gentleman from Arkansas (Mr. HUTCHINSON) that the House suspend the rules and pass the bill, H.R. 3484, 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.

AMERICAN COMPETITIVENESS IN THE TWENTY-FIRST CENTURY ACT OF 2000

Mr. CANNON. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2045) to amend the Immigration and Nationality Act with respect to H-1B nonimmigrant aliens, as amended.

The Clerk read as follows:

S. 2045

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "American Competitiveness in the Twenty-first Century Act of 2000".

SEC. 2. TEMPORARY INCREASE IN VISA ALLOTMENTS.

In addition to the number of aliens who may be issued visas or otherwise provided nonimmigrant status under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101 (a)(15)(H)(i)(b)), the following number of aliens may be issued such visas or otherwise provided such status for each of the following fiscal years:

- (1) 80,000 for fiscal year 2000;
- (2) 87,500 for fiscal year 2001; and
- (3) 130,000 for fiscal year 2002.

SEC. 3. SPECIAL RULE FOR UNIVERSITIES, RESEARCH FACILITIES, AND GRADUATE DEGREE RECIPIENTS.

Section 214(g) of the Immigration and Nationality Act (8 U.S.C. 1184(g)) is amended by adding at the end the following new paragraphs:

"(5) The numerical limitations contained in paragraph (1)(A) shall not apply to any nonimmigrant alien issued a visa or otherwise provided status under section 101(a)(15)(H)(i)(b)—

"(A) who is employed (or has received an offer of employment) at—

"(i) an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))), or a related or affiliated nonprofit entity; or

"(ii) a nonprofit research organization or a governmental research organization; or

"(B) for whom a petition is filed not more than 90 days before or not more than 180 days after the nonimmigrant has attained a master's degree or higher degree from an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))).

"(6) Any alien who ceases to be employed by an employer described in paragraph (5)(A) shall, if employed as a nonimmigrant alien described in section 101(a)(15)(H)(i)(b), be counted toward the numerical limitations contained in paragraph (1)(A) the first time the alien is employed by an employer other than one described in paragraph (5)(A)."

SEC. 4. LIMITATION ON PER COUNTRY CEILING WITH RESPECT TO EMPLOYMENT-BASED IMMIGRANTS.

(a) SPECIAL RULES.—Section 202(a) of the Immigration and Nationality Act (8 U.S.C. 1152(a))

is amended by adding at the end the following new paragraph:

"(5) RULES FOR EMPLOYMENT-BASED IMMIGRANTS.—

"(A) EMPLOYMENT-BASED IMMIGRANTS NOT SUBJECT TO PER COUNTRY LIMITATION IF ADDITIONAL VISAS AVAILABLE.—If the total number of visas available under paragraph (1), (2), (3), (4), or (5) of section 203(b) for a calendar quarter exceeds the number of qualified immigrants who may otherwise be issued such visas, the visas made available under that paragraph shall be issued without regard to the numerical limitation under paragraph (2) of this subsection during the remainder of the calendar quarter.

"(B) LIMITING FALL ACROSS FOR CERTAIN COUNTRIES SUBJECT TO SUBSECTION (e).—In the case of a foreign state or dependent area to which subsection (e) applies, if the total number of visas issued under section 203(b) exceeds the maximum number of visas that may be made available to immigrants of the state or area under section 203(b) consistent with subsection (e) (determined without regard to this paragraph), in applying subsection (e) all visas shall be deemed to have been required for the classes of aliens specified in section 203(b)."

(b) CONFORMING AMENDMENTS.—

(1) Section 202(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1152(a)(2)) is amended by striking "paragraphs (3) and (4)" and inserting "paragraphs (3), (4), and (5)".

(2) Section 202(e)(3) of the Immigration and Nationality Act (8 U.S.C. 1152(e)(3)) is amended by striking "the proportion of the visa numbers" and inserting "except as provided in subsection (a)(5), the proportion of the visa numbers".

(c) ONE-TIME PROTECTION UNDER PER COUNTRY CEILING.—Notwithstanding section 214(g)(4) of the Immigration and Nationality Act, any alien who—

(1) is the beneficiary of a petition filed under section 204(a) for a preference status under paragraph (1), (2), or (3) of section 203(b); and

(2) would be subject to the per country limitations applicable to immigrants under those paragraphs but for this subsection, may apply for, and the Attorney General may grant, an extension of such nonimmigrant status until the alien's application for adjustment of status has been processed and a decision made thereon.

SEC. 5. INCREASED PORTABILITY OF H-1B STATUS.

(a) IN GENERAL.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended by adding at the end the following new subsection:

"(m)(1) A nonimmigrant alien described in paragraph (2) who was previously issued a visa or otherwise provided nonimmigrant status under section 101(a)(15)(H)(i)(b) is authorized to accept new employment upon the filing by the prospective employer of a new petition on behalf of such nonimmigrant as provided under subsection (a). Employment authorization shall continue for such alien until the new petition is adjudicated. If the new petition is denied, employment authorization shall cease.

"(2) A nonimmigrant alien described in this paragraph is a nonimmigrant alien—

"(A) who has been lawfully admitted into the United States;

"(B) on whose behalf an employer has filed a nonfrivolous application for new employment or extension of status before the date of expiration of the period of stay authorized by the Attorney General; and

"(C) who has not been employed without authorization in the United States before or during the pendency of such petition for new employment."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to petitions filed before, on, or after the date of enactment of this Act.

SEC. 6. EXTENSION OF AUTHORIZED STAY IN CASES OF LENGTHY ADJUDICATIONS.

(a) EXEMPTION FROM LIMITATION.—The limitation contained in section 214(g)(4) of the Immigration and Nationality Act with respect to the duration of authorized stay shall not apply to any nonimmigrant alien previously issued a visa or otherwise provided nonimmigrant status under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act on whose behalf a petition under section 204(b) to accord the alien immigrant status under section 203(b), or an application for adjustment of status under section 245 to accord the alien status under section 203(b), has been filed, if 365 days or more have elapsed since the filing of a labor certification application on the alien's behalf, if such certification is required for the alien to obtain status under section 203(b), or if 365 days or more have elapsed since the filing of the petition under section 204(b).

(b) EXTENSION OF H-1B WORKER STATUS.—The Attorney General shall extend the stay of an alien who qualifies for an exemption under subsection (a) in one-year increments until such time as a final decision is made on the alien's lawful permanent residence.

SEC. 7. EXTENSION OF CERTAIN REQUIREMENTS AND AUTHORITIES THROUGH FISCAL YEAR 2002.

(a) ATTESTATION REQUIREMENTS.—Section 212(n)(1)(E)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(1)(E)(ii)) is amended by striking "October 1, 2001" and inserting "October 1, 2002".

(b) FEE REQUIREMENTS.—Section 214(c)(9)(A) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(9)(A)) is amended in the text above clause (i) by striking "October 1, 2001" and inserting "October 1, 2002".

(c) DEPARTMENT OF LABOR INVESTIGATIVE AUTHORITIES.—Section 413(e)(2) of the American Competitiveness and Workforce Improvement Act of 1998 (as contained in title IV of division C of Public Law 105-277) is amended by striking "September 30, 2001" and inserting "September 30, 2002".

SEC. 8. RECOVERY OF VISAS USED FRAUDULENTLY.

Section 214(g)(3) of the Immigration and Nationality Act (8 U.S.C. 1184 (g)(3)) is amended to read as follows:

"(3) Aliens who are subject to the numerical limitations of paragraph (1) shall be issued visas (or otherwise provided nonimmigrant status) in the order in which petitions are filed for such visas or status. If an alien who was issued a visa or otherwise provided nonimmigrant status and counted against the numerical limitations of paragraph (1) is found to have been issued such visa or otherwise provided such status by fraud or willfully misrepresenting a material fact and such visa or nonimmigrant status is revoked, then one number shall be restored to the total number of aliens who may be issued visas or otherwise provided such status under the numerical limitations of paragraph (1) in the fiscal year in which the petition is revoked, regardless of the fiscal year in which the petition was approved."

SEC. 9. NSF STUDY AND REPORT ON THE "DIGITAL DIVIDE".

(a) STUDY.—The National Science Foundation shall conduct a study of the divergence in access to high technology (commonly referred to as the "digital divide") in the United States.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Director of the National Science Foundation shall submit a report to Congress setting forth the findings of the study conducted under subsection (a).

SEC. 10. MODIFICATION OF NONIMMIGRANT PETITIONER ACCOUNT PROVISIONS.

(a) ALLOCATION OF FUNDS.—Section 286(s) of the Immigration and Nationality Act (8 U.S.C. 1356(s)) is amended—

(1) in paragraph (2), by striking "56.3 percent" and inserting "36.2 percent";

(2) in paragraph (3), by striking "28.2 percent" and inserting "30.7 percent"; and

(3) in paragraph (4)(A), by striking "4 percent" and inserting "2.5 percent".

(b) **LOW-INCOME SCHOLARSHIP PROGRAM.**—Section 414(d)(3) of the American Competitiveness and Workforce Improvement Act of 1998 (as contained in title IV of division C of Public Law 105-277) is amended by striking "2,500 per year." and inserting "3,125 per year. The Director may renew scholarships for up to 4 years."

(c) **NATIONAL SCIENCE FOUNDATION GRANT PROGRAM.**—Section 286(s)(4)(B) of the Immigration and Nationality Act (8 U.S.C. 1356(s)) is amended to read as follows:

"(B) **NATIONAL SCIENCE FOUNDATION COMPETITIVE GRANT PROGRAM FOR K-12 MATH, SCIENCE AND TECHNOLOGY EDUCATION.**—(i) 25.8 percent of the amounts deposited into the H-1B Nonimmigrant Petitioner Account shall remain available to the Director of the National Science Foundation until expended to carry out a direct and/or matching grant program to support private-public partnerships in K-12 education.

"(ii) **TYPES OF PROGRAMS COVERED.**—The Director shall award grants to such programs, including, those which support the development and implementation of standards-based instructional materials models and related student assessments that enable K-12 students to acquire an understanding of science, mathematics, and technology, as well as to develop critical thinking skills; provide systemic improvement in training K-12 teachers and education for students in science, mathematics, and technology; stimulate system-wide K-12 reform of science, mathematics, and technology in rural, economically disadvantaged regions of the United States; provide externships and other opportunities for students to increase their appreciation and understanding of science, mathematics, engineering, and technology; involve partnerships of industry, educational institutions, and community organizations to address the educational needs of disadvantaged communities; and college preparatory support to expose and prepare students for careers in science, mathematics, engineering, and technology."

(d) **REPORTING REQUIREMENTS.**—Section 414 of the American Competitiveness and Workforce Improvement Act of 1998 (as contained in title IV of division C of Public Law 105-277) is amended by adding at the end the following new subsection:

"(e) The Secretary of the Department of Labor and the Director of the National Science Foundation shall—

"(1) track and monitor the performance of programs receiving H-1B Nonimmigrant Fee grant money; and

"(2) not later than one year after the date of enactment of this subsection, submit a report to the Committees on the Judiciary of the House of Representatives and the Senate—

"(A) the tracking system to monitor the performance of programs receiving H-1B grant funding; and

"(B) the number of individuals who have completed training and have entered the high-skill workforce through these programs."

SEC. 11. KIDS 2000 CRIME PREVENTION AND COMPUTER EDUCATION INITIATIVE.

(a) **SHORT TITLE.**—This section may be cited as the "Kids 2000 Act".

(b) **FINDINGS.**—Congress makes the following findings:

(1) There is an increasing epidemic of juvenile crime throughout the United States.

(2) It is well documented that the majority of juvenile crimes take place during after-school hours.

(3) Knowledge of technology is becoming increasingly necessary for children in school and out of school.

(4) The Boys and Girls Clubs of America have 2,700 clubs throughout all 50 States, serving over 3,000,000 boys and girls primarily from at-risk communities.

(5) The Boys and Girls Clubs of America have the physical structures in place for immediate implementation of an after-school technology program.

(6) Building technology centers and providing integrated content and full-time staffing at those centers in the Boys and Girls Clubs of America nationwide will help foster education, job training, and an alternative to crime for at-risk youth.

(7) Partnerships between the public sector and the private sector are an effective way of providing after-school technology programs in the Boys and Girls Clubs of America.

(8) **PowerUp: Bridging the Digital Divide** is an entity comprised of more than a dozen nonprofit organizations, major corporations, and Federal agencies that have joined together to launch a major new initiative to help ensure that America's underserved young people acquire the skills, experiences, and resources they need to succeed in the digital age.

(9) Bringing **PowerUp** into the Boys and Girls Clubs of America will be an effective way to ensure that our youth have a safe, crime-free environment in which to learn the technological skills they need to close the divide between young people who have access to computer-based information and technology-related skills and those who do not.

(c) **AFTER-SCHOOL TECHNOLOGY GRANTS TO THE BOYS AND GIRLS CLUBS OF AMERICA.**—

(1) **PURPOSES.**—The Attorney General shall make grants to the Boys and Girls Clubs of America for the purpose of funding effective after-school technology programs, such as **PowerUp**, in order to provide—

(A) constructive technology-focused activities that are part of a comprehensive program to provide access to technology and technology training to youth during after-school hours, weekends, and school vacations;

(B) supervised activities in safe environments for youth; and

(C) full-time staffing with teachers, tutors, and other qualified personnel.

(2) **SUBAWARDS.**—The Boys and Girls Clubs of America shall make subawards to local boys and girls clubs authorizing expenditures associated with providing technology programs such as **PowerUp**, including the hiring of teachers and other personnel, procurement of goods and services, including computer equipment, or such other purposes as are approved by the Attorney General.

(d) **APPLICATIONS.**—

(1) **ELIGIBILITY.**—In order to be eligible to receive a grant under this section, an applicant for a subaward (specified in subsection (c)(2)) shall submit an application to the Boys and Girls Clubs of America, in such form and containing such information as the Attorney General may reasonably require.

(2) **APPLICATION REQUIREMENTS.**—Each application submitted in accordance with paragraph (1) shall include—

(A) a request for a subgrant to be used for the purposes of this section;

(B) a description of the communities to be served by the grant, including the nature of juvenile crime, violence, and drug use in the communities;

(C) written assurances that Federal funds received under this section will be used to supplement and not supplant, non-Federal funds that would otherwise be available for activities funded under this section;

(D) written assurances that all activities funded under this section will be supervised by qualified adults;

(E) a plan for assuring that program activities will take place in a secure environment that is free of crime and drugs;

(F) a plan outlining the utilization of content-based programs such as **PowerUp**, and the provision of trained adult personnel to supervise the after-school technology training; and

(G) any additional statistical or financial information that the Boys and Girls Clubs of America may reasonably require.

(e) **GRANT AWARDS.**—In awarding subgrants under this section, the Boys and Girls Clubs of America shall consider—

(1) the ability of the applicant to provide the intended services;

(2) the history and establishment of the applicant in providing youth activities; and

(3) the extent to which services will be provided in crime-prone areas and technologically underserved populations, and efforts to achieve an equitable geographic distribution of the grant awards.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—There is authorized to be appropriated \$20,000,000 for each of the fiscal years 2001 through 2006 to carry out this section.

(2) **SOURCE OF FUNDS.**—Funds to carry out this section may be derived from the Violent Crime Reduction Trust Fund.

(3) **CONTINUED AVAILABILITY.**—Amounts made available under this subsection shall remain available until expended.

Amend the title to read as follows: "A bill to amend the Immigration and Nationality Act with respect to H-1B nonimmigrant aliens, and to establish a crime prevention and computer education initiative."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CANNON) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. CANNON).

GENERAL LEAVE

Mr. CANNON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 2045, as amended.

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

There was no objection.

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

Mr. Speaker, I am pleased today to rise in support of this legislation. I am pleased that we are moving forward on this vital issue for our economy.

America is ascendant. We have a strong, consumer-driven, innovative economy that is continuing to grow. We have more high-tech products available to our citizens than any other country in the world. Low-cost, high-speed access to the Internet is becoming a reality for every person in America. The latest employment numbers show that this high technology-driven economy has created 340,000 new jobs and the unemployment rate is at 3.9 percent, a 30-year low.

The legislation before us today will help this economic prosperity continue by meeting the critical need for skilled workers, workers we cannot get enough of. A key but little known fact about this booming high-tech economy is that it is dependent upon skilled workers. We need those. That is like lifeblood for us.

We cannot produce enough of these highly skilled workers quickly enough from our own education system to keep pace with the demand. For years we have had a special immigration program, the H-1B visa, which allows highly skilled workers to come to this

country temporarily to work for American companies in order to meet critical shortages of skilled personnel.

Unfortunately, the current program still does not provide enough visas to meet the growing demands and the growing shortfall of domestically educated high-tech workers. The current ceiling of 115,000 visas per year was reached in March, less than halfway through the current fiscal year.

All the world wants to come to this land of opportunity to develop and market their ideas. We want them to come. We want everyone to be able to follow his or her dreams and enrich themselves and enrich this country. The fact that the best and the brightest from the rest of the world want to come here and work and learn, to invent and build businesses is the ultimate compliment to our system. We should welcome them with open arms. This is how America spreads democracy and the rule of law. The people will make our country and our economy better while they are here and will take our concept of freedom back to their homes and initiate change there.

We have worked hard on this H-1B legislation to open the doors wide to educated people, so that they can come to the United States and give us the benefits as they develop their ideas. This is the American dream. It should be available to everyone everywhere.

The American Competitiveness in the 21st Century Act of 2000 will feed the high-tech economy with these vital workers by providing 195,000 H-1B visas in fiscal 2000, and that is 80,000 in addition to the 115,000 we currently have; 195,000 for the fiscal year 2001, and 195,000 for fiscal 2002.

Our opponents complain that a greater focus on education of American workers is the answer. But this long-term solution cannot meet today's critical need.

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American companies will always want to recruit the top professionals they can find, but there is no reason why they should have to choose between hiring the most qualified employees now to meet their immediate needs and support long-term excellence in our schools in the high-tech workforce. They can do both. We can do both.

The supporters of this legislation read like a who's who of the most innovative, fastest-growing companies in America, the companies who drive this economy forward: Microsoft, Intel, Sysco Systems, Sun Microsystems, Hewlett Packard, and Texas Instruments. Their demands are infinitely reasonable. The only shame in all this is that we have to spend a year working with Congress to allow them to hire people and create more jobs.

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

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

Mr. Speaker, I plan to support this bill before us, even though it got out of

the Senate only hours ago; yesterday sometime.

The legislation before us today would adjust the H-1B visa cap to meet the immediate and critical needs of our high-technology economy. To tell the truth, the bill is a significant improvement to the committee-passed bill in the Judiciary, which would have imposed significant new restrictions that would have made it far more difficult for American employers to utilize the H-1B program.

This enormous success of our American economy has, in large part, been driven by our information technology industry. As a matter of fact, the Department of Commerce estimates that more than 1.3 million technology workers will be needed over the next decade. Where are we going to get them? Ensuring that the United States has sufficient, qualified, high-technology personnel will be a critical determinant of the success of our national economy over the years to come. So I believe it is imperative that we add some temporary visas, that we provide for greater permanent visas, and that we attempt to educate our own citizens so that we can meet these needs.

But I must point out that there are some concerns that I have with the manner that this legislation came to the floor. First off, we are taking up the Senate-passed bill under suspension of the rules; there is only one copy in this room, and it is at the Speaker's desk. There is no opportunity for amendment by anyone in the Congress. In this respect, I would note that the bill before us does not contain the increase in visa fees provided under the Lofgren-Dreier bill. This is not a good occasion. By contrast, that bill would have increased fees by \$500 and then allocated 90 percent of the additional revenue to the existing math, computer science, engineering and science related enrichment and regional skills alliances designed to train current workers.

In other words, our measure would have allowed us to begin to prepare qualified high-tech workers inside the United States. The Clinton administration likewise has some excellent proposals in the fee area, and I hope that this language will be added to some other piece of legislation before we adjourn.

Number two, the bill fails to contain any of the Latino Fairness provisions that those of us in the House, particularly the Congressional Hispanic Caucus, led by the gentlewoman from California (Ms. ROYBAL-ALLARD), and specifically worked on by our distinguished colleague, the gentleman from Illinois (Mr. GUTIERREZ) and other Members in the House and Senate who have been pushing these provisions urged by the Congressional Hispanic Caucus and by the Congressional Black Caucus. These provisions would provide immigration parity for Central Americans and Haitians, would grant late amnesty to individuals unfairly denied

relief under the 1986 law, and restore section 245(i) relief to persons seeking to adjust their immigration status in the United States.

In my view, if we are going to open our borders to hundreds of thousands of foreign nationals who do not live here to fill employment needs under the H-1B program, the very least we can do is address the existing inequities faced by persons who already live and work here and have family ties in this country.

Yet the majority continues to ignore these very reasonable proposals. They have refused to give us a hearing in the Committee on the Judiciary; and, thus, we have not had a markup. Today we do not even have the opportunity of offering an amendment so that we can vote our conscience on the House floor.

In terms of the immigration parity provisions, relief is needed to correct unfair and discriminatory provisions enacted by the majority in the last two Congresses. In 1996, this Congress made it almost impossible for deserving immigrants to obtain suspension or deportation relief. In 1997, they compounded the problem by offering relief from the 1996 law to Cubans and Nicaraguans but not other Central Americans or Haitians.

I want to quickly add that our Cuban American Members of Congress joined us in supporting a modification that would include Central Americans and Haitians, and I compliment them for that.

The individuals we want to protect came to our shores fleeing persecution at home. They have jobs and families and roots in this country. They deserve the same consideration we have given other groups of immigrants.

As for the late amnesty provisions, there is a need to restore fairness to those immigrants who were eligible to apply for legalization in the mid-1980s but were not able to do so because the Immigration and Naturalization Service misinterpreted the law that the Congress passed. Had their application been timely processed, most of these immigrants would already be citizens.

In 1996, the majority compounded the problem once again by stripping the courts of their authority to grant relief for the wronged legalization applicants. Updating the registry date to 1986 will avoid all of these problems.

So I support the bill with these reservations. It is a marked improvement over our committee product, but I pledge today that our work should not be considered yet done on immigration in this Congress. We must increase the fees, otherwise we will be giving our children and workers the short shrift in terms of education funding. We have people here that can and deserve to be high-tech workers in the computer industry, and we must provide some equity to Latino and Haitian immigrants who are already here.

Please, members of this committee, as a nation of immigrants, we cannot shut our doors and hearts to these individuals.

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

Mr. CANNON. Mr. Speaker, I yield myself such time as I may consume to thank the gentleman from Michigan (Mr. CONYERS) for his limited support of this bill. It is an important bill.

I would just point out that the Senate version has been around for a very long time. There are at least two copies; the Speaker has a copy and my staff has a copy here. So the issue has been around for a while and it is a very important issue that we need to move forward with under the current circumstances.

Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. SMITH), the chairman of the Subcommittee on Immigration and Claims.

Mr. SMITH of Texas. Mr. Speaker, I want to recognize two Members on the House floor tonight. The gentleman from California (Mr. DREIER), who is chairman of the House Committee on Rules, has been a tireless advocate on behalf of the high-tech industry. I do not know of anyone who has worked harder, invested more time and energy, or is more responsible for the bill that we are considering tonight being on the House floor, and I would like to congratulate him in advance on the expected passage of this bill.

Second of all, the gentleman from Utah (Mr. CANNON), who just yielded me the time, is an active member of the Subcommittee on Immigration and Claims, and he too has been a steadfast advocate of the high-tech industry. The gentleman from Utah himself is an entrepreneur and he understands firsthand the needs of the high-tech industry.

Mr. Speaker, although there is still no objective credible study that documents the shortage of American high-tech workers, the INS said recently that the demand for highly skilled foreign workers is running at least 50,000 ahead of last year. Such a demand can indicate an actual shortage of American workers, a spot shortage, a preference for cheap labor or replacement workers, or something else. But because of the importance of the high-tech industry to our economy, I think we should give the industry the benefit of the doubt.

But giving high-tech companies the benefit of the doubt is not without risk, unless we safeguard American workers. We need to recognize the opposition of the American people to an H-1B visa increase, Mr. Speaker. Two major polls demonstrate that the vast majority of Americans do not want to see the number of high-tech visas increased so much and worry that it will hurt American workers.

A Peter Hart poll conducted in March found that 73 percent of Americans do not want to see immigration law changed to allow the entry of more foreign high-tech workers. Only 20 percent wanted more foreign workers.

A Harris poll, released in September 1998, found that 82 percent of Ameri-

cans do not want to see the H-1B quota increased. The poll found that 77 percent of Americans believe that an increase in H-1B visas reduces employment opportunities for American workers. And 86 percent of Americans believe that U.S. companies should train U.S. workers to perform jobs in technical fields, even if it is faster and less expensive to fill the jobs with foreign workers.

To satisfy the concerns of the American people, we need to protect American workers from being undercut by foreign workers in the H-1B program. S. 2045 contains no significant provisions to protect these American workers. It does not require most companies to make a good-faith effort to recruit U.S. workers before hiring foreign workers. It allows all but a small handful of firms to lay off American workers and replace the American workers with foreign workers.

Why would anyone oppose these common sense safeguards? What amazes me is that in all the discussions I have had with representatives of high-tech companies, not a single one has expressed any concern about the impact of this legislation on American workers. How could anyone oppose a safeguard that says American workers could not be fired and replaced by a foreign worker? How could anyone not agree to advertise for American workers before hiring from abroad? How could anyone oppose paying foreign workers what the average beginning salary is for American college graduates, unless they want to undercut American wages?

The Committee on the Judiciary passed a bill, H.R. 4227, that contains an additional crucial safeguard for American workers. The Committee on the Judiciary passed a bill that set a floor on wages for these workers; \$40,000 per year. This wage is a good starting point for any high-tech professional. It is a salary that American students fresh out of college are making. This crucial safeguard would prevent U.S. companies from hiring foreign workers to undercut the wages of American workers.

Strong anti-fraud measures are also necessary to address known abuses. An article in last Thursday's "San Francisco Chronicle" says it all: "Federal authorities have started nationwide investigations into the hiring of foreign high-tech workers, including charges of visa fraud and allegations that the practice is riddled with abuse." The Chronicle quotes Bill Yates of the INS as stating, "But are we catching most of the fraud? The truthful answer is that we are not. If it is the intention of the employee or the employer to defraud the government, you may not be able to ferret it out."

A just-released Government Accounting Office report states, "There is not sufficient assurance that INS reviews are adequate for detecting program noncompliance or abuse. The program is vulnerable to abuse, both by employers who do not have bona fide jobs to

fill or do not meet required labor conditions, and by potential workers who present false credentials.

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"The goals of preventing abuse of the program and providing efficient services to employers and workers are not being achieved. Evidence suggests that program noncompliance or abuse by employers may be more prevalent than under other laws."

Mr. Speaker, any H-1B bill should contain effective antifraud measures as are contained in the Committee on the Judiciary-passed H.R. 4227. S. 2045 contains no such antifraud measures.

Mr. Speaker, in return for giving high-tech companies hundreds of thousands of more foreign workers, all we ask on behalf of American workers is some minimal, basic, common sense safeguards to ensure that businesses do not want to hire cheap foreign workers at the expense of American workers. While this bill has taken significant steps to alleviate the presumed shortage with more training for American workers, such provisions will not yield benefits for many years.

Supplying future workers is a different issue altogether from shielding today's American workers from the consequences of admitting so many workers from other countries.

Mr. Speaker, Congress should not turn its back on American workers.

Again I appreciate and recognize the work done by the gentleman from California (Mr. DREIER) and by the gentleman from Utah (Mr. CANNON) and congratulate them.

Mr. CONYERS. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. LOFGREN), who worked harder on this measure than any other member of the Committee on the Judiciary.

Ms. LOFGREN. Mr. Speaker, this is a very good bill that should become law. I am a little bit surprised that we are standing here tonight. We did not realize that the bill would be brought up this evening and actually when I learned that it would be, I was standing in line buying a new computer to replace my computer which had its memory burned out in a power surge recently. I was glad I was able to get into the car pool lanes and get here in time to talk about why this bill deserves our support.

It was about a year ago that I began drafting some of the measures that ultimately found their way into the bill passed by the Senate last night. But I was not the only one on our side of the aisle who worked on this bill. A core group, including the gentleman from California (Mr. DOOLEY), the gentleman from Virginia (Mr. MORAN), the gentlewoman from California (Ms. ESHOO), and the gentleman from Washington (Mr. SMITH) really put in the extra effort as a drafting committee and certainly the gentleman from Michigan (Mr. CONYERS), the ranking member, has been a leader in moving this forward along with the gentleman from

California (Mr. MATSUI), and finally our hero in this on our side of the aisle, the gentleman from Missouri (Mr. GEPHARDT), the minority leader, who has been stalwart in his efforts to make sure that we would get a bill such as this passed.

Mr. Speaker, I have to give the Senate credit. This bill is better than any of the other bills that have been put together, including the one we drafted, because it takes the best of so many measures and includes them all. It does things that are important in reforming the permanent side of the immigration system which is almost broken because of bureaucratic delay. It allows for portability of H-1B status as well as portability of I-140s and labor certifications. It does something about the per-country limits that would, absent a remedy, mean that scientists from certain Asian countries would be disadvantaged versus scientists from European countries. This fixes that problem. There is lots of good news in this bill, and we should all support it.

There are, however, two things that are not in the bill that I think we need to fix. The first has been mentioned by the gentleman from Michigan (Mr. CONYERS) and that has to do with the Central American refugee issue as well as the legalization era from the Reagan administration. We hoped that those two measures would become law this year as part of the Commerce-State-Justice bill. The President has threatened to veto the bill if these Latino fairness issues are not included, and 152 Democrats last week wrote a letter to the President saying he would sustain his veto if Latino fairness issues are not included in the Commerce-State-Justice bill. So we are sure that that is going to happen.

The second issue is the fee issue that has already been mentioned. The Senate parliamentarian correctly ruled that the fee in the Senate bill was a revenue increase and therefore could not be initiated on the Senate side. I do not believe we should stop this process of moving the bill forward. We should pass this bill just as it is so we do not have to conference it. But that means we are going to have to include a fee in another measure, probably an appropriations bill that is moving forward. I am sure that we will get the support of our colleagues across the aisle to make sure that happens because there was broad bipartisan support for a fee that would fund education and training programs.

I think that we have cleared the deck for approval of this bill. It is the best bill that has been considered yet. I would urge all of us to vote for it and to vote for it with some great degree of enthusiasm. As Alan Greenspan has pointed out, much of our economic prosperity is very much related to the Ph.D.'s who have come in from all around the world to come and be Americans with us. We are the better for that.

Mr. CANNON. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ROHRBACHER).

Mr. ROHRBACHER. Mr. Speaker, I rise in strong opposition to this legislation. This legislation is nothing more than a betrayal of American working people. Why should we bring in 240,000 foreigners in order to depress the wages in the United States of America? That is exactly what we are talking about here.

There are enough Americans to do these jobs. The only thing that is lacking is the pay levels and the training. So instead of requiring our companies to train people to do these high-tech jobs who are unemployed now, like laid-off aerospace industries, or to pay a little bit more money to attract our kids coming out of school, no, instead we are going to bring in 240,000 foreigners to keep wages low. In times of prosperity if you believe in free enterprise, that is when wages are supposed to go up. But if we bring in 240,000 foreigners to take these good, high-paying tech jobs, those high-paying jobs which are now \$60,000 that should go to 70 or \$80,000 will stay at that level.

What this bill does is, number one, betray our own people who are out of work who need that training, need those jobs, that are 50 years old; but the Bill Gates billionaires of the world would rather bring in foreigners and not have to pay for the training and not have to pay perhaps for the health benefits of someone who is a lot younger. We should not be subsidizing these billionaire high-tech companies and these billionaires who have made money up in the Silicon Valley. They should pay their workers more money, they should train them and, yes, let us have an incentive for more of our young people to go into these high-tech companies and high-tech skill areas. If we keep wages low, our students are not going to be attracted to these high-tech areas. But if we let wages increase as the market would suggest, we will have our students go in that direction to try to get those jobs.

For someone who believes in the market and supposedly the Republicans believe in the market, this bill is a betrayal of our principles but a betrayal of America's working people. Let us not bring in 240,000 foreigners to take jobs that could be done by Americans if they had the training and the pay levels to get those jobs.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I want to thank the distinguished ranking member from Michigan, the gentleman from California (Mr. DREIER), the gentlewoman from California (Ms. LOFGREN). A number of other of our colleagues have worked very hard on this legislation. It is good legislation. It is essential legislation. It benefits a great many industries critical to the health of our economy.

But foremost among those sectors benefited is the high technology indus-

try. The reason for that is that in the next few years the demand for skilled technology workers will mushroom worldwide. In the United States alone we will need 1.4 million more computer programmers, computer scientists and engineers by the year 2003. Today, 2.5 million workers work directly in the high technology industry; and while American firms dominate information technology markets worldwide, there are some 350,000 unfilled high technology jobs in the United States alone. To keep pace with demand each year for the next 10 years, the United States will have to train and hire an additional 130,000 computer scientists, engineers, and systems analysts.

And unlike many of those countries that are falling behind us, our strength is in our openness, openness to the flow of goods and services and capital and people. The warnings from the left and particularly from the right that more trade and immigration would throw native-born Americans out of work, destroy jobs and drive down wages have proven to be spectacularly wrong. I am looking for my friend from California, because our economic expansion has continued at the highest pace ever. That was the gentleman from California (Mr. ROHRBACHER), certainly not the gentlewoman from California (Ms. LOFGREN), who obviously understands the need.

In the last decade trade and investment with and in the United States economy has reached record levels while the influx of legal immigrants has averaged close to a million per year. And yet contrary to all the isolationists' dire predictions, unemployment has fallen to a 30-year low, 22 million new jobs have been created, real wages have been rising all across the income scale, and the current economic expansion has just set a record as the longest in United States history.

Until workforce training catches up to workforce demand, it is incumbent upon us to ensure that our employers have the ability to fill gaps in their workforce with qualified foreign national professionals. By allowing and encouraging the best and the brightest from around the globe to bring their knowledge and skills to the United States, and we are a Nation of immigrants, that is one of the reasons it is working so well, we can preserve our high-tech advantage over other countries while at the same time making sure that those same jobs do not move overseas. This is preventing those jobs from moving overseas.

As we have heard, this legislation if enacted will ensure that Americans have the education skills and training to take these jobs if they choose to pursue the training opportunities that this bill will provide. The dedicated fees generated by this bill will ensure that current American workers can be retrained for high-tech, new economy jobs. That is why we need to support it.

I thank the White House and the Democratic and Republican leadership.

It is a fair and productive matter. Let us vote for it.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. OWENS).

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

Mr. OWENS. Mr. Speaker, the process is a betrayal. The process by which this important legislation has been brought to the floor is a betrayal of all of the reasonable Members of this House who are ready to move to meet an emergency. We understand that there is a great need for more workers to be brought in. We understand that there is a shortage, those figures are not rigged, that there is a shortage and it is mushrooming. We understand that we are going into a cyber-civilization and brain power is very important and we cannot hesitate and slow down the process. We understand the need to do something.

But why have it brought to the floor in the form of a suspension bill and not have it debated on the floor of the House fully and not allow amendments to be introduced which would be very useful for this process? What we are doing here is steamrolling through a cap. We will have a cap which amounts to almost 600,000 people over a 3-year period. 600,000 people are going to be brought in without any further discussion of the process of creating brain power. We are going to let nations like India and China, et cetera, create or let their school systems fill this need for us because we are not willing to debate and really come to grips with the process that is needed to generate and develop this kind of brain power in our own country.

We have a \$230 billion surplus this year and all of the proposals for education have been milquetoast proposals. We are not coming to grips with the fact that we need to invest very heavily in infrastructure, very heavily in computers and equipment. In the area of immigration alone, we are overlooking a supply of manpower that is already here. There are large numbers of young people who come out of our high schools, they are undocumented, they come out of the high schools because they are allowed to go to public schools, but they cannot go to college and receive scholarships because they are undocumented. They have the brain power. I wanted to offer an amendment where they would be allowed special status, also. There are numerous amendments that were waiting to be attached to this bill to make it better, and we have violated the trust of the people who wanted to make this happen.

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

Mr. Speaker, I just had a phone call from the president and CEO of Intel, Mr. Craig Barrett, whose view of this is that we can either import workers, or

export jobs. I think that is really what this comes down to.

Part of the criticism of this bill has come from people who believe that bringing in new workers would keep wages low. As a practical matter, these people that are coming in with high skills and high education are making the pie bigger. They are making us all wealthier. That is just the fundamental distinction between the sides here.

I would like to speak for a moment about this new economy and what is going on here. We talk about the new economy, the Internet economy, the e-economy, and yet is there any part of our economy that is not affected by this?

Consider, for instance, trucking. The first company in the country that adopted global satellite positioning for its trucks was from my district in Utah, England Trucking. Their profitability skyrocketed initially when they did that, but now every other trucking company in the country is using that technology. And what has happened? The cost of trucking has plummeted because of that technology. Their greatest problem is getting enough drivers these days.

If you look at every other element of our economy, take farming, for instance. The price of a bushel of corn today is the same as it was essentially in 1950, unadjusted for inflation. That is because our farmers have been at the very cutting edge of technology.

What we are doing with this bill is bringing in the people that will actually accelerate the rate at which we grow our economy and which we develop new technologies. The amazing thing is that the rate at which we are absorbing new technology is accelerating, and the rate at which we have opportunities to expand technology are accelerating.

For instance, the Proteon project now, which is the application of the knowledge we have developed through the human genome project, is mammoth; and the opportunities for human health and other development from just that one issue alone are tremendous.

So we do not have a dearth of jobs; we have a dearth of people to carry these great opportunities forward.

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

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

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

Mr. Speaker, in central Texas, workforce development is the number one, overriding high-tech issue. From the work that my office does with one technology company after another in helping get H-1B visas processed, I know that such visas represent one short-term answer to our needs.

One reason that Austin, Texas prospers is by living the lyrics of that great Texan Lyle Lovett, who sings, "Oh no, you're not from Texas, but Texas wants

you anyway." We have attracted the best and brightest people from all over the world in part, through this H-1B program, to sustain our high-tech industries.

A high-tech leader in Austin, only a couple of months ago, was telling me that his situation in not being able to get qualified people to do the jobs that needed to be filled yesterday is not unlike a steel mill that cannot get an adequate supply of iron ore.

Because we have such a serious problem, with unemployment at an all-time low, in being able to get needed workers, I joined with a bipartisan coalition back in March to increase the supply of visas and to reform the process by which they are provided. The gentleman from California (Ms. LOFGREN) has been entirely too modest tonight. Without her determined leadership in forging a bipartisan coalition, we would not have secured H-1B legislation this year. My regret is that it is here in this fashion, and that so little has been done to address the other critical needs such as for modernizing immigration services with on-line filing and monitoring.

I am here not because I think this is a good bill, but because it is the only bill that the House leadership will permit us to consider on this issue. To schedule this debate 3 hours after Members were told they could leave the Capitol because there would be no further votes, to schedule it in a way that limits the debate time to a few minutes, to deny all perfecting amendments, is all too typical of the way this House has operated this year under the Republican leadership. But after months of inaction on such a critical high tech issue, this unfortunate approach shortchanges both this House and our high-tech industry.

In what will hopefully be a much better Congress next year, I will continue seeking more comprehensive legislation to reform the visa process and to create a separate "tech visa." At the same time we must also make much more effective use of visa fee revenue to develop the skills of young Americans to fill future tech job openings so that even more of our neighbors can share our economic success.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. SMITH).

Mr. SMITH of Washington. Mr. Speaker, I rise in support of this bill. I particularly want to thank the gentleman from California (Ms. LOFGREN) for her outstanding leadership on this issue. She has been working a long time at it and has done a tremendous job, and this is very important to the future of our economy.

I too regret a little bit the way this bill has come to the floor, but it is still a critical issue if we are going to move forward with the high-tech economy and keep our economy moving.

We all know that the long-term solution to the skills gap we have in this country is not going to be immigrants from other countries. The long-term

solution definitely involves improving our education system, and we are working to do that and we must work to do that. But in the short-term it is to our country's advantage to go out and take the best and brightest from the rest of the world and bring them to the U.S. to help grow our economy.

I guess the strongest disagreement I have with the opponents of this legislation is their claim that it is going to cost us jobs. It is going to create jobs. In the Seattle-Puget Sound corridor, every high-tech job has an incredible multiplier effect. It creates jobs. Bringing in people who can fill these jobs is going to allow not just the Microsofts and the Boeings, but hundreds, if not thousands, of small companies in my district and my region to grow, by getting the skilled workers they need to enable them to continue to compete in our global economy and grow and actually create jobs.

It is in our best interest to bring the best and the brightest from the rest of the world here to help our economy. That is the competitive and wise thing to do.

This bill moves us in the right direction. There are many other immigration issues that need to be addressed. The gentlewoman from California (Ms. LOFGREN) once again has been an outstanding leader on all of those issues. We should address them, and we will work on them. But expanding the number of skilled workers that our businesses in this country have access to is the most critical issue facing business.

Every business I go to, when I ask them what issues are most important to them, they always tell me the same thing: workforce. "We can't get the people we need to grow to the level that we could be growing if we had those employees."

This is a critical issue. I urge this House to pass this. It is not a perfect process. Nobody ever said Congress was a perfect process. But it is a good bill that we should support.

Mr. CANNON. Mr. Speaker, I yield the balance of my time to the gentleman from California (Mr. DREIER) to close. Let me point out that the gentleman from California (Mr. DREIER) has been the fire and the work behind the bill in getting it to this point.

The SPEAKER pro tempore (Mr. OSE). The gentleman from California is recognized for 5 minutes.

Mr. DREIER. Mr. Speaker, in less than 2 hours millions of Americans are going to be watching what will certainly be a very exciting and stimulating debate that will take place between Governor Bush and Vice President Gore. It is going to be a very partisan debate, and that is why I am happy that we in the House of Representatives just 2 hours before that debate are able to participate in a very important bipartisan effort here. It is one, as my friend, the gentlewoman from California (Ms. LOFGREN), said, that began over a year ago. And, yes, it was about a year ago that we began working together on this issue.

I want to say, first of all, that the chairman of the Subcommittee on Immigration and Claims (Mr. SMITH), has been extremely helpful in moving this process ahead, and there are a litany of people on our side who have always worked very hard on this: the gentleman from Utah (Mr. CANNON), who is managing this bill now; the gentleman from California (Mr. COX); the gentleman from Virginia (Mr. DAVIS); the gentleman from Virginia (Mr. GOODLATTE); and the gentleman from Michigan (Mr. EHLERS), who has the very important component which really has not been mentioned a lot, and that is the issue of education, his focus on math and science education, which will create a scenario where we do not have to rely on H-1B visas for these jobs to be filled in the United States.

That is the long-term solution. I should say that is why my colleague, the gentleman from Massachusetts (Mr. MOAKLEY), the ranking minority member of the Committee on Rules, and I have joined just a little while ago in introducing H.R. 5362, which takes the very important component in our legislation which is designed to increase the fee from \$500 to \$1,000. Why? So that we can have the resources necessary to address these very important issues which the gentleman from Michigan (Mr. EHLERS) has focused on.

Now, let me say that, again, this has been a bipartisan effort, and I want to express my appreciation to the gentlewoman from California (Ms. LOFGREN). We have gone through some bumpy times on this issue; but we have come, again, to accept this very, very great piece of legislation that our colleagues in the Senate by a vote of 96 to 1 have passed.

Also there are other people on the other side of the aisle who have worked hard on this, including the gentleman from Virginia (Mr. MORAN); my colleague, the gentleman from California (Mr. DOOLEY); and the gentleman from Washington (Mr. SMITH), who just spoke very eloquently about the fact that we will be creating jobs right here in the United States by increasing the number of H-1B visas.

Today there are about 300,000 jobs that need to be filled, and those jobs have not been filled. Why? Because we do not have the expertise here in the United States to do that. Now, what is it that can allow us to fill them? To make sure that we break down barriers and allow that expertise, regardless of where it is in the world, to be right here in the United States.

The gentleman from Utah (Mr. CANNON) just quoted the chairman of Intel, Craig Barrett, who said very appropriately that we can either choose to import workers, or export jobs. The fact is there are countries in the world today that would very much like us to see not only the jobs, but actually the bases for these operations, the headquarters, to move to Singapore, Ireland or other spots in the world. We need to do everything we can to break down

government barriers, so that we can make sure that that expertise is here.

Now, a number of people have mentioned the fact that we have seen tremendous strides in the area of biotechnology. The gentleman from Utah (Mr. CANNON) just spoke eloquently about the genome project. When you look at the fact that we want to cure a wide range of diseases that are out there, Alzheimer's, Parkinson's, cancer, heart disease, we need to make sure that we continue with innovation. That is why the pharmaceutical industry, which I know has been criticized in this presidential debate, is very key. They have to have the expertise available to do this. Also in the technology sector, again, that ripple effect which the gentleman from Washington (Mr. SMITH) mentioned is so key, because jobs will be created right here.

What we have is a situation where we are relying on people and brain power, not steel and machines. That is the wave of the future. So for us to break down a governmental barrier is the best thing for us. That is why, Mr. Speaker, I am very proud that we are going to move forward in doing the right thing.

The gentleman from Illinois (Speaker HASTERT) and the gentleman from Texas (Mr. ARMEY), our majority leader, have worked long and hard and have been very supportive of this. I am pleased that having gone through this challenging time, that we have come together in a bipartisan way.

I hope that we can overwhelmingly pass this, take this language, send it down to the President for his signature, and improve the quality of life for the people in the United States and around the world, and increase the number of American jobs right here for Americans.

Mr. DAVIS of Virginia. Mr. Speaker, I rise to support S. 2045, the American Competitiveness in the Twenty-First Century Act of 2000.

In the summer of 1999, the House Judiciary Subcommittee on Immigration and Claims held hearings to investigate the workforce shortage affecting America's high-tech industry. The high-tech industry's explosion in the U.S. has created over 1 million jobs since 1993 and has produced an industry unemployment rate of 1.4 percent. As a result, our nation's economy has soared and the American people are enjoying the highest standard of living in history.

However, the United States' computer and information technology industry does not have access to growing numbers of highly skilled personnel. Lack of skilled workers threatens our nation's ability to maintain robust economic growth and expanding opportunities. The H-1B visa program allows foreign professionals to enter and work "temporarily" in the U.S. There are currently over 364,000 unfilled positions in the high-tech industry. In Northern Virginia alone, there are 28,000 openings. The Department of Labor projects that this deficit will increase by 1 million workers in the next decade. At the present time, the annual limit for granting H-1B visas is 115,000, which was reached in March, 2000.

America needs to sustain its position as the world leader in the information technology industry. The critical need for highly-skilled information technology workers demands that we take action now to ensure our continued strength in light of today's global economy. There is no question that we need to educate our children and retrain our current workers to fulfill the demands of an IT workplace. But these are long-term challenges that we are attempting to address in this legislation and through education programs and IT training tax incentives, among others.

We must ease the short-term skilled worker shortage that is a function of a booming industry that has increased employment and contributed to a growing budget surplus. And we need to do so by increasing American companies' access to the best-educated and best-trained minds if we are to maintain our position as the leader of the Information Age. Indeed, many of these workers are trained in American universities. Yet we send them back home to use those skills on behalf of our competitors. Let us keep these minds within America's borders for the benefit of American citizens.

There have been concerns expressed that companies want foreign skilled workers in order to avoid paying American citizens' higher wages to do the same job. However, temporary employees are not paid any less than their counterparts. In fact, I find it difficult to believe that a company would endure the time-consuming process and cost of attracting a foreign worker instead of hiring home-grown talent.

As an original sponsor of the Dreier-Lofgren HI-TECH Act, I am very pleased that we are moving quickly to pass the H-1B legislation approved by the other body. I am a firm believer in the market system. Here, the information technology industry is experiencing a shortage of highly-trained and skilled workers, forcing them to look abroad for such trained professionals. With this legislation, we can be certain that as we shift the focus of our early educational efforts to fulfilling the demands of an Information Economy, that in the meantime, the best and brightest minds will guide America into the new millennium. For these reasons, I urge all of my colleagues to vote in favor of S. 2045.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CANNON) that the House suspend the rules and pass the Senate bill, S. 2045, as amended.

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

A motion to reconsider was laid on the table.

TRUTH IN REGULATING ACT OF 2000

Mr. RYAN of Wisconsin. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1198) to establish a 3-year pilot project for the General Accounting Office to report to Congress on economically significant rules of Federal agencies, and for other purposes.

The Clerk read as follows:

S. 1198

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Truth in Regulating Act of 2000".

SEC. 2. PURPOSES.

The purposes of this Act are to—

- (1) increase the transparency of important regulatory decisions;
- (2) promote effective congressional oversight to ensure that agency rules fulfill statutory requirements in an efficient, effective, and fair manner; and
- (3) increase the accountability of Congress and the agencies to the people they serve.

SEC. 3. DEFINITIONS.

In this Act, the term—

- (1) "agency" has the meaning given such term under section 551(1) of title 5, United States Code;
- (2) "economically significant rule" means any proposed or final rule, including an interim or direct final rule, that may have an annual effect on the economy of \$100,000,000 or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; and
- (3) "independent evaluation" means a substantive evaluation of the agency's data, methodology, and assumptions used in developing the economically significant rule, including—

(A) an explanation of how any strengths or weaknesses in those data, methodology, and assumptions support or detract from conclusions reached by the agency; and

(B) the implications, if any, of those strengths or weaknesses for the rulemaking.

SEC. 4. PILOT PROJECT FOR REPORT ON RULES.

(a) IN GENERAL.—

(1) REQUEST FOR REVIEW.—When an agency publishes an economically significant rule, a chairman or ranking member of a committee of jurisdiction of either House of Congress may request the Comptroller General of the United States to review the rule.

(2) REPORT.—The Comptroller General shall submit a report on each economically significant rule selected under paragraph (4) to the committees of jurisdiction in each House of Congress not later than 180 calendar days after a committee request is received. The report shall include an independent evaluation of the economically significant rule by the Comptroller General.

(3) INDEPENDENT EVALUATION.—The independent evaluation of the economically significant rule by the Comptroller General under paragraph (2) shall include—

(A) an evaluation of the agency's analysis of the potential benefits of the rule, including any beneficial effects that cannot be quantified in monetary terms and the identification of the persons or entities likely to receive the benefits;

(B) an evaluation of the agency's analysis of the potential costs of the rule, including any adverse effects that cannot be quantified in monetary terms and the identification of the persons or entities likely to bear the costs;

(C) an evaluation of the agency's analysis of alternative approaches set forth in the notice of proposed rulemaking and in the rulemaking record, as well as of any regulatory impact analysis, federalism assessment, or other analysis or assessment prepared by the agency or required for the economically significant rule; and

(D) a summary of the results of the evaluation of the Comptroller General and the implications of those results.

(4) PROCEDURES FOR PRIORITIES OF REQUESTS.—The Comptroller General shall have discretion to develop procedures for determining the priority and number of requests for review under paragraph (1) for which a report will be submitted under paragraph (2).

(b) AUTHORITY OF COMPTROLLER GENERAL.—Each agency shall promptly cooperate with the Comptroller General in carrying out this Act. Nothing in this Act is intended to expand or limit the authority of the General Accounting Office.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the General Accounting Office to carry out this Act \$5,200,000 for each of fiscal years 2000 through 2002.

SEC. 6. EFFECTIVE DATE AND DURATION OF PILOT PROJECT.

(a) EFFECTIVE DATE.—This Act and the amendments made by this Act shall take effect 90 days after the date of enactment of this Act.

(b) DURATION OF PILOT PROJECT.—The pilot project under this Act shall continue for a period of 3 years, if in each fiscal year, or portion thereof included in that period, a specific annual appropriation not less than \$5,200,000 or the pro-rated equivalent thereof shall have been made for the pilot project.

(c) REPORT.—Before the conclusion of the 3-year period, the Comptroller General shall submit to Congress a report reviewing the effectiveness of the pilot project and recommending whether or not Congress should permanently authorize the pilot project.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. RYAN) and the gentleman from Ohio (Mr. KUCINICH) each will control 20 minutes.

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

GENERAL LEAVE

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 1198.

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

There was no objection.

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

Mr. Speaker, S. 1198 is Truth in Regulating Act of 2000. It is a bipartisan good government bill. It establishes a regulatory analysis function with the General Accounting Office. This function is intended to enhance congressional responsibility for regulatory decisions developed under the laws Congress enacts. It is the product of the leadership over the past few years of the gentlewoman from New York (Mrs. KELLY), the chairwoman of the Subcommittee on Regulatory Reform and Paperwork Reduction, who will be joining us here in a few minutes.

The most basic reason for supporting this bill is constitutional, as Congress needs a Congressional Budget Office to check and balance the executive branch in the budget office, so too does it need an analytic capability to check and balance the executive branch in the regulatory process. GAO is a logical location since it already has some