

among physicians and researchers that seizures can lead to brain damage, increased susceptibility to more frequent seizures, and even sudden death.

There has been a dramatic increase in epilepsy research over the last decade, but there is still much work to be done. Twenty-five percent of epileptic patients have uncontrollable seizures. Current treatment does not prevent some patients from suffering seizures and irreversible damage. That is why we have a responsibility to expand research to improve these treatments.

In my hometown of Chicago, one organization that is working to improve treatments for epilepsy is Citizens United for Research in Epilepsy, or CURE. CURE is a national organization founded by parents of children with epilepsy, which, through grassroots efforts, seeks to find a cure for pediatric epilepsy and to raise public awareness of the disease and its devastation.

Epilepsy is a cross cultural condition that strikes people of all ages and income levels. In fact, 3 percent of all Americans will develop epilepsy by the time they reach age 75. That's 3 percent who must confront a tremendously challenging physical barrier to completing their education, contributing in the workplace, and supporting a family life. While it is a formidable and daunting challenge, there is good news. Although existing treatments may not cure epilepsy, they can certainly help patients confront the challenge and lead normal, productive and happy lives. The bad news is that not all Americans have access to these services. Because they lack the resources for comprehensive treatment, they, their families, and their communities suffer needlessly.

We must support the efforts of the National Institutes of Health and the Centers for Disease Control in their continued efforts to improve these treatments. We must expand access to these treatments to all afflicted Americans regardless of income. And we must increase awareness among the American people of the severity and prevalence of this health crisis.

Mr. Speaker, I thank our colleagues in the Senate for passing this important resolution, as well as the gentlelady from Florida, Ms. BROWN, for introducing a companion resolution in the House. I also applaud the continuing efforts of the researchers and medical professionals who improve the lives of those afflicted by epilepsy, and who work towards its eventual cure. They deserve our unwavering support. I strongly encourage my colleagues to vote for S. Con. Res. 48.

Mr. HOYER. Mr. Speaker, I am pleased to support this resolution, S. Con. Res. 48, supporting the goals and ideals of National Epilepsy Awareness Month.

More than 2.3 million people in the United States have some form of epilepsy. Thirty percent of them are children under the age of 18. About 180,000 new cases of seizures and epilepsy are diagnosed each year. A large number of children and adults have undetected or untreated epilepsy. Yet so many people know very little about the condition, including how to detect it, and how to treat it.

I serve on the Labor, Health and Human Services, and Education Appropriations Subcommittee and have long advocated an increased federal commitment for both the research and treatment for adults and children with epilepsy. I have supported greater epi-

lepsy research at the National Institutes of Health to study causes and cures of this neurological condition. I was honored to be a part of establishing the first epilepsy-specific program at the Centers for Disease Control and Prevention. And I am pleased that this year the House has provided \$3 million for the Health Resources and Services Administration to implement a demonstration public health program to serve people with epilepsy who lack access to adequate medical care. I hope that funding will be included in the final omnibus appropriations bill for this purpose.

While the progress we have made so far in increasing research and improving public health strategies for epilepsy is important, we must also continue to increase awareness and education. By increasing awareness we can affect social attitudes, government programs, and the delivery of health care services for persons currently without treatment. We can improve efforts for prevention and treatment. And perhaps one day soon we can find a cure.

In about 70 percent of epilepsy cases there is no known cause. Of the remaining 30 percent, the most frequent causes are head trauma (such as from a car accident, sports accident, or a fall), brain tumor, stroke, poisoning (including lead poisoning and alcoholism), infection, or maternal injury.

But with treatment, people can achieve full or partial control of seizures in about 85 percent of cases. Drug therapy is often required treatment, and less often, surgery. Dietary changes can also sometimes control seizures.

Improved prevention and treatment is dependent on improved awareness and education.

This week many of us in Congress are discussing the need to provide seniors greater and improved access to prescription drugs. Seniors with epilepsy are no different. They need unimpeded access to, and coverage for, the critical anti-epileptic drugs that treat their condition. Many people with epilepsy are concerned about the availability of all anti-epileptic drug options when enrolling in managed care plans. A Medicare bill that pushes seniors into managed care may not meet the needs of this population. When we consider the Medicare legislation before us, we must ensure that seniors, including seniors with epilepsy, should not be forced to worry about their drug coverage.

I applaud this resolution and support the establishment of an annual Epilepsy Awareness Month.

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

The SPEAKER pro tempore (Mr. SWEENEY). The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and concur in the Senate concurrent resolution, S. Con. Res. 48.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

## BASIC PILOT PROGRAM EXTENSION AND EXPANSION ACT OF 2003

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1685) to extend and expand the basic pilot program for employment eligibility verification, and other purposes.

The Clerk read as follows:

S. 1685

*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 "Basic Pilot Program Extension and Expansion Act of 2003".

### SEC. 2. EXTENSION OF PROGRAMS.

Section 401(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended by striking "6-year period" and inserting "11-year period".

### SEC. 3. EXPANSION OF THE BASIC PILOT PROGRAM.

(a) IN GENERAL.—Section 401(c)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended by inserting after "United States" the following: ", and the Secretary of Homeland Security shall expand the operation of the program to all 50 States not later than December 1, 2004".

(b) REPORT.—Section 405 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended—

(1) by striking "The" and inserting:

"(a) IN GENERAL.—The", and

(2) by adding at the end the following new subsection:

"(b) REPORT ON EXPANSION.—Not later than June 1, 2004, the Secretary of Homeland Security shall submit to the Committees on the Judiciary of the House of Representatives and the Senate a report—

"(1) evaluating whether the problems identified by the report submitted under subsection (a) have been substantially resolved; and

"(2) describing what actions the Secretary of Homeland Security shall take before undertaking the expansion of the basic pilot program to all 50 States in accordance with section 401(c)(1), in order to resolve any outstanding problems raised in the report filed under subsection (a)."

(c) CONFORMING AMENDMENTS.—Section 402(c) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended—

(1) in paragraph (2)(B), by striking "or entity electing—" and all that follows through "(ii) the citizen attestation pilot program" and inserting "or entity electing the citizen attestation pilot program";

(2) by striking paragraph (3); and

(3) by redesignating paragraph (4) as paragraph (3).

(d) ADDITIONAL TECHNICAL AND CONFORMING AMENDMENTS.—Title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended by striking "Attorney General" each place that term appears and inserting "Secretary of Homeland Security".

### SEC. 4. PILOT IMMIGRATION PROGRAM.

(a) PROCESSING PRIORITY UNDER PILOT IMMIGRATION PROGRAM FOR REGIONAL CENTERS TO PROMOTE ECONOMIC GROWTH.—Section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is amended—

(1) by striking "Attorney General" each place such term appears and inserting "Secretary of Homeland Security"; and

(2) by adding at the end the following:

"(d) In processing petitions under section 204(a)(1)(H) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(H)) for classification under section 203(b)(5) of such Act (8 U.S.C. 1153(b)(5)), the Secretary of Homeland Security may give priority to petitions filed by aliens seeking admission under the pilot program described in this section. Notwithstanding section 203(e) of such Act (8 U.S.C. 1153(e)), immigrant visas made available under such section 203(b)(5) may be issued to such aliens in an order that takes into account any priority accorded under the preceding sentence."

(b) EXTENSION.—Section 610(b) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is amended by striking "10 years" and inserting "15 years".

#### SEC. 5. GAO STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the General Accounting Office shall report to Congress on the immigrant investor program created under section 203(b)(5) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5)).

(b) CONTENTS.—The report described in subsection (a) shall include information regarding—

(1) the number of immigrant investors that have received visas under the immigrant investor program in each year since the inception of the program;

(2) the country of origin of the immigrant investors;

(3) the localities where the immigrant investors are settling and whether those investors generally remain in the localities where they initially settle;

(4) the number of immigrant investors that have sought to become citizens of the United States;

(5) the types of commercial enterprises that the immigrant investors have established; and

(6) the types and number of jobs created by the immigrant investors.

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

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

#### GENERAL LEAVE

Mr. SENSENBRENNER. 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. 1685, the bill currently under consideration.

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

There was no objection.

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

Mr. Speaker, today we are considering Senate 1685, a bill authored by Senator GRASSLEY that represents a fair and reasonable compromise regarding the reauthorization of the employment eligibility verification pilot project.

The Immigration Reform and Control Act of 1986 made it unlawful for employers to knowingly hire or employ illegal aliens and required employers to check the identity and work eligibility documents of all new employees. Unfortunately, illegal aliens have used the easy and cheap availability of counterfeit documents to make a mockery of this law. Today's document-based verification system just does not work. It frustrates employers who do not want to hire illegal aliens but have no other choice than to accept documents that have a high likelihood of being counterfeit.

In 1996, Congress responded to this state of affairs by creating a pilot program under which employers who elect to participate may submit the Social Security and alien identification numbers of newly hired employees to be checked against Social Security Administration and INS records.

□ 1730

This weeds out bogus numbers provided by illegal aliens and thus ensures that new hires are genuinely eligible to work.

The pilot program has been a great success over its 6 years of operation. A recent study found that 96 percent of participating employers believed the pilot to be an effective and reliable tool for employment verification, 94 percent believed it to be more reliable than the IRCA-required document check, and 83 percent believed that participating in the pilot reduced uncertainty regarding work authorization. The study recommended the continuation of the pilot.

Last month, this body considered H.R. 2359, introduced by the gentleman from California (Mr. CALVERT), that would have extended the pilot program for an additional 5 years. It would have allowed employers throughout the Nation to voluntarily participate. Currently, the Department of Homeland Security is required to operate the pilot in at least five of the seven States with the highest estimated number of illegal aliens.

Senate 1685 also extends the pilot for an additional 5 years. It also takes two steps to address the concerns of some of our colleagues that aspects of the pilot program can be improved. First, the bill delays nationwide expansion for a year. It provides that employers in all States shall be able to participate in the basic pilot program no later than December 1, 2004. In addition, not later than June 1, 2004, the Secretary of Homeland Security shall complete a report evaluating whether any problems identified in the 2001 report on the basic pilot program have been substantially resolved and describing what actions the Secretary shall take to resolve any outstanding problems before undertaking the expansion of the program.

Senate 1685 also addresses the immigrant investor visa program. To encourage economic development

through the program, Congress created a 5-year temporary pilot program in 1993 that set aside 3,000 immigrant visas each year for aliens who invested at least \$500,000 in designated regional centers. A regional center is any economic unit, public or private, which is involved with the promotion of economic growth, including increased export sales, improved regional productivity, job creation, or increased domestic capital investment. A center seeking approval must submit a proposal showing how it plans to focus on a geographical region within the United States to achieve the required growth. Once a center has been approved, an alien applicant can receive an investor visa by showing that he will make the qualifying investment within the approved regional center. In 2000, Congress extended this program until September 2003.

Senate 1685 extends this pilot program for an additional 5 years and also allows the Department of Homeland Security to process investor visa petitions involving regional centers expeditiously, as compared to nonpilot program investor visa petitions.

I urge my colleagues to support this bill. The legislation will provide willing employers throughout the Nation the tools they need to hire a legal workforce.

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

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

The consideration of S. 1685 is a positive step toward resolving a concern that many Americans have as relates to ensuring the complete and accurate employment of those who are able and should be employed in a legal manner. The basic pilot is a temporary, voluntary program for electronically verifying the employment authorization of newly-hired employees. The bill, S. 1685, would extend the program for another 5 years.

The objective of employment verification is to ensure that American employers hire workers who are authorized to work in the United States. Under the basic pilot, the employer examines the documents of a newly-hired employee and then transmits the pertinent information electronically to an office of the Social Security Administration. The SSA office compares the information with its records. In the case of a foreign worker, the SSA office will pass the information on to the Bureau of Citizenship and Immigration Services.

The BCIS compares the alien's employment data with immigration records to determine whether he or she is authorized to work in the United States. If BCIS confirms that the alien employee is authorized to work in the United States, it issues a confirmation number. If BCIS determines instead that the new employee is not authorized for employment in the United States, it issues a tentative nonconfirmation number. Procedures are

available to permit either the employer or the employee to contest a tentative nonconfirmation before it becomes final, at least allowing procedures of due process so that those who would insist that they are allowed to work here would have the opportunity to protest any denial and to be able to provide information to prove that they can work here in the United States.

The basic pilot is an effective employee verification program that makes it easier and safer for employers to hire foreign workers which makes it easier for lawful foreign workers to find employment.

Section 405 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 required the Attorney General to submit a report on the basic pilot to the House and Senate Judiciary Committees. The report was done by the Institute for Survey Research at Temple University. The Institute identified a substantial number of implementation problems. It concluded, among other things, that the basic pilot was a good program, but that it was not ready yet for larger-scale implementation. Consequently, I have concerns about a provision in S. 1685 which would expand the pilot program from its present size of being available in only six States to being available in all 50 States.

S. 1685 has a provision, however, which I believe addresses the problems that the Institute identified. This provision would require the Secretary of Homeland Security, prior to expanding the program, to submit a report to the House and Senate Judiciary Committees stating, one, the extent to which these problems have been resolved; and, two, describing what additional actions will be taken before expanding the program. This is a helpful addition, if you will, that counters the over-expansion to 50 States, which I believe we are not yet prepared for in terms of manpower hours at Homeland Security and, as well, technology to be able to address the overload that will occur. But it is an important issue to ensure that employers are, in fact, complying with the law and hiring those appropriately able to work in the United States.

S. 1685 also would extend the duration of an immigrant investor pilot program for 5 additional years. It is a little-used program, and I think we should do a lot to expand and promote this program because it is an investment program. This pilot program arose out of the basic immigrant investor EB-5 program. Ten thousand EB-5 visas are available each year, 5,000 of which are reserved for people who participate in the pilot program.

The requirements for participating in the pilot program are essentially the same as the requirements for participating in the EB-5 investor program, with some exceptions. An investor under the pilot program can qualify with an investment of less than \$1 million, which is the requirement for the

basic EB-5 program. The pilot program investor may satisfy the eligibility requirements with an investment of as little as \$500,000 in a specified type of commercial enterprise that would be to promote economic growth, improve regional productivity, create new jobs or save existing ones, and increase domestic capital investment in certain definitively needy areas that would benefit from this investment. I would encourage the utilization of these visas as much as possible.

I am pleased that foreign investors are being encouraged to invest in regions of our country that need the stimulation of such enterprises. I think this is a worthwhile program that should be extended. I urge my colleagues to vote for this bill.

Might I also acknowledge the work of the Committee on the Judiciary, the House Committee on the Judiciary, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) who worked on this legislation and my chairman on the Subcommittee on Immigration, Border Security, and Claims, the gentleman from Indiana (Mr. HOSTETTLER), that efforts were waged to compromise on this legislation. I do still have concerns, but I believe that we have worked through a bill that is suited for the support of my colleagues.

Mr. Speaker, the Basic Pilot is a temporary, voluntary program for electronically verifying the employment authorization of newly hired employees. The bill, S. 1685, would extend the program for another 5 years.

The objective of employment verification is to ensure that American employers hire workers who are authorized to work in the United States. Under the Basic Pilot, the employer examines the documents of a newly hired employee and then transmits the pertinent information electronically to an office at the Social Security Administration (SSA). The SSA office compares the information with its records. In the case of a foreign worker, the SSA office will pass the information on to the Bureau of Citizenship and Immigration Services (BCIS).

The BCIS compares the alien's employment data with immigration records to determine whether he or she is authorized to work in the United States. If BCIS confirms that the alien employee is authorized to work in the United States, it issues a confirmation number. If BCIS determines instead that the new employee is not authorized for employment in the United States, it issues a tentative nonconfirmation number. Procedures are available to permit either the employer or the employee to contest a tentative nonconfirmation before it becomes final.

The Basic Pilot is an effective employee verification program that makes it easier and safer for employers to hire foreign workers, which makes it easier for lawful foreign workers to find employment.

Section 405 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) required the Attorney General to submit a report on the Basic Pilot to the House and Senate Judiciary Committees. The report was done by the Institute for Survey Research at Temple University. The institute identified a substantial number of implementation prob-

lems. It concluded, among other things, that the Basic Pilot was a good program but that it was not ready yet for larger scale implementation. Consequently, I have concerns about a provision in S. 1685 which would expand the pilot program from its present size of being available in only 6 States to being available in all 50 States.

S. 1685 has a provision, however, which addresses the problems that the institute identified. This provision would require the Secretary of Homeland Security, prior to expanding the program to submit a report to the House and Senate Judiciary Committees stating first, the extent to which these problems have been resolved; and second, describing what additional actions will be taken before expanding the program.

S. 1685 would extend the duration of an immigrant investor pilot program for 5 additional years. This pilot program arose out of the basic immigrant investor EB-5 program. Ten thousand EB-5 visas are available each year, 5,000 of which are reserved for people who participate in the pilot program.

The requirements for participating in the pilot program are essentially the same as the requirements for participating in the EB-5 investor program, with some exceptions. An investor under the pilot program can qualify with an investment of less than \$1 million, which is the requirement for the basic EB-5 program. The pilot program investor may satisfy the eligibility requirements with an investment of as little as \$500,000 in a specified type of commercial enterprise. The enterprise must promote economic growth, improve regional productivity, create new jobs or save existing ones, and increase domestic capital investment.

I am pleased that foreign investors are being encouraged to invest in regions of our country that need the stimulation of such enterprises. I think this is a worthwhile program that should be extended.

I urge you therefore to vote for this bill.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. HOSTETTLER), chairman of the Subcommittee on Immigration, Border Security, and Claims.

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

Mr. HOSTETTLER. I thank the chairman for yielding me this time, and I think the ranking member of the subcommittee, the gentlewoman from Texas (Ms. JACKSON-LEE), for her work on this legislation as well.

Mr. Speaker, I want to emphasize two points. First, employers participating in the pilot program find it of immense help in the day-to-day operations of their businesses. And, second, the pilot is working extraordinarily well and will only get better in the future.

The report commissioned by the Immigration and Naturalization Service, or INS, to evaluate the program found that "an overwhelming majority of employers participating found the basic pilot program to be an effective and reliable tool for employment verification." Participating employers

appreciate the pilot because it reduces uncertainty. The pilot ensures that their operations will not be disrupted by the mass dismissal of employees after the Department of Homeland Security or the Social Security Administration question the status of their employees. The pilot ensures that they will not be put in the position of hiring illegal aliens, investing hundreds of thousands of hours in training them and then losing the benefit of this investment years down the road when they are forced to dismiss these illegal employees.

As Paul Weyrich has said in his support of this bill, "If we are really serious about enforcing the immigration laws we have on the books, then we must provide the means for employers to quickly determine the validity of the documents with which they are presented. The way the pilot program works is simple and reflects plain common sense."

The report indicated that the pilot program could be improved in a few areas. Some employers had taken adverse actions against new employees tentatively found ineligible to work. And INS databases had to be improved, especially in the context of adding data for persons recently issued a work authorization document and for new immigrants and refugees. However, remember that the report evaluated operations of the pilot in the 1990s. Since that time, INS and now the Department of Homeland Security, or DHS, have been actively making any needed improvements. DHS believes that there has been "an overwhelming improvement in the timeliness of data entry, particularly in response to the events of September 11." In fact, DHS now requires that all new data regarding immigrants be entered into the system within 3 days and all new information regarding temporary visitors be entered within 14 days.

As to employer responsibilities, DHS said that "greater emphasis on pilot procedures has been added to training materials, and safeguards have been added to pilot software to increase compliance with required procedures. For instance, employers will be required to certify that they have talked with their employees and advised them of their rights if they cannot immediately be confirmed." Finally, DHS reports that the soon-to-be-implemented Internet-based version of the pilot will greatly reduce or eliminate any remaining problems.

S. 1685, the bill now under consideration, should ameliorate concerns about any lingering problems in the pilot program by delaying nationwide implementation until next December and requiring the Secretary of Homeland Security to issue a report by June evaluating whether the problems identified by the 2001 report have been substantially resolved and describing what actions he needs to take before December 2004 in order to resolve them.

Mr. Speaker, I urge my colleagues to vote for S. 1685.

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

Mr. Speaker, let me also note, I think, an important aspect of this bill, and, that is, a concern about the dissemination of information and violation of privacy that the initial bill exhibited. I am pleased to note that the Senate removed a provision that would give State and local governments access to the information collected with this program. That would have been the first step toward the dissemination or the idea, which I think is still highly debatable, of a national identity card. So, in fact, we have provided safeguard provisions to make this legislation work, to provide the information that is necessary to ensure the protection of the workplace, and also to provide due process rights for all who are involved.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. CALVERT), the author of the House version of the bill.

Mr. CALVERT. Mr. Speaker, I rise in support of S. 1685, the Basic Pilot Program Extension and Expansion Act of 2003. The basic pilot employment verification system is the only automated system offered to employers to verify employment eligibility of new employees.

In 1994 I spoke with a Border Patrol agent who identified a key need in the enforcement of immigration laws. Employers need a simple way, a reliable tool to verify the worker status of new employees. In response, I introduced a bill to create the basic pilot program to do just that. Operating in six of the most problematic States on a voluntary basis, the basic pilot has proven to be an overwhelming success. The basic pilot program is the best tool available for employers to comply with immigration laws which prohibit hiring undocumented immigrants.

Recently, a contract cleaning service for Wal-Mart was raided by the Bureau of Immigration and Customs Enforcement and over 250 employees were arrested. If Wal-Mart's cleaning service had used the basic pilot program and verified the I-9 documents provided by their workers, this situation could have been avoided. We must provide companies the option of using this employment verification program and assist them in complying with Federal immigration law. This program is in no way mandatory. It is completely voluntary and may be used at the discretion of the employer. Without the option to use the basic pilot program, employers have no means of verifying legal work status for immigrants, causing many employers to discriminate against legal workers.

□ 1745

This program gives employers the confidence to hire legal immigrants, reducing discrimination in the work-

place. Additionally, S. 1685 allows employers from any State to voluntarily use this program. Many of my colleagues have expressed concerns that this will expand the program too far too fast. The reality is that current pilot States are home to over 80 percent of all illegal immigrants, which means the impact on the program will be negligible. The bill also requires the Department of Homeland Security to complete a report identifying and resolving any problems with the program and the expansion.

After 7 successful years, it is time to give all employers the option of verifying their workforce and avoiding entanglements with the Immigration and Customs Enforcement.

I would like to thank Senator GRASSLEY for sponsoring S. 1685, the Senate counterpart to my bill, and encourage my colleagues to vote for a bill that promotes compliance with Federal law.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. BERMAN), member of the Subcommittee on Immigration, Border Security, and Claims, who has worked long years in bringing us a consistent and effective immigration policy for this country.

Mr. BERMAN. Mr. Speaker, I thank the gentlewoman for her kind comments.

I rise in support of the proposal. I opposed the House bill that went through in part because I had concerns about what was in section 3 of the bill allowing data to be shared with State and local governments. That is no longer in the bill that has come over from the Senate. The expansion of the program is conditioned on some additional studies to make sure it is working right, and the fundamental principle is a legitimate principle. Employers who want to do the right thing should be able to access accurate information about status given the state of the Federal law at this time on who they should and should not hire.

So I always supported the principle of the pilot program. We just want to make sure it provides accurate information about the employee so that people who are eligible to work are not denied employment as a result of utilizing that system, and I congratulate the majority and the minority for pushing what I think is a more reasonable approach through.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Mr. Speaker, I thank the chairman of the Committee on the Judiciary for yielding me this time.

Mr. Speaker, the basic pilot program was originally authorized in the 1996 Immigration Act. It allows employers in six States to verify the validity of the Social Security numbers of new hires. S. 1685 reauthorizes this program and expands it to allow employers in all 50 States to voluntarily participate in the basic pilot program.

The program offers employers the opportunity to ensure that individuals they hire are eligible to work in the United States.

Illegal immigrants drive down wages and take jobs from American workers. Recent studies show immigration has depressed the wages of American workers in similar jobs by more than \$2,500 per year. Ninety percent of the American people believe that we should reduce illegal immigration, and 79 percent feel that the Federal Government should require employers to verify the work status of potential employees. The main attraction for the 10 to 20 million illegal aliens who have crossed our borders is work. If we want to reduce the incentive for illegal immigration and its negative impacts, we must reduce the availability of jobs for illegal immigrants.

This program reduces illegal immigration because it allows employers to make sure they are only hiring someone who is eligible to work in the United States.

Everyone who is concerned about lost jobs and unemployment should support the expansion of the basic pilot program. If we are serious about saving jobs for citizens and legal immigrants, we should pass S. 1685.

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

First of all, let me again acknowledge my colleagues on the Subcommittee on Immigration, Border Security, and Claims and the full Committee on the Judiciary; but I always want to acknowledge the staff, both majority and minority, for working through this legislation.

I would simply say that we have realized that we have this dilemma between the need for American workers to have jobs, particularly in this economy, and juxtaposing it against the numbers of immigrants who have come to this country for opportunity, in many instances economic opportunity. I hope that, as we look at this legislation, we will be reminded of the fact that we do need to establish a real immigration policy for this Nation.

The basic pilot legislation helps us to avoid what I think is the ugliest part of this conflict with illegal immigration, and that is racial stereotyping and stigmatizing of those who happen to come from a background that would ordinarily suggest that they are not here with legal status. By being able to find out real information through the BCIS and the Social Security Administration, employers can be safe and secure in those that they might hire.

At the same time I think that this body owes it to the establishment of a real immigration policy along with the administration that we should pass 245(i) and begin to look at ways to address the question of 8 million undocumented aliens by earning access to legalization, by passing legislation that allows those who have come here to work to earn their way to citizenship

first by way of being in this country for 5 years without a criminal background, paying taxes, and working, finding a way for them to route themselves to real citizenship.

Might I say in conclusion that as we organize a Homeland Security Department, and the Committee on the Judiciary worked very hard to establish aspects of the immigration provisions, to the credit of the Committee on the Judiciary, that particular section was called the Bureau of Citizenship, I believe, and Immigration Services. That is an important step, that we want people to be able to legally access citizenship, those who have come here to work and come here to do what is good for this country to be able to access citizenship even if their first entry might have been in an illegal status.

This legislation clearly is needed today, but we do need a forceful immigration policy. With that I ask my colleagues to vote for this legislation.

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

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

Mr. Speaker, the only way we are going to get a handle on the illegal immigration problem of this country is by giving employers the means to verify whether an applicant for employment is legally able to work here and then to enforce the 1986 law which makes it illegal for an employer to hire an illegal alien. If we do not do both, then it will be always cheaper for an employer to break the law by hiring an illegal alien because they do not have to pay them the minimum wage, they do not have to have workplace safety and environmental standards. In many cases they are paid in cash; and the deductions for Social Security and Federal and State income tax withholding are not taken out, all of which is illegal, but there still is a huge economic incentive for an employer to break the law multiple times by hiring an illegal alien.

This bill is an important part of closing a part of that loop, by giving employers nationwide the tools to find out if the person who is asking for a job is legal and a better way of being able to determine whether the documents that the applicant presents are genuine documents or counterfeit documents.

So we have done a part of making our immigration laws more effective by passing this legislation, but the other part indeed deals with enforcement because without enforcement of the immigration law, the problem that we thought we solved with the amnesty that was granted in 1986 will continue whether or not there is another amnesty that is granted by the Congress, which is a move that I personally oppose. So with that, I urge the Members to support this bill.

Mr. OSBORNE. Mr. Speaker, as an original cosponsor of similar House legislation, I encourage my colleagues to support S. 1685,

the Basic Pilot Extension Act of 2003. This important legislation would extend for five years the Basic Pilot Verification Program, which is a voluntary program that employers use in conjunction with the Bureau of Immigration and Citizenship Services (BCIS) and the Social Security Administration (SSA) to confirm employment eligibility in my home state of Nebraska, among others. This pilot, which started in November 1997, involves verification checks of the SSA and the BCIS databases of all newly hired employees regardless of citizenship. Unfortunately, the Basic Pilot program is scheduled to terminate on November 30th of this year.

The agricultural economy of Nebraska's Third District relies heavily on immigrant labor. Employers across my district have told me that they want to comply with the Immigration Reform and Control Act of 1986, which made it unlawful for employers to knowingly hire or employ aliens not eligible to work, and required employers to verify documents of new workers. However, a simple visual check of these documents by employers will not tell them if these are in fact counterfeit documents, and that this potential new hire is in fact an illegal alien.

I have heard from many business people in the Third District about their need for the Basic Pilot program. Employers need the appropriate tools to ensure that they are indeed hiring eligible workers, and S. 1685 would allow employers in all states to opt to participate in the program. By checking the new hire's documents against the BCIS and SSA databases, the Basic Pilot program allows employers to feel more confident about their new hire.

I thank my colleague, Representative CALVERT, for his hard work on this issue in the House and I urge my colleagues to support S. 1685.

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

The SPEAKER pro tempore (Mr. SWEENEY). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the Senate bill, S. 1685.

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

A motion to reconsider was laid on the table.

#### PROVIDING FOR FEDERAL COURT PROCEEDINGS IN PLANO, TEXAS

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1720) to provide for Federal court proceedings in Plano, Texas.

The Clerk read as follows:

S. 1720

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

#### SECTION 1. CHANGE IN COMPOSITION OF DIVISIONS OF EASTERN DISTRICT OF TEXAS.

(a) IN GENERAL.—Section 124(c) of title 28, United States Code, is amended—

(1) in paragraph (3)—

(A) by striking "Denton, and Grayson" and inserting "Delta, Denton, Fannin, Grayson, Hopkins, and Lamar"; and