

Whereas from 1993 to 1998, Rebiya Kadeer was elected as a member of the Provincial People's Political Consultative Conference in Xinjiang;

Whereas in 1995, Rebiya Kadeer was a delegate to the United Nations Fourth World Conference on Women in Beijing;

Whereas Rebiya Kadeer's health is deteriorating in prison and she is finding it difficult to perform her prison labor due to sickness;

Whereas Rebiya Kadeer is the mother of 10 children;

Whereas the United States Department of State has repeatedly expressed concerns about the continued imprisonment of Rebiya Kadeer;

Whereas United States Assistant Secretary of State for Democracy, Human Rights, and Labor, Lorne Craner, visited Xinjiang in December 2002 with the expectation that she would soon be released;

Whereas the day before Secretary Craner's visit to Xinjiang, 3 of Rebiya Kadeer's children were taken into custody and were released later with strict instructions not to talk to anyone about their mother's case;

Whereas Rebiya Kadeer's case was brought up before a hearing of the Senate Foreign Relations Committee on September 11, 2003, by T. Kumar of Amnesty International USA;

Whereas Chinese authorities are ignoring repeated requests from the United States Congress to release her; and

Whereas President Bush is planning to attend the APEC Conference in October 2003, in Thailand and is planning to have meetings with the Chinese President, Hu Jintao, at the Conference: Now, therefore, be it

*Resolved*, That the Senate—

(1) condemns and deplores the detention of Rebiya Kadeer and calls for her immediate and unconditional release;

(2) urges President Bush to take urgent steps to secure the release of Rebiya Kadeer as soon as possible; and

(3) urges President Bush to demand Rebiya Kadeer's immediate release when he meets with Chinese President Hu Jintao at the APEC Conference.

S. RES. 231

Whereas on December 27, 2002, the Republic of Kenya successfully held presidential, parliamentary, and local elections;

Whereas the elections were widely praised by objective international observers as free and fair;

Whereas the elections signal a major step forward for democracy in Kenya, particularly when compared with other elections held in Kenya since Kenya became an independent state in 1963;

Whereas the transition of power started by the elections culminated on December 30, 2002, when former President Daniel Toroitich arap Moi peaceably transferred the Kenyan presidency to President Mwai Kibaki;

Whereas the people of Kenya have manifested a strong desire to combat the endemic corruption that has crippled Kenyan society for years; and

Whereas the Government of Kenya has responded to this desire with concrete initiatives aimed at fostering transparency and accountability in Kenya: Now, therefore, be it

*Resolved*, That the Senate—

(1) commends the people of the Republic of Kenya for conducting free and fair elections;

(2) commends the Government of Kenya for the successful completion of a peaceful and orderly transition of power;

(3) expresses its desire to see this new democracy in Kenya thrive;

(4) acknowledges the suffering inflicted on the people of Kenya as a result of terrorist activity and appreciates the assistance and cooperation of Kenya to the global fight against terrorism;

(5) reaffirms the friendship that exists between the people of the United States and the people of Kenya, as 2 nations bound together by the shared values of democracy;

(6) applauds the regional peacemaking efforts of Kenya and the contributions of Kenya to international peacekeeping;

(7) commends the commitment and concrete steps taken by the Government and people of Kenya—

(A) to strengthen democracy, human rights, and the rule of law;

(B) to combat corruption, including through the passage by the Kenyan Parliament of the Public Officer Ethics Bill and the Anti-Corruption and Economic Crimes Bill;

(C) to improve access to education; and

(D) to prevent the transmission of HIV/AIDS;

(8) commits to working with the people of Kenya to continue making progress in combating corruption, encouraging development, fighting HIV/AIDS, and fostering respect for the rule of law and a climate of transparency; and

(9) welcomes the October 2003 visit of Kenyan President Mwai Kibaki to the United States.

#### EXTENDING THE DURATION OF THE IMMIGRANT INVESTOR REGIONAL CENTER PILOT PROGRAM

Mr. FRIST. I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 1642, and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1642) to extend the duration of the immigrant investor regional center pilot program for 5 additional years, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, I urge the Senate to pass S. 1642, a bill to extend for 5 years the EB-5 immigrant investor visa regional center pilot program, which lapsed at the end of the fiscal year on Tuesday. I am pleased that Senators BROWBACK and DASCHLE have joined me in sponsoring this bill. There are more than 25 regions in the Nation that have qualified as a "regional center" under this program, including in my State of Vermont. This designation allows them to attract foreign investment by adjusting the standard that investors must meet to obtain legal permanent resident status. The entrepreneurs must still meet a heavy burden, however, showing that their investment will create 10 or more jobs in these relatively depressed areas.

The pilot program is narrowly tailored to avoid fraud. An area seeking regional center status must provide, among other things, detailed information regarding how the center will promote economic growth through improved regional productivity, job creation, and increased domestic capital investment. The applicant must also provide a detailed explanation of why

the regional center will have a positive impact on the regional or national economy in general.

The Judiciary Committee approved the language in this bill unanimously, as part of a substitute amendment to S. 1580, the Religious Workers Act of 2003. I am pleased to include an amendment from Senator FEINGOLD that the Judiciary Committee also unanimously approved, calling for a GAO study on the EB-5 program as a whole. Such a study will give us a better idea of how the program is working and what improvements may be needed.

This is an important program for my State and many other regions of the country, and I ask for the support of all Senators in extending it for an additional 5 years.

Mr. FRIST. I ask unanimous consent that the Feingold amendment, which is at the desk, be considered, agreed to, the bill as amended be read three times and passed, the motion to reconsider be laid upon the table with no intervening action or debate, and that any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1827) was agreed to, as follows:

#### AMENDMENT NO. 1827

(Purpose: To require the General Accounting Office to report to Congress on the immigrant investor program)

At the end, add the following:

#### SEC. 2. 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 bill (S. 1642), as amended, was read the third time and passed, as follows:

S. 1642

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

#### SECTION 1. 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. 2. 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.

#### AMENDING THE IMMIGRATION AND NATIONALITY ACT

Mr. FRIST. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 2152, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2152) to amend the immigration and nationality act to extend for an additional 5 years the special immigrant religious worker program.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, this House bill is identical to S. 1580, the Religious Workers Act of 2003, of which I am a proud cosponsor. The bill extends for 5 years provisions of our immigration law that provide for special immigrant visas for religious workers sponsored by religious organizations in the United States. These visas allow

religious denominations or organizations in the United States to bring in foreign nationals to perform religious work here. This modest program—which provides for up to 5,000 religious immigrant visas a year—was created in the Immigration Act of 1990, and has been extended ever since.

These religious workers contribute significantly not just to their religious communities, but to the community as a whole. They work in hospitals, nursing homes, and homeless shelters. They help immigrants and refugees adjust to the United States. In other words, they perform vital tasks that all too often go undone.

I have worked on this issue over the years, and cosponsored bills in 1997 and 2000 that would have made this program permanent. I still believe that it should be permanent but fully support a 5-year extension as the next best thing. Time is now of the essence as we have entered Fiscal Year 2004 and allowed this program to lapse.

The House passed this bill last month by voice vote. I urge the Senate to follow suit by approving this extension and sending it to the President without further delay.

Mr. FRIST. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2152) was read the third time and passed.

#### ACCOMPLISHMENTS THIS WEEK

Mr. FRIST. Mr. President, at this juncture I wish to take a second to thank everyone for their assistance throughout this week. It has been a busy week. We have accomplished a great deal. Earlier this week we began consideration of the Iraq supplemental request. We made good progress on the supplemental request and, as we had discussed, we will complete action on this request during the first week we return.

We also considered this week the DC appropriations bill. Although I am disappointed we were unable to finish that bill, we had very important debate and discussion, much of which centered around the opportunity scholarships for impoverished children in the District, support for public charter schools, as well as additional support for public schools in the District. We were not successful in passing that bill.

I do want to assure my colleagues that we will be coming back and addressing that important issue of opportunity scholarships for impoverished schoolchildren in the District. We have addressed it and we will continue to address it with the leadership of Mayor Anthony Williams as well as other local leaders.

Last night, we reached an agreement for final passage on a genetic non-

discrimination bill, which I spoke to in detail last night. The vote on final passage of that bill will occur at 2:30 on October 14. Last night, I commended the tremendous work on both sides of the aisle in addressing this legislation, under the leadership in large part of Senator OLYMPIA SNOWE, someone who has been working on this issue for at least 6 years because I know I have been working for at least the last 6 years on that important legislation. We completed debate on it last night. We will vote on it Tuesday, October 14. At that juncture, we will have addressed the issues of civil rights protections and the importance of preventing the use of genetic information in a discriminatory way. I look forward to that vote on October 14.

In addition, this week we passed H.R. 1925, called the Runaway Homeless and Missing Children's Protection bill. This is the House companion bill to Senator HATCH's bill which we passed earlier.

In addition, Chairman SHELBY helped in securing passage of S. 1680, the Defense Production Act. We are grateful for his efforts as this legislation expired earlier this week.

We were also able to pass TANF this week, the Temporary Assistance for Needy Families extension. Senators GRASSLEY and BAUCUS were instrumental in ensuring this was completed on time.

Chairman MCCAIN and the Commerce Committee finished up and the full Senate subsequently passed S. 1261, the Consumer Product Safety Commission reauthorization.

In addition, just a few moments ago, I read S. Con. Res. 66, which was a resolution commending the National Endowment for Democracy for its contributions to democratic development around the world. That resolution has been introduced and addressed because it is the 20th anniversary of the establishment of the National Endowment for Democracy. The sponsor of that resolution was Senator LUGAR.

I just wanted to mention that because I had the opportunity to sit through a board meeting and a review of the important programs the National Endowment for Democracy does, the programs reflecting the tremendous work in promoting democracy in countries all around the world. I am proud this body has passed this very important resolution to commend that organization for the productive and very important work around the world.

Finally, a short while ago, we were able to confirm, along with seven judges from earlier this week, a series of executive nominations. One of these nominations was Randall Tobias to be coordinator of U.S. Government activities to combat HIV/AIDS globally with the rank of Ambassador. This particular position, in essence, is the person in charge, the point person for the United States of America, in terms of our global efforts to address one of the greatest moral, humanitarian, and public health challenges of the last 100