

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. COSTA) that the House suspend the rules and agree to the resolution, H. Res. 1158.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

KENDELL FREDERICK CITIZENSHIP ASSISTANCE ACT

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2516) to assist members of the Armed Forces in obtaining United States citizenship, and for other purposes.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 2516

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Kendell Frederick Citizenship Assistance Act".

SEC. 2. FINGERPRINTS AND OTHER BIOMETRIC INFORMATION FOR MEMBERS OF THE UNITED STATES ARMED FORCES.

(a) IN GENERAL.—Notwithstanding any other provision of law, including section 552a of title 5, United States Code (commonly referred to as the "Privacy Act of 1974"), the Secretary of Homeland Security shall use the fingerprints provided by an individual at the time the individual enlisted in the United States Armed Forces, or at the time the individual filed an application for adjustment of status, to satisfy any requirement for background and security checks in connection with an application for naturalization if—

(1) the individual may be naturalized pursuant to section 328 or 329 of the Immigration and Nationality Act (8 U.S.C. 1439, 1440);

(2) the individual was fingerprinted and provided other biometric information in accordance with the requirements of the Department of Defense at the time the individual enlisted in the United States Armed Forces;

(3) the individual—

(A) submitted an application for naturalization not later than 24 months after the date on which the individual enlisted in the United States Armed Forces; or

(B) provided the required biometric information to the Department of Homeland Security through a United States Citizenship and Immigration Services Application Support Center at the time of the individual's application for adjustment of status if filed not later than 24 months after the date on which the individual enlisted in the United States Armed Forces; and

(4) the Secretary of Homeland Security determines that the biometric information provided, including fingerprints, is sufficient to conduct the required background and security checks needed for the applicant's naturalization application.

(b) MORE TIMELY AND EFFECTIVE ADJUDICATION.—Nothing in this section precludes an individual described in subsection (a) from

submitting a new set of biometric information, including fingerprints, to the Secretary of Homeland Security with an application for naturalization. If the Secretary determines that submitting a new set of biometric information, including fingerprints, would result in more timely and effective adjudication of the individual's naturalization application, the Secretary shall—

(1) inform the individual of such determination; and

(2) provide the individual with a description of how to submit such biometric information, including fingerprints.

(c) COOPERATION.—The Secretary of Homeland Security, in consultation with the Secretary of Defense, shall determine the format of biometric information, including fingerprints, acceptable for usage under subsection (a). The Secretary of Defense, or any other official having custody of the biometric information, including fingerprints, referred to in subsection (a), shall—

(1) make such prints available, without charge, to the Secretary of Homeland Security for the purpose described in subsection (a); and

(2) otherwise cooperate with the Secretary of Homeland Security to facilitate the processing of applications for naturalization under subsection (a).

(d) ELECTRONIC TRANSMISSION.—Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security shall, in coordination with the Secretary of Defense and the Director of the Federal Bureau of Investigation, implement procedures that will ensure the rapid electronic transmission of biometric information, including fingerprints, from existing repositories of such information needed for military personnel applying for naturalization as described in subsection (a) and that will safeguard privacy and civil liberties.

(e) CENTRALIZATION AND EXPEDITED PROCESSING.—

(1) CENTRALIZATION.—The Secretary of Homeland Security shall centralize the data processing of all applications for naturalization filed by members of the United States Armed Forces on active duty serving abroad.

(2) EXPEDITED PROCESSING.—The Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence shall take appropriate actions to ensure that applications for naturalization by members of the United States Armed Forces described in paragraph (1), and associated background checks, receive expedited processing and are adjudicated within 180 days of the receipt of responses to all background checks.

SEC. 3. PROVISION OF INFORMATION ON MILITARY NATURALIZATION.

(a) IN GENERAL.—Not later than 30 days after the effective date of any modification to a regulation related to naturalization under section 328 or 329 of the Immigration and Nationality Act (8 U.S.C. 1439, 1440), the Secretary of Homeland Security shall make appropriate updates to the Internet sites maintained by the Secretary to reflect such modification.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Homeland Security, not later than 180 days after each effective date described in subsection (a), should make necessary updates to the appropriate application forms of the Department of Homeland Security.

SEC. 4. REPORTS.

(a) ADJUDICATION PROCESS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit a report to the appropriate congressional committees on the entire process for

the adjudication of an application for naturalization filed pursuant to section 328 or 329 of the Immigration and Nationality Act (8 U.S.C. 1439, 1440), including the process that—

(A) begins at the time the application is mailed to, or received by, the Secretary, regardless of whether the Secretary determines that such application is complete; and

(B) ends on the date of the final disposition of such application.

(2) CONTENTS.—The report submitted under paragraph (1) shall include a description of—

(A) the methods used by the Secretary of Homeland Security and the Secretary of Defense to prepare, handle, and adjudicate such applications;

(B) the effectiveness of the chain of authority, supervision, and training of employees of the Federal Government or of other entities, including contract employees, who have any role in such process or adjudication; and

(C) the ability of the Secretary of Homeland Security and the Secretary of Defense to use technology to facilitate or accomplish any aspect of such process or adjudication and to safeguard privacy and civil liberties.

(b) IMPLEMENTATION.—

(1) STUDY.—The Comptroller General of the United States and the Inspector General of the Department of Homeland Security shall conduct a study on the implementation of this Act by the Secretary of Homeland Security and the Secretary of Defense, including an assessment of any technology that may be used to improve the efficiency of the naturalization process for members of the United States Armed Forces and an assessment of the impact of this Act on privacy and civil liberties.

(2) REPORT.—Not later than 180 days after the date on which the Secretary of Homeland Security submits the report required under subsection (a), the Comptroller General and the Inspector General shall submit a report to the appropriate congressional committees on the study required by paragraph (1) that includes recommendations for improving the implementation of this Act.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Armed Services of the Senate;

(2) the Committee on Homeland Security and Governmental Affairs of the Senate;

(3) the Committee on the Judiciary of the Senate;

(4) the Committee on Armed Services of the House of Representatives;

(5) the Committee on Homeland Security of the House of Representatives; and

(6) the Committee on the Judiciary of the House of Representatives.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from Iowa (Mr. KING) 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 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. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 2516, the Kendell Frederick Citizenship Assistant Act, pays tribute to the memory of 21-year-old Army Reserve Specialist Kendell K. Frederick who was killed in Iraq while attempting to become an American citizen.

Specialist Frederick was born in Trinidad and immigrated to the United States when he was 15 years old to join his mother, stepfather, and two sisters. He attended Randallstown Senior High in Baltimore County, Maryland, where he joined the school's ROTC program. Specialist Frederick enlisted in the Army Reserve in his senior year and was deployed to Iraq in December of 2004.

As he was serving our country, Specialist Frederick sought to apply for U.S. citizenship, yet one bureaucratic hurdle after another delayed his application.

First, the USCIS failed to route his application to the unit that processes naturalization applications for members of the military. The gentleman then rejected his application for failure to pay an application fee even though active military personnel applying for U.S. citizenship are not required to pay that fee.

Next, the agency directed Specialist Frederick to get his fingerprints taken in Maryland despite the obvious fact that he was deployed in Iraq at the time. Besides, he had recently had his fingerprints taken as part of his background check when he enlisted in the Army Reserve.

But when his mother called the agency's help line, she was told that nothing could be done.

Finally, after trying for more than a year to become a U.S. citizen and having his application rejected and delayed as a result of various bureaucratic failings by his own government, Specialist Frederick was forced to travel on a convoy to a base where he could get his fingerprints taken again for his naturalization application.

Tragically, he was killed en route by a roadside bomb. Specialist Frederick was posthumously granted U.S. citizenship a week after his death.

S. 2516 would remove unnecessary procedural hurdles like the ones Specialist Frederick faced for naturalization applications currently or recently serving in the military. Most importantly, it directs Homeland Security to accept fingerprints taken at the time of enlistment as long as they are otherwise acceptable.

The House has already passed legislation similar to S. 2516. It was introduced by Representative ELIJAH CUMMINGS. It was H.R. 2884, the Kendell Frederick Citizenship Act, and passed the House by voice vote on November 6 of last year. There are a few minor differences between the House-passed bill and the Senate bill, but both accomplish the goal of removing these bureaucratic hurdles to our soldiers becoming U.S. citizens.

Therefore, I ask that my colleagues support the passage of this bill so that

we can get the bill to the President and signed into law as quickly as possible.

Approximately 45,000 lawful permanent residents are currently serving in our Armed Forces. More than 35,000 noncitizen members of the military have applied for U.S. citizenship since 2002.

This bill is an excellent measure that will help ensure that from now on American soldiers do not face some unnecessary, unreasonable hurdles to American citizenship that cost Specialist Frederick his life. Much more needs to be done to assist America's soldiers with their hassles with our immigration system. But this bill is a good first step, and I urge my colleagues to support it.

I reserve the balance of my time.

Mr. KING of Iowa. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, Specialist Kendall Frederick was a 21-year-old U.S. Army soldier serving in Iraq who dreamed of becoming an American citizen. He was born in Trinidad and came to this country when he was 15 years old. Specialist Frederick joined ROTC while in high school—and I would point out there are increasing numbers of high schools that have denied ROTC presence on their campus. Not the case for Specialist Frederick and we are thankful.

He joined the Army after he graduated. On October 19, 2005, he was tragically killed by a roadside bomb while traveling in a convoy to a base. He was granted U.S. citizenship posthumously, but he never knew he was an American citizen. Tragically, the very reason that he was in that convoy that day was to get fingerprinted in order to achieve his dream.

We know that Kendell Frederick wanted to be an American citizen but bureaucracy stood in his way. He had been trying to become an American citizen for over a year, Mr. Speaker, having started the process while he was in training.

His mother and his sergeant in Iraq tried to help him, but they didn't know the rules. His efforts to become a citizen were thwarted by bureaucratic misinformation and other obstacles.

While he was fighting for our country in Iraq, he was told that he had to have his fingerprints retaken in Maryland. When his mother called 1-800-IMMIGRATION, it's a USCIS unit, United States Citizenship and Immigration Services hotline for immigration assistance, and tried to explain that he was fighting in a war and was, I should say, tied up at the time, as John McCain might say, he could not come home to Baltimore to be fingerprinted so she was told that there was nothing they could do.

This is wrong and this is intolerable that our soldiers are unable to get correct information, Mr. Speaker. They should be given every possible assistance in applying for citizenship.

Last year, the House passed H.R. 2884 which provides that a soldier who sub-

mits a naturalization application within 24 months of enlistment can have that application processed using the fingerprints that were taken at the time of his enlistment. I supported that bill then which was designed to and does honor Specialist Frederick and all of our lawful permanent resident servicemembers.

Today we're considering S. 2516 which is a bill the Senate passed that makes a few technical changes to H.R. 2884. I urge my colleagues to support this bill. It has taken us some time to get this resolved. I trust it will be resolved today in this House, Mr. Speaker, and done so with great gratitude from this Congress and the United States people to Specialist Kendell Frederick and to all of those who have given their lives and parts of their lives and some their limbs for the freedom of this great country.

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

Ms. ZOE LOFGREN of California. Mr. Speaker, 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. 2516.

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.

□ 1530

EB-5 REGIONAL CENTER PILOT PROGRAM EXTENSION

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5569) to extend for 5 years the EB-5 regional center pilot program, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5569

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

SECTION 1. EXTENSION OF EB-5 REGIONAL CENTER PILOT PROGRAM.

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 "shall set aside" and all that follows through "eligible for admission" and inserting "shall set aside 3,000 visas annually for 20 years to include such aliens as are eligible for admission".

SEC. 2. SENSE OF CONGRESS.

It is the sense of the Congress that, to the extent practicable, qualifying investments under section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) should be made in targeted employment areas (as defined in section 203(b)(5)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5)(B)(ii))), including rural areas (areas other than an area