Chair's prior announcement, further proceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 4437, BORDER PROTECTION, ANTITERRORISM, AND ILLEGAL IMMIGRATION CONTROL ACT OF 2005

Mr. GINGREY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 610 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 610

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 4437) to amend the Immigration and Nationality Act to strengthen enforcement of the immigration laws, to enhance border security, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed two hours equally divided among and controlled by the chairman and ranking minority member of the Committee on the Judiciary and the chairman and ranking minority member of the Committee on Homeland Security. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against the bill, as amended, are waived. Notwithstanding clause 11 of rule XVIII, no further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules. Each further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. After disposition of the further amendments printed in part B of the report of the Committee on Rules, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. GINGREY) is recognized for 1 hour.

Mr. GINGREY. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 610 is a structured rule. It provides 2 hours of general debate, equally divided among and controlled by the chairman and ranking minority member of the Committee on the Judiciary and the chairman and ranking minority member of the Committee on Homeland Security. It waives all points of order against consideration of the bill. It provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary and now printed in the bill, modified by the amendment printed in part A of the Rules Committee report accompanying the resolution, shall be considered as adopted in the House and in the Committee of the Whole and shall be considered as read. It waives all points of order against the bill, as amended.

This resolution makes in order only those amendments printed in part B of the Rules Committee report. It provides that the amendments printed in part B of the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. It waives all points of order against amendments printed in part B of the report, and it provides that after disposition of the amendments printed in part B of the report, the Committee of the Whole shall rise without motion, and no further consideration of the bill shall be in order except by a subsequent order of the House.

Mr. Speaker, I rise today in support of House Resolution 610 and the underlying H.R. 4437, the Border Protection, Antiterterrorism, and Illegal Immigration Control Act of 2005.

Today, this Congress continues an ongoing and difficult debate. The need for fundamental immigration reform is critical and long overdue. In 1986, President Reagan pushed for reforms to address this problem. In 1996, the 104th Congress pushed for more reforms to address the problem. Now here we are 10 years later. This Congress once again has an opportunity to debate how to best secure our borders and remove incentives for illegal immigration by enacting meaningful changes.

I want to thank Chairman SENSENBRENNER and Chairman KING for this bill to close our borders to illegal immigrants and potential terrorists.

Mr. Speaker, since the attacks of September 11, 4 years ago, the debate on immigration is a fundamentally different debate. Border security is no longer just a legal or economic issue, which of course it still is. Secure borders now are also a matter of national security.

Procrastination and ignoring the problem will simply not make it go away. Every day we put off debating and passing comprehensive reform creates more and more opportunities for illegal immigrants to break our laws and violate our borders with the social, economic and political repercussions. For instance, there are an estimated 376,000 illegal immigrants who live in my home State of Georgia and bear an incredible toll on our social services and health care system.

The burden of illegal immigrants continues to increase for the American citizens as hospitals and schools are filled with illegal immigrants who cannot pay for their education and medical expenses.

Mr. Speaker, some of our schools continue to struggle simply because of the inherent burden of some illegal immigrants who require extensive remedial education at the expense of the American taxpayer and our schoolchildren. Regardless of their intention, this effect on our schools highlights the fact that illegal immigration is not a victimless crime.

As this Congress continues to contemplate ways to relieve escalating medical costs, part of that expense is to reimburse doctors, nurses and hospitals who have treated illegal immigrants who could not pay their medical bills. I am a firsthand witness to doctors who have treated patients, only to have them skip out on a medical bill because they are here illegally and they do not want to be traced.

Mr. Speaker, illegal immigration also endangers the lives of the immigrants themselves. I do not think this can be stated too forcefully; illegal immigration also endangers the lives of the immigrants themselves. Just ask the families of the 19 illegal immigrants who were found dead in the back of a tractor-trailer truck in Victoria, Texas, in May of 2003. As long as incentives for human border smuggling persist, we will continue to see people manipulated, abused and, yes, even killed through this deplorable process.

As I mentioned earlier and as is clearly evidenced and described, illegal immigration is not a victimless crime, and H.R. 4437 goes a long way to combating it on multiple fronts, from the provision against illegal immigrants themselves to those who would either incentivize or aid them in illegally entering this country.

First, Mr. Speaker, this bill will make illegal immigration into this country a felony offense, thereby increasing the penalties for jumping the border. H.R. 4437 will combat the economic incentives for illegal immigration by transferring the current employment verification system that validates Social Security numbers from a voluntary program to a mandatory program.

□ 1145

This bill also would increase civil and criminal penalties for those employers who knowingly and repeatedly employ or hire an illegal worker. Further, this

bill would mandate detention for all aliens apprehended at the border while also stiffening the penalties for aliens already removed once from this country who try to reenter.

Additionally, H.R. 4437 would increase existing and establish further mandatory minimums for alien smuggling and would vigorously combat through deportation members of alien street gangs. From the border to the street of every city, this bill takes a holistic approach to reforming our immigration laws, strengthening our border in defense of our country against a very real threat to not only American security but also, Mr. Speaker, American sovereignty.

I ask for my colleagues' full support of the rule and this underlying bill.

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

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentleman from Georgia (Mr. GINGREY), my friend, for yielding the time.

Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi (Mr. THOMPSON), the distinguished ranking member of the Committee on Homeland Security.

Mr. THOMPSON of Mississippi. Mr. Speaker, I appreciate the gentleman from Florida (Mr. HASTINGS) yielding me time.

Mr. Speaker, this rule demonstrates that this legislation is simply not ready for consideration by the House. I have worked carefully with my Republican colleague on the Homeland Security Committee, Chairman KING, to develop a border security bill that has made many good provisions. This rule defeats that.

We could have given the House a Christmas present of a bipartisan bill that would secure our border in a real and fair way. Now this bill looks like a gift from an extremist Grinch, rather than one from Santa Claus. The Committee on the Judiciary has so loaded up our bill with controversial immigration proposals that now it is opposed by every reasonable business, immigration or human rights group in America. The Irish Lobby for Immigration Reform opposes this bill. The U.S. Chamber of Commerce opposes it. The American Bar Association opposes it. The U.S. Conference of Catholic Bishops opposes it. What reasonable group, Mr. Speaker, does not oppose it?

Now the Republican leadership is grasping for straws as it tries to figure out what amendments can best fit the bill. We are now here debating a rule with only half the amendments to be allowed, but we have not even seen what the final version of the bill looks like. How can we be here debating amendments when we do not even know what we are amending? This feels like another Republican power grab.

Mr. Speaker, we need to go slow and think this thing through. Let us take the bill back to the drawing board and pass a real border security bill that is fair and effective, not a partisan bill that almost no reasonable organization supports. And now, as we are about to return to our districts, let us think about the people that this bill will hurt, what kind of Christmas they will have.

Mr. GINGREY. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. KING), the chairman of the Committee on Homeland Security.

(Mr. KING of New York asked and was given permission to revise and extend his remarks.)

Mr. KING of New York. Mr. Speaker, I thank the gentleman from Georgia (Mr. GINGREY), my good friend, for yielding me time.

I rise in support of this rule and the underlying legislation, H.R. 4437. Let me just say at the outset, because I know this will be a very heated debate over the next several days, let me say I have had nothing but the utmost cooperation from my good friend, Mr. THOMPSON of Mississippi, the ranking member of the Homeland Security Committee. We did report out a piece of legislation which did pass by voice vote. And while there were differences along the way, they were resolved equitably. I wanted to commend Mr. THOMPSON from Mississippi for that and put that on the record.

This legislation, which incorporates both the bill adopted in the Homeland Security Committee and then the bill adopted in the Judiciary Committee under Chairman SENSENBRENNER, is a wide-ranging bill. All of us realize that more has to be done on the issue of immigration.

This is probably the first step in a three-legged stool. Much more has to be done. This is a very, very significant first step in protecting our borders, because until the borders are protected, we cannot have any type of meaningful immigration reform.

Just several of the high points is that it requires the Secretary of Homeland Security to do whatever has to be done to secure the border, using whatever physical infrastructure is required, whatever technology is required, whatever personnel is required. It also for the first time requires the Secretary of Homeland Security and the Secretary of Defense to utilize military technology to control the borders. This is a significant first step and I believe very, very important.

It also ends the practice of catch and release, whereby hundreds of thousands of illegal immigrants coming across the border would be captured and then released back into society and asked to return at some time for a hearing. Many, of course, never did. And the last several years we saw a significant increase in immigrants coming across the southern border illegally other than Mexicans, OTMs, which raises significant homeland security and national security issues.

This has gone beyond just being an immigration issue, just an issue with social aspects. It also has very, very severe homeland security, internal security and national security issues. The attacks of 9/11 made us aware of that. That is why I urge adoption of the rule and the underlying legislation.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 3½ minutes to the gentlewoman from Houston, Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished member of the Rules Committee for yielding me time, and I thank you, Mr. Speaker, very much for allowing me the opportunity to cast this debate hopefully in as broad a light as it possibly can be cast.

I would like to suggest that members of the Homeland Security Committee and Committee on the Judiciary all have participated in what we call the ''heavy lifting.'' As a member of both committees, I know that there are individuals, well intentioned, who had come together to try to construct, if you will, a reasonable response to this pending and ongoing concern that Americans have expressed.

But let me tell you why this rule is fractured and why the underlying bill needs to be returned back to not only the Rules Committee but the committee in order to put together for America the real comprehensive immigration reform that I hope legislators will bring to the floor of the House, as opposed to political sound bites.

It is well known that America is asking for the enforcement of our immigration laws, but they are not asking for enforcement only. They want a comprehensive reform package that provides a pathway to citizenship and legalization and enforcement. As someone who comes from a border State, and particularly Texas, I can assure you that there is no divide amongst many Members on the needs for security and protection at the border. It was our State that experienced the viciousness and the seriousness of the Victoria deaths. Out of that particular tragedy I authored alien smuggling legislation which I am proud to say was included in the 9/11 legislation passed almost a year ago.

We are very serious about border security, but this underlying bill does not speak to border security. What it does do is it provides the enormous burden of unfunded mandates and it is impracticable. It cannot work.

What it does, Mr. Speaker, and you will hear us say this over and over again today, it criminalizes 11 million individuals, as the number seems to be of undocumented individuals, in this country. That means that they may be here, taxpayers, children in school, recognizing that they may have come to this particular place undocumented. But it criminalizes them by their very presence. That means they have to be mandatorily put in jail. Whether you are an elderly person, whether you are a child, you have to be mandatorily put in jail.

The so-called ''employer verification program'' was a pilot program. There is

no guarantee in this bill for full funding for that, nor is there a guarantee that the data base is secure enough that the employers can rely upon it. I believe employers should verify who they are employing, but they cannot do it with a system that is fractured and is not funded the way it should be funded.

This bill requires a lot of work and the work is that we must combine comprehensive immigration reform. We must also address the question very quickly, Mr. Speaker, of giving the right equipment to border patrol agents. None of that is in there: night goggles, computers, helicopters, power boats.

In the Homeland Security Committee, Mr. THOMPSON of Mississippi, the ranking member, and myself offered an amendment that would equip the border patrol agents as they should be. You ask one American, Do you want your border patrol agents to have the right uniforms, the right ID, and the right equipment? They cannot function without helicopters, power boats, night goggles, computers and other technology to help them secure the border, nor can they work without doubling or tripling the number of border patrol agents. That is why this bill is fractured.

So I conclude by simply saying, respond to what America is asking us to do: comprehensive immigration reform, earned access to legalization and, as well strong, strong enforcement.

Mr. GINGREY. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the distinguished chairman of the Rules Committee.

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

Mr. DREIER. Mr. Speaker, I thank my good friend for yielding, and I thank him for the work he has done on this and a wide range of other very important issues.

We have by virtue of calling up this rule begun the debate on what is clearly one of the most contentious, challenging, and difficult issues that we will face as an institution. We know that this is a volatile issue, but it is one that does need to be addressed.

This has really come to the forefront since September 11 of 2001, a renewed focus on something that is critically important for any nation, and that is the security of its borders. But in light of what we went through on September 11 and in light of the fact that we are in the midst of the global war on terror, there is a renewed understanding of how great the threat is to us.

We have just this week passed the renewal of the USA PATRIOT Act which is an important step in dealing with that. We have been able to put into place by virtue of seeing our friend from New York (Mr. KING) here, that he ably chairs the Committee on Homeland Security, a Department of Homeland Security. We have made major modifications in the way we deal with the security of our borders. And yet we continue to have a very serious problem with the security of our borders.

The thing that is very, very troubling for many of us is the prospect of seeing this debate degenerate into something that it should not be. I believe that we need to have a full recognition of the rights of every human being. I believe that it is absolutely essential for us to realize that 98 percent of the people who enter this country illegally enter here with one goal and one goal only, and that is to feed their families, to make a better life for themselves, to see their economic standing improve.

In light of that, Mr. Speaker, it is my hope that we can deal with the issue of the demand side on this question of border security and immigration reform in an important way. Much of what we are going to be doing in considering this legislation is focused on the supply side, trying to put a fence at the areas that are most dangerous. I am joining my colleague from California, Mr. HUNTER, and several others, Mr. ROYCE. I know Mr. GINGREY will be supportive of our amendment, to focus as we have along the 14-mile stretch from the Pacific Ocean to the Otay Mesa at San Diego. We will be having an amendment that will deal with that.

It is important that we do other things to focus on the supply side, but it is also equally important for us to focus on the demand side, the magnet that draws people into this country illegally. And it is also important for us to recognize, Mr. Speaker, that there is an economic demand that exists in the United States of America for a workforce. That is why as we proceed with this debate, I hope that we can recognize the dignity of everyone involved while doing all that we can to secure our borders and stem the flow of illegal immigration, in fact, bring an end to illegal immigration.

That is our goal. Our goal is to see an end to this kind of illegal action that has taken place. It is my sense that beginning with border security, which is what this measure that we are going to be considering does, it starts with that process.

□ 1200

I happen to think that as we look towards moving this legislation to the President's desk, it should include comprehensive reform.

Sitting on the front row here is my very good friend, the gentleman from Arizona (Mr. KOLBE), who is in his last term here. He, unfortunately, has chosen to retire, but one of the issues that he has championed is the recognition that an economic demand that exists in the United States of America is addressed. That is why I happen to concur that a responsible, non-amnesty-granting, temporary worker program is the right thing to do.

I believe it is in our national security interest. Why? We regularly hear, Mr. Speaker, about the 11 million people who are in this country illegally. We know that we have not seen a terrorist from Mexico in the United States, and that is something that I think is important for us to underscore again and again and again so the people do not engage in the demonization of Mexico and Mexicans, but I think it is important for us to realize that there is the threat that a terrorist could, in fact, be among the 11 million people who are in this country illegally.

That is why a responsible, non-amnesty-granting, temporary worker program allows people to come from the shadows, and it allows them to become part of society without making them American citizens but, in fact, focusing on the need for their work and the need for our security.

So, Mr. Speaker, as this debate proceeds, I hope very much that we are able to recognize the importance of security of our borders, recognize the importance of ending the problems of illegal immigration. We all have story after story, and I can tell my colleagues, coming from southern California, we have tremendous problems that have been inflicted, whether it is dealing with Mexican nationals who have reportedly killed law enforcement agents like Deputy Sheriff David March 3 months ago and fled into the country of Mexico, or dealing with the onerous responsibility of providing services to people who are here illegally and then, of course, other crime, and then, as I said a moment ago, the threat of terrorism. We need to deal with these issues.

But let us do the first step by focusing on border security, and then as we move ahead with this legislation, look comprehensively at the need to address this very, very challenging question.

Mr. HASTINGS of Florida. Mr. Speaker, would the Chair be kind enough to advise both sides as to the remaining time?

The SPEAKER pro tempore (Mr. ADERHOLT). The gentleman from Florida (Mr. HASTINGS) has 24 minutes remaining. The gentleman from Georgia (Mr. GINGREY) has 13½ minutes remaining.

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

Mr. Speaker, I rise today in strong opposition to this restrictive rule and the underlying legislation which is nothing more than a xenophobic attack on immigrants who were in search of a better way of life for them and their children.

The United States has long been a shining example of inclusion and diversity. Even in some of our darkest days of intolerance, we have always managed to rise above our differences and fuel the flame beneath the world's melting pot. By resolving these differences, we have cultivated a strong Nation of citizens from around the world.

That is why I find it so troubling that some here today are determined

to extinguish that flame with so-called immigration reform that does little to address current immigration challenges or make our borders safer.

Even worse is the manner by which this legislation is being brought to the floor today. Under the rule, part A, a meager 15 of the 130 amendments that were offered in the Rules Committee are actually made in order. That means that 115 amendments, 115 ideas, 115 voices are all shut out from debate under this rule, and you multiply that by their constituents.

Included in these 115 blocked amendments is an amendment offered by my good friend from south Florida (Mr. MEEK) which sought to remedy some of the double standard immigration practices that apply to Haitian immigrants. Also blocked from consideration under the rule are the Sanchez-Conyers substitute and the President's very own guest worker visa program offered by Representatives KOLBE, BERMAN, FLAKE and GUTIERREZ.

I heard the chairman a moment ago say that we should have this guest worker program. Well, he did not put it in this rule, and all we had to do was do that to at least give some credibility to that argument. I was confused as I heard him. I did not know whose side he was on.

Clearly, the autocracy in this Republican-controlled body has reached an all-time high when a Republican President cannot get a vote on his own proposal.

I offered an amendment to the rule this morning at 7 a.m., barely 3 hours ago, that would have made the Kolbe-Berman amendment in order, but Republicans on the Rules Committee, except one, rejected my amendment and blocked this amendment from being considered by the House.

I understand that the House leadership has told many in the majority that it intends to consider the President's proposal on the floor sometime before the House recesses this week. If that is, in fact, the case then why did the chairman of the Rules Committee specifically tell his assembled Republican colleagues this morning to vote against making the President's proposal in order?

Perhaps it is because the majority do not want to consider what they cannot defeat or perhaps they have zero intention of ever considering the Kolbe-Berman amendment.

Whatever the reason, Mr. Speaker, if I had a dollar for every time the Republican leadership promised a Member something and failed to keep that promise since 1995, well, I would be a Republican. Words are cheap until they are backed up with action, and if anybody thinks that this part A is getting ready to have the necessary appropriations to undertake the meager measures on border security, then I have a bridge in Mr. NADLER's general area that I would like to sell them.

Our immigration laws are in dire need of revision. Everybody in this House knows, Mr. Speaker, that our immigration laws are broken. The current system is rife with double standards, quota limit, wet foot-dry foot, air foot-boat foot, student visas, just to name a few.

The bill before us today does absolutely nothing to address these shortcomings in the law. Instead, it is a harsh set of laws that favor heavy-handed enforcement in the guise of protection.

Mr. Speaker, my south Florida-based district staff, as I am speaking, work every single day, and today as I speak there are immigrants lined up throughout the halls of the office that I am privileged to serve, lined sometimes as many as 30 or 40 people deep snake through the hallways of that office. Some came here legally. Others arrived illegally. Regardless, all of them share the same American dream with one another and all of us. Our rich and diverse cultural backgrounds are our strength.

The underlying legislation, however, mocks that diversity and creates a system under which simply applying for citizenship would be risky. Arbitrary factors could deny naturalization on the basis of whether an alien is a person of good, moral character.

If this bill becomes law, anyone who has ever had an illegal presence in the United States will be arrested, convicted of a felony and jailed. Even those who seek asylum from honor killings, human trafficking, and forced prostitution would immediately be branded as felons and thrown into American jails.

This wide net of prosecution is also cast upon American citizens accused of helping, hiring or transporting potential immigrants. We have a wonderful and rich history of churches and philanthropic groups who serve as a lifeline for newly arrived immigrants who diligently seek legal status.

Business owners could also be fined and penalized for not verifying the citizenship of every worker through a new system of stringent checks that is an unfunded mandate at best. These checks would require approximately 7 million American employers to screen almost 140 million workers. These are the people who do not believe in big government.

We owe it to all who live here, whether born on this soil or not, the chance to contribute in a fair and meaningful way that protects our safety, provides for our prosperity and values our distinction.

Let me go back and say that there are people in this country, there are elected officials in this country whose parentage may very well have been brought here under certain circumstances, forced here under others, came here of their own volition, and likely were here illegally. Many of those persons are some of the stellar citizens in our respective communities. I look no further south than my district and can tell you the significant number of Cuban Americans and Haitian Americans that all of us ought be proud they are here and Jamaican Americans, the whole Caribbean basin, many from South America, everybody ain't in this category of 11 million people who we are getting ready to felonize.

We need look no further than our own families to appreciate the richness and diversity of this country. Most of us here today in this House are no more than two to three generations away from an ancestor who traveled to America by boat, plane or even on foot or were brought here by others to work for nothing. Many came at great risk and sacrifice. Thousands died on the way here. They journeyed here not for a free ride but for a better way of life, not for a handout but for a hand up.

I went a few months ago to the Statue of Liberty, and I had my grandson with me. We stood and we looked and he began to understand what it meant more and more. He is 11 years old, and I could see the pride as he thought of his many friends that he goes to school with that come from other countries and his understanding the need for tolerance that that great symbol signifies for this Nation.

As a nation of immigrants, it is beyond irresponsible to address this issue with such closed minds. It is time for us to undertake comprehensive illegal reform, and I urge my colleagues to reject this restrictive rule and the underlying legislation.

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

Mr. GINGREY. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, the gentleman from Florida is well aware that we will be having another rule and additional amendments made in order under that rule. Many of the ones that he mentioned hopefully will have that opportunity to be made in order and to be discussed.

I want to point out also that the give and take between the Democrats and the Republicans on the Rules Committee brought to the attention this potential problem of criminalizing existing illegal aliens, and we will have a manager's amendment in the next rule that corrects that.

Mr. Speaker, I yield 2½ minutes to the gentleman from Florida (Mr. KELLER), a member of the Judiciary Committee.

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

Mr. Speaker, the number one issue my constituents raise with me at town hall meetings is the need to strengthen our border security by cracking down on illegal immigration. Why? Our current immigration system is broken, and the American people expect us to secure our borders.

We have 11 million illegal aliens in the United States. Illegal aliens continue to enter the U.S. from the Mexican border at the rate of 8,000 per day. Last year, our border patrol agents arrested 1.2 million illegal aliens attempting to enter the United States.

Significantly, 155,000 arrests of illegal immigrants were from countries other than Mexico. They included illegal immigrants from Iran, Iraq, Afghanistan.

This poses a very serious national security problem according to the testimony of CIA Director Porter Goss before the Senate Armed Services Committee on March 17 of this year.

Our law enforcement authorities believe that the mass movement of illegal aliens across the porous Mexican-U.S. border offers the perfect cover for terrorists seeking to enter the U.S., especially since tighter controls have been imposed to airports.

□ 1215

For example, when we go to the airport, our names are checked against the terrorist watch list. We have to produce a photo ID, we remove our shoes, we walk through a metal detector, and we send our briefcase and luggage through an x-ray machine to check if there are any weapons or explosive devices. Of course, this does not happen to 8,000 illegal aliens who enter the U.S. every day from the Mexican border. There are no terrorist background checks, no photo ID checks, no shoe removal, no metal detectors, and no x-ray machines for bombs or weapons.

In addition to threatening our national security, illegal immigration places a crushing burden on the American taxpayers who end up getting stuck with a tab for over $45 billion a year for the health care and education of illegal aliens.

Mr. Speaker, we must get serious about strengthening our border by cracking down on illegal immigration. Good fences make good neighbors, but that is only a start. We need to build more fences, hire more border patrol agents, use unmanned aerial drones to enforce the border, authorize our local sheriffs to enforce our immigration laws, and hold our employers accountable for knowingly hiring illegal workers. This bill is a step in the right direction. I urge my colleagues to take positive action today to secure our borders. Vote ''yes'' on the rule and vote ''yes'' on H.R. 4437.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 3½ minutes to the gentlewoman from California (Ms. MATSUI).

(Ms. MATSUI asked and was given permission to revise and extend her remarks.)

Ms. MATSUI. Mr. Speaker, I thank the gentleman from Florida for yielding me this time.

Mr. Speaker, today the House will debate legislation attempting to address immigration in our country, the challenges of which are extremely complex. Unfortunately, this legislation focuses entirely on border security and cracking down on illegal immigration. It fails to truly address the underlying issue of why people risk long boat rides in cargo containers, open rafts, extreme temperatures crossing deserts and risking death to come to the United States. This legislation overlooks the multifaceted nature of immigration and sadly ignores the fact the immigration system is broken.

Individuals waiting years to receive a visa is not an uncommon occurrence, nor is it rare for someone who came to the United States legally for work or to study to wait years at a time to bring their spouses, children, and loved ones to this country to join them.

What we cannot forget is that these are real people. My grandparents were immigrants. So many people from California, Florida, North Carolina, Texas, New York, I could go on and on, are immigrants. We should take a breath and hold for a moment before we rush this. What we do to address our broken immigration system must be thoughtful.

Like many of our districts, my hometown of Sacramento has an immigrant population, and in Sacramento that population includes many from Russia and the former Soviet Union. I am currently helping some of my constituents to bring their 13-year-old son back to the United States. Seven years ago, this constituent legally came to our country. This past June, the family traveled to Russia for vacation and on return was shocked to learn that their son's eligibility had been canceled. Their son was barred from reentering this country with his parents. We are working as fast as we can to correct what seems to be a mistake and reunite this family. Until then, this young boy must remain in Russia.

As a mother and grandmother, I cannot fathom what this family must be going through, nor can I understand how we have not reformed a system that would allow this separation. We must not put families in a situation where they feel they must make a decision to enter legally or illegally or separate their families. We must reform our immigration system to end backlogs and to help reunite families.

As I said before, this is a multifaceted issue of which family unification is only one component. There are an estimated 11 million undocumented immigrants in the United States. They came here illegally in search of a better opportunity, to work on farms and restaurants, hotels, and hundreds of other service jobs. Whether we like it or not, they are part of our economy and fill a needed gap in our labor force.

That is why the chamber of commerce, the business community, the immigrant community, and the President all support a guest worker program. That is the only way to end the incentive to enter the United States illegally to find work, and bring out of shadows the illegal immigrants already here.

This legislation, however, ignores these issues. That is not to say it is without some needed provisions. I support increasing the number of border patrol agents and port inspectors as well as adding radiation detection equipment at all of our maritime ports. However, on the whole, it is filled with ill-considered provisions. What makes this worse is that there is no reason why we need to rush this through in the last days of the session.

It is clear there are many questions surrounding this legislation. The action we take on immigration will reverberate across the country and affect people's lives. We need to know its full implications before we proceed. It is not clear that we need to do this now. The American people deserve clarity now.

I urge my colleagues to vote against this rule.

Mr. GINGREY. Mr. Speaker, I yield 2 minutes to my physician colleague from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, I rise in support of this rule and strong support of the underlying bill. As was previously stated on the debate on the rule on the pension bill, let us not make the perfect enemy of the good. This is not a good bill; it is a very good bill. It is a step in the right direction. Yes, we do need to do more.

I have been saying for years there is no greater disconnect between the will of the American people and the inside-the-Beltway environment than on this issue of border security and illegal immigration, and we are finally taking a strong step in the right direction here.

I want to address one of the most important features in this issue, and that is the fundamental issue of security, of securing our borders. The American people know that coming across the border are some people, and the FBI Director has testified to this effect in the committee that I serve on, there are some people who are not economic immigrants. They are coming from countries other than Mexico, Middle Eastern countries; they are here to do us harm. So it is desperately important we secure our borders.

This bill gets at one of the most important things that I think we need to address, and that is employer sanctions. I want to share with my colleagues a story. My brother-in-law installs air-conditioning systems on construction sites in New York, and he told me the story of how on one Monday morning he saw a new man on that construction site and he asked the gentleman to explain to him in his broken English when he came to the United States. He said that he had come on Saturday. He had come across the American border and he had gone to a safe house in the Southwest, gotten a plane ticket, flew to New York specifically for a job that was waiting for him there.

We need to put a stop to this, and we need stronger sanctions against employers. We need better enforcement of our existing laws. This is a national security issue. We desperately need to pass this bill, and we need to do more to end this way of illegal immigration and secure our borders.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2

minutes to my classmate and good friend from New York (Mr. NADLER).

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

Mr. NADLER. Mr. Speaker, what an underhanded, sneaky rule and bill this is. The Social Security Act has a provision that prohibits, that prohibits the use of Social Security trust funds for changing the Social Security cards. This bill repeals that provision. CBO estimates the cost that could be incurred there by between 5 and $10 billion to be looted out of the Social Security and Medicare trust funds by that provision of this bill.

Now, I offered an amendment to restore this provision, to repeal the repeal. Mr. THOMAS ran into the Rules Committee at midnight last night with his own amendment, because they saw the damage this could do. And his own amendment ostensibly repeals this, but it does not. The Thomas amendment only applies to the Social Security trust fund, but allows the looting of the Medicare trust fund. It allows monies from all trust funds, including Social Security, to carry out section 707 of the bill, a smaller expenditure, but a major expenditure.

The Thomas amendment limits the prohibition against raiding the trust funds to title VII of the current bill. My amendment prohibits the use of these monies for any costs incurred in developing and implementing any change in Social Security cards. The Thomas amendment leaves open the possibility of future legislation looting all the trust funds.

Why will we not simply restore the provision, as my amendment would, that this bill would take out? Why are we opening up the Social Security and Medicare and disability and unemployment insurance trust funds to be looted for these purposes? Mr. THOMAS's amendment undoes a little of the damage, but it leaves wide loopholes. Wide.

Does anybody know that in the immigration bill we are debating is permission to take $5 billion to $10 billion out of Social Security and Medicare and unemployment and disability? Is that what we want to do?

I urge the Rules Committee, if it wants to make sure this is honestly done, make my amendment in order, not just Mr. THOMAS's amendment, which is self-executed in this rule, although only brought to the Rules Committee at midnight last night. Make my amendment in order so we can stop the looting of the Social Security, disability unemployment, and Medicare trust funds.

Mr. GINGREY. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in strong opposition to this rule and the underlying bill, H.R. 4437.

This is not a theoretical exercise for me. No congressional district in the United States suffers more from the degradations of illegal immigration than mine. For years now, we have had the largest number of apprehensions in the country. In fact, more people cross the border illegally in the border-patrolled Tucson sector than all, all of the other border States combined. The strain on law enforcement, on education, on health care, and on social services is severe. It is real and it hurts.

No, Mr. Speaker, in my part of the country we know what illegal immigration means. So I will listen today with a mixture of anger and amusement to all the things said here today by the experts who, for more than a decade, have paid no attention to the complaints and cries of alarm to those of us along the border.

Unfortunately, the bill before us today does nothing to solve the real problems of immigration. In fact, it is worse than nothing. It is worse than nothing because it tries to fool the public. It pulls the wool over their eyes. It pretends we are doing something to secure our border, when in fact we are doing nothing except throwing words and money at the problem.

Anyone who really cares about a solution to our immigration woes knows that border enforcement is one prong of a three-part solution. The first is enforcement, border enforcement and employer enforcement. Second, you have to have some means of allowing those who want to work and are willing to work come into the United States legally to work on a temporary basis. And, third, you have to deal with the 10, 11, 12 million people illegally in this country now.

Now, that is the reality. But the bill brought before us today is an amnesty bill. That is our dark little secret, the unspoken truth that no one wants to talk about.

Why do I say that? Because if you are really for enforcement, you have to get those 11 million people out of the country. We have to round them up, apprehend them, and ship them back home. But this bill does not do that. It ignores the problem.

The committee knows that. The leadership knows that. We are going down this path, continuing this charade, continuing to lie to the American people, continuing to pretend we are doing something to prevent illegal immigration.

The real question, Mr. Speaker, is when will this body have a serious dialogue about immigration issues? When will we engage each other and the American people on this difficult problem? We can only hope someday soon. But not today, Mr. Speaker. Not today. Not with this bill. Not with this rule.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 1 minute to the gentleman from Arizona (Mr. HAYWORTH).

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

Mr. HAYWORTH. Mr. Speaker, I thank my colleague across the aisle from Florida for yielding me this time. I rise in part because I disagree with the previous speaker in the well on many points dealing with the immigration question and border security. But I rise to oppose the rule precisely because of our disagreements.

I rise in reluctance, but these are the circumstances in which we confront this. Here we are rushing toward the Christmas holiday break and at the last nanosecond of the 11th hour, we are going to debate this important question. The American people deserve more.

No, there will not be unanimity on this question. Illegal immigration threatens our sovereignty, our security, and our reverence for the rule of law. It discriminates against American workers, particularly those who struggle to survive at the lowest rung of the economic ladder.

□ 1230

It also locks illegal aliens into a permanent underclass to be exploited and discarded. It demands that we give serious deliberative attention to the question of illegal immigration on our economy, on the health care system, our public school system and our criminal justice system. Because it is so important, we need more time to deliberate and debate and make the right choices. Vote no on the rule.

Mr. GINGREY. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Mr. Speaker, there is a no-spin zone in my district called Radams. As a family-owned agriculture supply store, this is a place where normally 40 to 50 farmers and growers meet every morning before the sun comes up to talk about the issues of the day. I was there last Friday, and the mood was not a happy one because we all learned the day before the Judiciary Committee had marked up this immigration bill, and I do not think there was a single hearing on that bill.

I am one that does not believe you can do a broad, bipartisan comprehensive immigration bill without including provisions related to guest workers. My district is a microcosm of the country. That means I have agriculture. In fact, I have a ton of fruit and vegetable growers, and they rely on good, migrant labor to harvest their crops, starting with asparagus in the spring, going through apples in the fall. None of those family operators, none of them, can survive without migrant or seasonal workers. Many have between 50 and 150 workers. Yet in this legislation there are no provisions, none, that will help my growers keep a viable workforce in order to pick their crops.

Whenever I raise this issue, this shortcoming in this bill, I am told the Senate will deal with it. They will save it. They will take it up.

Mr. Speaker, why are we punting on the issues? Amendments were submitted to deal with this, but they were rejected by the Rules Committee. That

means if this rule passes, there will be no debate, let alone a vote on whether these provisions should be included. I think that is wrong, and I would urge my colleagues to vote no on this rule so amendments can be considered. This is too important an issue to gag this debate. Let us have a real debate, a constructive debate that will actually do something about the problem of illegal immigration.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. BERMAN).

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

Listen to Mr. KOLBE, Mr. UPTON and Mr. HAYWORTH. This rule will bring to the floor a bill which is an insult to the intelligence of the American people and an insult to the intelligence of this body. We can have all kinds of debates; guest worker, no guest worker; birthright citizenship, no birthright citizenship; fence, no fence. These are legitimate arguments to have. But a bill that the Speaker of the House, the chairman of the Rules Committee and the chairman of the Judiciary Committee know cannot solve the crisis of illegal immigration, they know from the start, that they bring up and ask this body to pass in order to tell the American people they are doing something about a problem they know cannot be solved by the bill they are presenting is insulting the intelligence and trying to con the American people. This rule should be rejected for that reason.

In this bill is an employer-eligibility system which is a critical component of a comprehensive approach to dealing with illegal immigration. How are you ever going to impose effectively an employer-verification system where every person who is hired and every person who is now working has to be verified by the Social Security Administration when you have 11 million people in this country, almost all of whom are working except for the children, almost all of whom are working in undocumented fashion for an employer, the heart of the perishable fruit and vegetable industry, the heart of a number of other industries in this country, and expect that system to pass. This is a con.

There are only two things going on. Mr. J.D. HAYWORTH is right: Either they expect the Senate to add the program for adjustment of status and guest workers and bring it back to the floor to the squeals of many of the people on the other side of the aisle, or they intend never to see this bill again but say for the next elections that they are solving a problem or trying to solve a problem that they know intellectually and personally and have said over and over and over again in conversations and in the press will not solve the problem.

Vote no on the rule. Reject this con, put together a proposal that solves the crisis in illegal immigration, that does something about the national security issues that illegal immigration threatens, that does something about the humanitarian tragedy that now exists, that recognizes the crisis and that provides the solution that the American people are entitled to.

Mr. GINGREY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, I rise today in support of this rule as well as the underlying bill. This legislation is absolutely long overdue, and it is time we enact some very pragmatic and useful methods to prevent noncitizens from moving freely back and forth across our borders.

Quite frankly, the American people have lost their sense of humor when it comes to illegal immigration. They are demanding action, and it is no secret that our borders are porous. Every day, countless individuals are entering our country illegally and advantaging themselves of government services at taxpayer expense, and they take the jobs that otherwise could go to American citizens as well as those immigrants who came here legally, who abided by our laws.

It is time that we put these practices to an end. It is time that we as Americans take more responsibility in the fight against illegal immigration.

One of the most important provisions in this bill ends the ludicrous practice of catch and release with detained illegal aliens. Upon passage of this bill, anyone caught in this country illegally will be detained until further judicial action can be taken. It is unfathomable that this has not been the procedure since day one, but I am pleased that we are finally going to put an end to that.

Another key feature of this bill is the increased cooperation between Federal authorities and local law enforcement. This bill will reimburse sheriffs on the southern border for immigration enforcement and treat any individuals in their custody as Federal detainees. I hope this is the beginning and not the end of immigration reform. And let us keep in mind that while we are having this national debate today, that because our laws currently require us to count noncitizens for the purposes of the apportionment of congressional seats, that a number of Members of this House represent districts where fully 30 to 40 percent of their constituents are illegal aliens or noncitizens. So perversely, illegal aliens will be well represented in the U.S. Congress on the vote today to secure our border and to crack down on illegal aliens, and it is my hope that the issue of congressional representation for American citizens can also be dealt with as we move forward in this process so the full voice of the American people can be heard and that American citizens do not continue to have their vote disenfranchised. I support the rule and the underlying bill.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. ZOE LOFGREN).

Ms. ZOE LOFGREN of California. Mr. Speaker, every country has a right to control its borders to regulate who enters, and that includes the United States of America. Several speakers have mentioned that this obligation or right has been elevated since 9/11, and I think we all acknowledge that is true. Unfortunately, the administration has completely dropped the ball when it comes to regulation of those entering the United States without authorization.

I want to talk about just one item, which is the citation and release of individuals who are apprehended, who then promise to appear for their proceedings and then promptly disappear. The failure-to-appear rate appears to be in excess of 80 percent.

We have heard psychologists say that the definition of insanity is doing the same thing over and over again and expecting a different result. If so, the administration has lost its mind because this citation release program has not resulted in individuals appearing as promised.

Does this bill do anything about that, about the hundreds of thousands of individuals who are in America who made a promise to appear? Unfortunately, no, it does not.

Now, I am a member of the Homeland Security Committee and the House Judiciary Committee, and I have gone through this bill in some detail. There are some things that have absolutely nothing to do with unlawful immigration.

Section 404 of the act is something I want to mention because it is going to be important to a lot of Americans. This provision provides that the Secretary may deny admission to any person from countries that unreasonably delay or deny repatriation of citizens whom we have ordered deported. That is not about unlawful immigration; it is about people who are legal residents of the United States, husbands and wives of American citizens, who can be denied admission to the United States even though they are legal because the country they were born in has done something wrong. This is the new Chinese exclusion act which we repealed.

Mr. GINGREY. Mr. Speaker, I yield 1 minute to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Speaker, I just want to echo some of the sentiments of some of the earlier speakers, particularly Mr. KOLBE from Arizona. We have to have comprehensive reform, and until we do, we are ignoring the elephant in the middle of the room, and that is the 11 million or so illegals who are here at present.

This is called an enforcement bill, but it does nothing to enforce the law and the interior. It says that if you are employing an illegal, you have up to 6 years to check their status; 6 years for that person to stay in the shadows, driving without a license, driving without insurance. That is not enforcement.

We have to have comprehensive reform that deals with border security, a temporary worker program and also dealing effectively with those who are here illegally at present. I hope if we do this bill that we move quickly on to more comprehensive legislation that will do all we need to do.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT), my good friend and classmate.

Mr. DOGGETT. Mr. Speaker, all Americans have an interest in securing our borders, but this bill is neither genuine security nor fairness. It threatens American businesses, agriculture, and it certainly threatens to destroy border commerce and punish hardworking border citizens.

This is just the latest in a series of bad bills that appeal to the worst fears and prejudices of xenophobes rather than advancing meaningful immigration reform. It is a cynical bill because it is not comprehensive. There is no one-dimensional solution looking solely at law enforcement that can succeed. There is no wall that can be built high enough to solve this problem.

Over a century ago, my own great grandfather came from Sweden to Louisiana to chop sugar cane. He came for the same reason that many people come to this country today: to take on the most difficult jobs in order to have a better life. Until we address that economic concern with a meaningful guest worker program, we will not address immigration today.

To the extent that the border is inadequately patrolled, this is a direct result not of the lack of a law, but a lack of will by the Bush administration in its mismanagement of the Border Patrol. Last year, this Congress approved 2,000 additional Border Patrol agents, and President Bush responded by saying we only need 210 of those 2,000 Border Patrol agents for the entire country. In September, even our Texas Republican colleagues demanded that President Bush ''stop raiding our Texas Border Patrol'' and called the reassignment of agents to Arizona an ''outrageous action [that] is crippling border security in Texas.'' Today, instead of Border Patrol agents, the Republicans say we need to punish church workers who live their faith by assisting persons in need without first checking their visas.

The kind of measure we are offered is not new. It is part of a sad and recurring theme in American history. In the 19th century, it was the work of the Know-Nothing Party. Today, there are some in this Republican leadership who want to make the Republican Party the Know-Nothing Party of the 21st century.

Mr. GINGREY. Mr. Speaker, I reserve the balance of my time for the purpose of closing.

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

Mr. Speaker, I include for the RECORD a letter from the U.S. Chamber of Commerce.

U.S. CHAMBER OF COMMERCE,
Washington, DC, December 15, 2005.

MEMBERS OF THE UNITED STATES HOUSE OF REPRESENTATIVES: As you prepare to debate the rule on H.R. 4437, the ''Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005,'' the U.S. Chamber of Commerce opposes this legislation due to its adverse impact on employers, and asks that you reject House Resolution 610. The process that led to the development of this legislation and its consideration on the floor has been seriously flawed. The Chamber remains strongly opposed to this legislation.

We have been urging Congress to fix our broken immigration system for years, which would include securing our borders, creating an employment verification system that is fast and reliable, designing a temporary worker program that meets the future demand for workers, and reasonably addressing the legal status of the undocumented workers and their families currently in the United States. With the notable exception of border security, this bill, particularly the provisions of Title VII, would make our dysfunctional immigration system even worse.

The bill mandates that all employers of all sizes comply with a new government-run electronic/telephonic verification system to ensure that all employees are authorized to work. The concept is based on past, very limited pilot projects, and it is doubtful whether a new mandate of this breadth, applicable to over seven million employers and over 140 million employees, can realistically be implemented, particularly under this legislation's deadlines. These pilot projects were limited to approximately 3,600 employers and only new hires, while the legislation will also apply to existing employees. Further, there have been many practical, documented compliance problems under the program. While improvements have been made, the extension of this program to a much broader universe creates serious questions as to its practicality in the real world. The proposal also includes massive, in some cases uncapped, increases in penalties against employers. Paperwork violation penalties are increased 25 fold—up to $25,000 per individual.

Furthermore, the bill would now transform into a felony with jail terms what until now has been a civil violation for unauthorized presence in the United States subject to fines and deportation. This provision is directly inconsistent with the President's proposal, which recognizes the economic contributions of these workers, and that there should be a pathway for these workers to earn legal status. The debate over the proper status of these workers should have been left to the context of comprehensive reform initiatives.

The Chamber continues to support the concept of a workable verification system as part of a comprehensive reform package, but new laws that simply place more burdens on employers through worksite enforcement alone are not the answer. The Chamber has repeatedly called for legislation to: 1) provide for increased national security and control of our nation's borders; 2) create an efficient temporary worker program that allows employers to recruit immigrant workers when there is a shortage of domestic workers; and 3) provide legal status for qualified, screened undocumented migrants now in the country. As the President has stated, all three of these elements must be part of any initiative.

The Chamber has supported efforts to address these critical issues, and is dismayed that the House rule essentially forecloses any meaningful debate on these important areas. Due to the critical importance of this issue to the business community and our nation's economy, the Chamber will use the vote on this rule in our annual How They Voted rankings. Again the Chamber urges you to vote 'no' on House Resolution 610, the rule on H.R. 4437.

Sincerely,

R. BRUCE JOSTEN.

Mr. Speaker, the last paragraph of this letter states, ''The Chamber has supported efforts to address these critical issues and is dismayed that the House rule essentially forecloses any meaningful debate on these important areas. Due to the critical importance of this issue to the business community and our Nation's economy, the Chamber will use the vote on this rule in our annual How They Voted rankings. Again, the Chamber urges you to vote no on House Resolution 610, the rule on H.R. 4437.''

□ 1245

The Chamber's display is the same dismay that we have seen in a bipartisan fashion here. It is not that we do not need reform. But what is needed is comprehensive reform. And simply put, we are not reaching that with the legislation that we are making a rule on at this time. And we cannot do that, I might add, with a restrictive rule.

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

I will draw this first debate to a close by again congratulating the Committee on the Judiciary, Chairman SENSENBRENNER, as well as the Committee on Homeland Security and Chairman KING for bringing this comprehensive bill before the House today.

As I stated in my opening remarks, the problem of illegal immigration poses multiple threats and must be addressed in multiple ways, and I am pleased that this bill before us today goes a long way and is a great first step to attacking the problem, both from the supply-and-demand sides of the equation, as well as from the security side.

Mr. Speaker, through both strengthening our borders and diminishing economic incentives for illegal immigration, we stand a much better chance of truly reducing this problem in a meaningful way. And, yes, we do intend, in an expeditious manner, to address the issue of a solution for the existing 11 million illegals, most of whom are working hard to support their families.

Again, I want to encourage all of my colleagues on both sides of the aisle to support this rule so we can move forward with the initial consideration of the underlying bill.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

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

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will now resume on the question of adopting House Resolution 602, which was previously postponed.

PROVIDING FOR CONSIDERATION OF H.R. 2830, PENSION PROTECTION ACT OF 2005

The SPEAKER pro tempore. The pending business is the vote on adoption of House Resolution 602 on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 226, nays 199, not voting 8, as follows:

[Roll No. 633]

YEAS—226

Aderholt	Diaz-Balart, L.	Johnson, Sam
Akin	Doolittle	Jones (NC)
Alexander	Drake	Keller
Bachus	Dreier	Kelly
Baker	Duncan	Kennedy (MN)
Barrett (SC)	Ehlers	King (IA)
Bartlett (MD)	Emerson	King (NY)
Barton (TX)	English (PA)	Kingston
Bass	Everett	Kirk
Beauprez	Feeney	Kline
Biggert	Ferguson	Knollenberg
Bilirakis	Flake	Kolbe
Bishop (UT)	Foley	Kuhl (NY)
Blackburn	Forbes	LaHood
Blunt	Fortenberry	Latham
Boehlert	Foxx	LaTourette
Boehner	Franks (AZ)	Leach
Bonilla	Frelinghuysen	Lewis (CA)
Bonner	Gallegly	Lewis (KY)
Bono	Garrett (NJ)	Linder
Boozman	Gerlach	LoBiondo
Boustany	Gibbons	Lucas
Bradley (NH)	Gilchrest	Lungren, Daniel E.
Brady (TX)	Gillmor	
Brown (SC)	Gingrey	Mack
Brown-Waite, Ginny	Gohmert	Manzullo
	Goode	Marchant
Burgess	Goodlatte	McCaul (TX)
Burton (IN)	Granger	McCotter
Buyer	Graves	McCrery
Calvert	Green (WI)	McHenry
Camp (MI)	Gutknecht	McKeon
Campbell (CA)	Hall	McMorris
Cannon	Harris	Mica
Cantor	Hart	Miller (FL)
Capito	Hastings (WA)	Miller (MI)
Carter	Hayes	Miller, Gary
Castle	Hayworth	Moran (KS)
Chabot	Hefley	Murphy
Chocola	Hensarling	Musgrave
Coble	Herger	Myrick
Cole (OK)	Hobson	Neugebauer
Conaway	Hoekstra	Ney
Crenshaw	Hostettler	Northup
Cubin	Hulshof	Norwood
Cuellar	Hunter	Nunes
Culberson	Inglis (SC)	Nussle
Davis (KY)	Issa	Oberstar
Davis, Jo Ann	Istook	Osborne
Davis, Tom	Jenkins	Otter
Deal (GA)	Jindal	Oxley
DeLay	Johnson (CT)	Pearce
Dent	Johnson (IL)	Pence
Peterson (PA)	Royce	Tancredo
Petri	Ryan (WI)	Taylor (NC)
Pickering	Ryun (KS)	Terry
Pitts	Saxton	Thomas
Platts	Schmidt	Thornberry
Poe	Schwarz (MI)	Tiahrt
Pombo	Sensenbrenner	Tiberi
Porter	Sessions	Turner
Price (GA)	Shadegg	Upton
Pryce (OH)	Shaw	Walden (OR)
Putnam	Shays	Walsh
Radanovich	Sherwood	Wamp
Ramstad	Shimkus	Weldon (FL)
Regula	Shuster	Weldon (PA)
Rehberg	Simmons	Weller
Reichert	Simpson	Westmoreland
Renzi	Smith (NJ)	Whitfield
Reynolds	Smith (TX)	Wicker
Rogers (AL)	Sodrel	Wilson (NM)
Rogers (KY)	Souder	Wilson (SC)
Rogers (MI)	Stearns	Wolf
Rohrabacher	Sullivan	Young (AK)
Ros-Lehtinen	Sweeney	Young (FL)

NAYS—199

Abercrombie	Gutierrez	Obey
Ackerman	Harman	Olver
Allen	Hastings (FL)	Ortiz
Andrews	Herseth	Owens
Baca	Higgins	Pallone
Baird	Hinchey	Pascrell
Baldwin	Hinojosa	Pastor
Barrow	Holden	Paul
Bean	Holt	Payne
Becerra	Honda	Pelosi
Berman	Hooley	Peterson (MN)
Berry	Hoyer	Pomeroy
Bishop (GA)	Inslee	Price (NC)
Bishop (NY)	Israel	Rahall
Blumenauer	Jackson (IL)	Rangel
Boren	Jackson-Lee (TX)	Reyes
Boswell		Ross
Boyd	Jefferson	Rothman
Brady (PA)	Johnson, E. B.	Roybal-Allard
Brown (OH)	Jones (OH)	Ruppersberger
Brown, Corrine	Kanjorski	Rush
Butterfield	Kaptur	Ryan (OH)
Capps	Kennedy (RI)	Sabo
Capuano	Kildee	Salazar
Cardin	Kilpatrick (MI)	Sánchez, Linda T.
Cardoza	Kind	
Carnahan	Kucinich	Sanchez, Loretta
Carson	Langevin	Sanders
Case	Lantos	Schakowsky
Chandler	Larsen (WA)	Schiff
Clay	Larson (CT)	Schwartz (PA)
Cleaver	Lee	Scott (GA)
Clyburn	Levin	Scott (VA)
Conyers	Lewis (GA)	Serrano
Cooper	Lipinski	Sherman
Costa	Lofgren, Zoe	Skelton
Costello	Lowey	Slaughter
Cramer	Lynch	Smith (WA)
Crowley	Maloney	Snyder
Cummings	Markey	Solis
Davis (AL)	Marshall	Spratt
Davis (CA)	Matheson	Stark
Davis (IL)	Matsui	Strickland
Davis (TN)	McCarthy	Stupak
DeFazio	McCollum (MN)	Tanner
DeGette	McDermott	Tauscher
Delahunt	McGovern	Taylor (MS)
DeLauro	McIntyre	Thompson (CA)
Dicks	McKinney	Thompson (MS)
Dingell	McNulty	Tierney
Doggett	Meehan	Towns
Doyle	Meek (FL)	Udall (CO)
Edwards	Meeks (NY)	Udall (NM)
Emanuel	Melancon	Van Hollen
Engel	Menendez	Velázquez
Eshoo	Michaud	Visclosky
Etheridge	Millender-McDonald	Wasserman Schultz
Evans		
Farr	Miller (NC)	Waters
Fattah	Miller, George	Watson
Filner	Mollohan	Watt
Ford	Moore (KS)	Waxman
Frank (MA)	Moore (WI)	Weiner
Gonzalez	Moran (VA)	Wexler
Gordon	Murtha	Woolsey
Green, Al	Nadler	Wu
Green, Gene	Napolitano	Wynn
Grijalva	Neal (MA)	

NOT VOTING—8

Berkley	Diaz-Balart, M.	Hyde
Boucher	Fitzpatrick (PA)	McHugh
Davis (FL)	Fossella	

□ 1313

Ms. VELÁZQUEZ and Mr. BARROW changed their vote from ''yea'' to ''nay.''

Messrs. GOHMERT, KIRK, LEACH and JONES of North Carolina changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1315

PENSION PROTECTION ACT OF 2005

Mr. BOEHNER. Madam Speaker, pursuant to House Resolution 602, I call up the bill (H.R. 2830) to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to reform the pension funding rules, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mrs. CAPITO). Pursuant to House Resolution 602, the bill is considered read.

The text of the bill is as follows:

H.R. 2830

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Pension Protection Act of 2005''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows: