

With the current antitrust exemption for need-based educational aid expiring on September 30, our timely action is necessary. Congressman DELAHUNT, the sponsor of this bill, has successfully guided it through Congress, and without his efforts, we might not have extended this extension before it expired.

I appreciate Mr. DELAHUNT's leadership because this issue has long been of interest to me. I was a sponsor of the bill that extended the exemption in 1997 and in 2001, and I am pleased to be a cosponsor of this bill as well.

The bills in 1997 and 2001 were like the bill that passed the House last April, a permanent extension of the moratorium. Both times, the Senate amended those bills, as they did again this year, to a term of years. This exemption originated because Congress disagreed with a suit brought by the Department of Justice against nine colleges for their efforts to use common criteria to assess each student's financial need. Twenty-seven colleges and universities currently are members of the 568 Presidents' Group, which utilizes this antitrust exemption.

They include Amherst College, Boston College, Brown University, Claremont McKenna College, Columbia University, Cornell University, Dartmouth College, Davidson College, Duke University, Emory University, Georgetown University, Grinnell College, Haverford College, MIT, Middlebury College, Northwestern University, Pomona College, Rice University, Swarthmore College, the University of Chicago, the University of Notre Dame, the University of Pennsylvania, Vanderbilt University, Wake Forest University, Wellesley College, Wesleyan University, and Williams College.

Several other colleges, including Yale and Harvard, participate as advisory members of this group.

To my knowledge, there are no complaints about the existing exemption. In fact, a recent GAO study of the exemption found that there has been no abuse of the exemption, and it stated that there has not been an increase in the cost of tuition as a result of the exemption.

This bill, as amended by the Senate, would extend the exemption for another 7 years. It would not make any change to the substance of the exemption. I had hoped that Congress would have been able to extend the exemption permanently, but I'm aware that some in the Senate objected.

The need-based financial aid system serves a worthy goal that the antitrust laws do not adequately address—making financial aid available to the broadest number of students solely on the basis of demonstrated need.

No students who are otherwise qualified should be denied the opportunity to go to one of these schools because of the limited financial means of their families. This bill helps protect need-based aid and need-blind admissions. It has been noncontroversial in the past, and it is supported by a number of

higher educational groups. I urge my colleagues to support this bill.

I yield back the balance of my time. Ms. ZOE LOFGREN of California. Mr. Speaker, the exemption that we are renewing today has worked well. It makes sure that schools don't have to compete for the very top students, which could result in some students, the top students, getting excess aid while the rest of the applicant pool receives less or, in some cases, none at all.

As mentioned by Mr. SMITH, it was sent back to us by the Senate. The exemption is extended to 2015. Enacting this today protects need-based aid and need-blind admissions, and it will help preserve the opportunity for all students to attend one of the Nation's most prestigious schools. As Mr. SMITH has noted, we hope someday to have a permanent extension, but for now, we need to pass this bill. I urge my colleagues to support the legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 1777, the "Need-Based Educational Aid Act of 2007." This bill is co-sponsored by Representative DELAHUNT. This bill makes sense and it should be supported. I urge my colleagues to support this very important bill.

H.R. 1777 would make permanent an exemption to the antitrust laws that permits the Ivy League schools to agree to award financial aid on a need-blind basis and to use common principles of needs analysis in making their determinations. The exemption also allows for agreement on the use of a common aid application form and the exchange of the student's financial information through a third party. Without this legislation, the exemption will expire on September 30, 2008. I support this bill.

Beginning in the mid-1950s, a number of prestigious private colleges and universities agreed to award institutional financial aid, i.e., aid from the school's own funds solely on the basis of demonstrated financial need. These schools also agreed to use common principles to assess each student's financial need and to give the same financial aid award to students admitted to more than one member of the group. This practice remained undisturbed until the late 1980s.

In 1989, the Antitrust Division of the Department of Justice brought suit against the nine Ivy League schools to enjoin this practice. In 1991, the eight Ivy Leagues, except MIT, agreed to a consent decree that ended this practice.

In 1992, Congress passed a temporary antitrust exemption to allow the schools to agree to award financial aid on a need-blind basis and to use common principles of needs analysis. This temporary exemption prohibited any agreement as to the terms of a financial aid award to any specific student. It was to expire on September 30, 1994.

In 1994, Congress passed another temporary exemption from the antitrust laws. This exemption, similar to the 1992 exemption, allowed agreements to provide aid on the basis of need only and to use common principles of needs analysis. It also prohibited agreements on awards to specific students. Unlike the 1992 exemption, it allowed agreement on the use of a common aid application form and the exchange of the student's financial information

through a third party. The exemption was to expire on September 30, 1997.

In 1997, Congress passed a law to extend the expiration date until September 30, 2001. In 2001, the exemption was extended to September 30, 2008.

H.R. 1777, introduced by Representative BILL DELAHUNT and Ranking Member LAMAR SMITH, would make the exemption passed in 1994 permanent. It would not make any other change to the substance of the exemption.

This is a good bill because need-based financial aid serves social goals that the antitrust laws do not adequately address, namely, making financial aid available to the broadest number of students solely on the basis of demonstrated need.

But for the existence of financial aid, and laws like this one, many of us today in Congress and in America, generally, would not have benefited from a post-secondary school education. We must pass this bill today to ensure that Americans continue to benefit from need-based financial aid at institutions of higher learning.

Ms. ZOE LOFGREN of California. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 1777.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

SPECIAL IMMIGRANT NONMINISTER RELIGIOUS WORKER PROGRAM ACT

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 3606) to extend the special immigrant nonminister religious worker program and for other purposes.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 3606

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 "Special Immigrant Nonminister Religious Worker Program Act".

SEC. 2. SPECIAL IMMIGRANT NONMINISTER RELIGIOUS WORKER PROGRAM.

(a) EXTENSION.—Subclause (II) and subclause (III) of section 101(a)(27)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(C)(ii)) are amended by striking "October 1, 2008," both places such term appears and inserting "March 6, 2009,".

(b) REGULATIONS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Homeland Security shall—

(1) issue final regulations to eliminate or reduce fraud related to the granting of special immigrant status for special immigrants described in subclause (II) or (III) of section 101(a)(27)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(C)(ii)); and

(2) submit a certification to Congress and publish notice in the Federal Register that

such regulations have been issued and are in effect.

(c) **REPORT.**—Not later than March 6, 2009, the Inspector General of the Department of Homeland Security shall submit to Congress a report on the effectiveness of the regulations required by subsection (b)(1).

(d) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect on the date that the Secretary of Homeland Security submits the certification described in subsection (b)(2) stating that the final regulations required by subsection (b)(1) have been issued and are in effect.

The **SPEAKER pro tempore.** Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill under consideration.

The **SPEAKER pro tempore.** Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. ZOE LOFGREN of California. I yield myself such time as I may consume.

S. 3606 reauthorizes the Special Immigrant Nonminister Religious Worker Program, which provides an avenue for nuns, monks and other religious workers to come to the United States to do their important work. If we do not act, this program will sunset in just 4 days.

On April 15 of this year, we passed H.R. 5570 to reauthorize the program for 7 years. As sent over from the Senate, the bill allows the program to expire on March 6, 2009. While this unfortunate limitation will require Congress to revisit this issue promptly next year, I believe the program is too important to let expire.

The 5,000 religious workers eligible for these visas each year are called to a vocation or are in traditional religious occupations with bona fide non-profit religious organizations. They are missionaries, counselors, religious instructors, and other pastoral care providers.

There is a bipartisan consensus around this program. It has been extended four times since first enacted in 1990. We have worked with Mr. SMITH to craft provisions to guard against potential fraud. The Senate bill incorporates those protections. I think this is a sound bill, and I hope that we're able to pass it tonight.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

I am happy to have played a part in the creation of the Religious Worker Immigrant Visa program in 1990. These visas enable American religious denominations, large and small, to benefit from committed religious workers from other countries.

Last April, the House passed legislation to extend the program for an additional 7 years. Senator SPECTER introduced legislation in the Senate to extend the program for 3 years. I support this bill today. However, it only reauthorizes the religious worker visa program for about 5 months.

Why such a short reauthorization?

Well, the reason is that some Democrats in the Senate are holding the reauthorization of another vital immigration program hostage. The E-Verify program provides tens of thousands of American employers who want to do the right thing with an effective tool to ensure that they are hiring a legal workforce.

The authorization for E-Verify expires in November, so the House passed a 5-year reauthorization by the overwhelming vote of 407-2. Unfortunately, Democrats in the Senate have refused to pass an extension of E-Verify for longer than 5 months. They refuse to pass a longer extension unless we accede to their demand to increase immigration to the United States by about a half a million people.

Such a demand goes against the clear preference of the American people who support current or reduced levels of immigration. It goes against the interest of American workers who compete with foreign workers for the same jobs, and it goes against the interest of American employers who want to count on E-Verify's being available to them for the long term.

This body is right to reject the demand of the Senate Democrats. Unfortunately, since they will only extend E-Verify for 5 months, we will only get a 5-month extension of the religious worker visa program. So we will need to address this issue again after the 11th Congress convenes next January.

I do appreciate the language in this bill that requires the Department of Homeland Security to expeditiously issue needed regulations to address fraud in the religious worker visa program. I have long been concerned about the high level of fraud that has been evident in this program. I urge my colleagues to support this bill.

I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I just want to comment briefly on the March 6 date.

It is my understanding that two Republican Senators requested dramatic changes to the E-Verify program extension that we were able to pass here. When they were unable to get it, the Senate—or I should say the other body—was able to agree on just an extension until March 6. Then the issue was that nothing else was going to go past March 6.

So I think it's interesting to note that, even though we oftentimes have very contentious disagreements on various immigration matters here in the House, we were able to come to an agreement to extend the E-Verify program for an extended period of time. They couldn't get that together in the

Senate, so we're going to, indeed, have to revisit this as well as E-Verify early next year, and we will have to try and come to an agreement that is bipartisan and bicameral. Certainly, we need to approve this today so that religious workers can enrich the lives of our communities. With that, I urge its adoption.

Mr. Speaker, S. 3606 is similar to a bill I authored, H.R. 5570, which passed the House on April 15 of this year.

Both bills would reauthorize the Special Immigrant Non-Minister Religious Worker Program, which allows non-minister religious workers to obtain special immigrant status in the U.S. so that they may do the work required of their faith.

The program is vitally important to religious organizations as it provides in many instances the only avenue for nuns, monks, and other people of faith to come to the United States to fill a vocation or other traditional religious occupation. Those who use the visas come over to serve as missionaries, counselors, translators, religious instructors, cantors, and other pastoral care providers.

Unfortunately, the program is currently set to expire in just a few days.

H.R. 5570, the bill I authored, would have extended the program for several years. But S. 3606, as sent back from the Senate, would extend the program only through March 6, 2009. Although I strongly would have preferred to extend the program for longer, the program is too important to let expire. We should extend the program today to allow us the additional time we need to work out a longer extension.

I also note that the program was first enacted in 1990 and that Congress has extended it four times, most recently in 2003. Working with LAMAR SMITH, the Ranking Member of the Judiciary Committee, we made changes to the program for the first time to address potential fraudulent uses of the program. The Senate bill includes those protections.

I urge my colleagues to support this important bipartisan legislation.

I yield back the balance of my time.

The **SPEAKER pro tempore.** The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and pass the Senate bill, S. 3606.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

□ 1900

EXTENDING PROGRAM RELATING TO WAIVER OF FOREIGN COUNTRY RESIDENCE REQUIREMENT WITH RESPECT TO INTERNATIONAL MEDICAL GRADUATES

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 5571) to extend for 5 years the program relating to waiver of the foreign country residence requirement with respect to international