

Jenkins	Miller (NC)
Johnson (GA)	Miller, Gary
Johnson (IL)	Miller, George
Johnson, E. B.	Mitchell
Johnson, Sam	Mollohan
Jones	Moore (KS)
Jordan (OH)	Moore (WI)
Kagen	Moran (KS)
Kanjorski	Moran (VA)
Kaptur	Murphy (CT)
Kildee	Murphy (NY)
Kilpatrick (MI)	Murphy, Patrick
Kilroy	Murphy, Tim
Kind	Myrick
King (IA)	Nadler (NY)
King (NY)	Napolitano
Kingston	Neal (MA)
Kirkpatrick (AZ)	Neugebauer
Kissell	Nunes
Klein (FL)	Nye
Kline (MN)	Oberstar
Kosmas	Obey
Kratovil	Olson
Kucinich	Olver
Lamborn	Ortiz
Lance	Owens
Langevin	Pallone
Larsen (WA)	Pascrall
Larson (CT)	Pastor (AZ)
Latham	Paul
LaTourette	Paulsen
Latta	Payne
Lee (CA)	Pence
Lee (NY)	Perlmutter
Levin	Perriello
Lewis (CA)	Peters
Lewis (GA)	Peterson
Linder	Petri
Lipinski	Pitts
LoBiondo	Platts
Loebsack	Poe (TX)
Lofgren, Zoe	Polis (CO)
Lowey	Pomeroy
Lucas	Posey
Luetkemeyer	Price (GA)
Luján	Price (NC)
Lummis	Putnam
Lungren, Daniel E.	Quigley
Lynch	Rahall
Mack	Rangel
Maffei	Reed
Maloney	Rehberg
Manzullo	Reichert
Markay (CO)	Reyes
Markay (MA)	Richardson
Marshall	Rodriguez
Matheson	Roe (TN)
Matsui	Rogers (AL)
McCarthy (CA)	Rogers (KY)
McCarthy (NY)	Rogers (MI)
McCaul	Rohrabacher
McClintock	Rookey
McCullom	Ros-Lehtinen
McCotter	Roskam
McDermott	Ross
McGovern	Rothman (NJ)
McHenry	Royal-Allard
McIntyre	Royce
McKeon	Ruppersberger
McMahon	Rush
McNerney	Ryan (OH)
Meek (FL)	Ryan (WI)
Meeks (NY)	Salazar
Melancon	Sánchez, Linda
Mica	T.
Michaud	Sanchez, Loretta
Miller (MI)	Sarbanes
	Scalise

NOT VOTING—22

Barrett (SC)	Delahunt	Minnick
Blackburn	Gordon (TN)	Pingree (ME)
Boehner	Hastings (FL)	Radanovich
Brown-Waite, Ginny	Hodes	Speier
Buyer	Kennedy	Woolsey
Cardoza	Marchant	Wu
Davis (IL)	McMorris	
DeFazio	Rodgers	
	Miller (FL)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1545

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title of the resolution was amended so as to read: "Commending the City of Jacksonville, Arkansas, for its outstanding support in creating a unique and lasting partnership with Little Rock Air Force Base, members of the Armed Forces stationed there and their families, and the Air Force, I am not recorded because I was absent because I was giving birth to my baby daughter. Had I been present, I would have voted 'yea.'"

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. McMORRIS RODGERS. Madam Speaker, on rollcall No. 587 on H. Res. 1742, ordering the Previous Question providing for consideration of S. 3307, I am not recorded because I was absent because I was giving birth to my baby daughter. Had I been present, I would have voted "nay."

Madam Speaker, on rollcall No. 588 on H. Res. 1742, agreeing to the resolution providing for consideration of S. 3307, the Healthy, Hunger-Free Kids Act, I am not recorded because I was absent because I was giving birth to my baby daughter. Had I been present, I would have voted "nay."

Madam Speaker, on rollcall No. 589 on H. Res. 1741, agreeing to the resolution providing for consideration of H.J. Res. 101, I am not recorded because I was absent because I was giving birth to my baby daughter. Had I been present, I would have voted "nay."

Madam Speaker, on rollcall No. 590 on H. Con. Res. 323, supporting the goal of ensuring that all Holocaust survivors in the United States are able to live with dignity, comfort, and security in their remaining years, I am not recorded because I was absent because I was giving birth to my baby daughter. Had I been present, I would have voted "yea."

Madam Speaker, on rollcall No. 591 on H. Res. 1735, condemning North Korea in the strongest terms for its unprovoked military attack against South Korea on November 23, 2010, I am not recorded because I was absent because I was giving birth to my baby daughter. Had I been present, I would have voted "yea."

Madam Speaker, on rollcall No. 592 on H. Res. 1430, honoring and saluting golf legend Juan Antonio "Chi Chi" Rodriguez for his commitment to Latino youth programs of the Congressional Hispanic Caucus Institute, I am not recorded because I was absent because I was giving birth to my baby daughter. Had I been present, I would have voted "yea."

Madam Speaker, on rollcall No. 593 on H.J. Res. 101, making further continuing appropriations for Fiscal Year 2011, I am not recorded because I was absent because I was giving birth to my baby daughter. Had I been present, I would have voted "nay."

Madam Speaker, on rollcall No. 594 on H. Res. 1217, honoring Fort Drum's soldiers of the 10th Mountain Division for their past and continuing contributions to the security of the United States, I am not recorded because I was absent because I was giving birth to my baby daughter. Had I been present, I would have voted "yea."

Madam Speaker, on rollcall No. 595 on H. Res. 1724, commanding the City of Jacksonville, Arkansas, for its outstanding support in creating a unique and lasting partnership with Little Rock Air Force Base, members of the Armed Forces stationed there and their families, and the Air Force, I am not recorded because I was absent because I was giving birth to my baby daughter. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. ETHERIDGE. Madam Speaker, on H. Res. 1217, I was unavoidably detained. Had I been present, I would have voted "yes."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

□ 1550

ACCREDITATION OF ENGLISH LANGUAGE

Mr. CONYERS. Madam Speaker, I move to suspend the rules and pass the bill (S. 1338) a bill to require the accreditation of English language training programs, and for other purposes.

The Clerk read the title of the bill. The text of the bill is as follows:

S. 1338

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

SECTION 1. ACCREDITATION OF ENGLISH LANGUAGE TRAINING PROGRAMS.

(a) IN GENERAL.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended—

(1) in paragraph (15)(F)(i), by striking "a language" and inserting "an accredited language"; and

(2) by adding at the end the following:

"(52) The term 'accredited language training program' means a language training program that is accredited by an accrediting agency recognized by the Secretary of Education".

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by subsection (a) shall—

(A) take effect on the date that is 180 days after the date of the enactment of this Act; and

(B) apply with respect to applications for a nonimmigrant visa under section 101(a)(15)(F)(i) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)(i)) that are filed on or after the effective date described in subparagraph (A).

(2) TEMPORARY EXCEPTION.—

(A) IN GENERAL.—Notwithstanding section 101(a)(15)(F)(i) of the Immigration and Nationality Act, as amended by subsection (a), during the 3-year period beginning on the date of the enactment of this Act, an alien

seeking to enter the United States to pursue a course of study at a language training program that has been certified by the Secretary of Homeland Security and has not been accredited or denied accreditation by an entity described in section 101(a)(52) of such Act may be granted a nonimmigrant visa under such section 101(a)(15)(F)(i).

(B) ADDITIONAL REQUIREMENT.—An alien may not be granted a nonimmigrant visa under subparagraph (A) if the sponsoring institution of the language training program to which the alien seeks to enroll does not—

- (i) submit an application for the accreditation of such program to a regional or national accrediting agency recognized by the Secretary of Education within 1 year after the date of the enactment of this Act; and
- (ii) comply with the applicable accrediting requirements of such agency.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material.

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

There was no objection.

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

Madam Speaker and Members, S. 1338 requires that visas for foreign students seeking to attend English schools in the United States only be granted when the student attends a school accredited by an agency recognized by the Secretary of Education. What we found, in short, is that some of these language schools are undermining the laudable mission of this visa program. And it has been determined that many of them are not even attending schools.

So thanks to the diligence of the chairman of the Committee on Financial Services, BARNEY FRANK, we have introduced the bill. The Senate has passed the same bill. Now it is over here for our final approval. But before I reserve the balance of my time, I would thank LAMAR SMITH, the ranking member of the Judiciary Committee.

I reserve the balance of my time.

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

Madam Speaker, I support S. 1338, which requires the accreditation of English language training programs for student visa holders, and I am a co-sponsor of the House version of the bill. Accreditation of English programs will ensure that foreign students here on temporary visas receive the high-level English language education they deserve and expect. And this legislation will help give the students a positive experience in America as well.

The bill prevents fraud in the student visa program and raises the quality of English language training programs in

the United States. It does so by requiring accreditation, which is achieved only after certain learning criteria are met.

Under the Immigration and Nationality Act, a foreign national can get a student visa to study at a U.S. college, high school, or other learning institution such as an established “language training program approved by the Secretary of Homeland Security after consultation with the Secretary of Education.” This bill requires that a nonimmigrant foreign student seeking to enter the United States to study at a language training program must enroll in a program that is recognized and accredited by the Secretary of Education. The Senate has passed this legislation by unanimous consent, and I urge my colleagues to support it as well.

Intensive English Programs (“IEPs”) serve to teach English to foreign students. There are 90,000 such students in the United States. The programs range in length from two weeks to one year, but average 12 weeks. There are nearly 1,000 IEP’s in the U.S., and students must study a minimum of 18 hours per week to meet their visa requirements.

Currently all IEPs must be officially recognized, but that sometimes means there is just a check to see that the building in which the IEP is supposedly located, actually exists. The result of such lax monitoring is widespread fraud in the IEP community.

Illegitimate IEPs either do not teach English well or serve as scams for individuals who want to come to the United States through fraudulent means. In April 2008, the Los Angeles Times reported, “The operator of two English language schools was charged Wednesday with running a scheme that allowed foreign nationals, including several Russian prostitutes, to fraudulently obtain student visas to enter and stay in the United States.”

In April 2009, two individuals who ran an English language school for immigrants in Duluth, GA, were indicted for submitting fraudulent documents to the Department of Homeland Security. They did so in order to get student visas for “dozens, and perhaps hundreds, of ‘students.’”

And last March agents in the Miami Immigration and Customs Enforcement Office conducted the “largest single visa fraud takedown in [the] agency’s history,” when they arrested two women who helped obtain fraudulent student visas for over 200 individuals who were supposedly attending an English school, but who were not actually doing so.

Such fraudulent programs, along with IEPs that do not function well, tarnish the reputation of the entire IEP industry. That’s why the American Association of Intensive English Programs supports this legislation. And legitimate IEPs are interested in ensuring the quality of their programs.

Under this bill, IEPs can meet the accreditation requirement in one of two ways. First, they can be under the governance of a university or college that has been accredited by a regional accrediting agency recognized by the U.S. Department of Education. Or, second, they can be individually accredited by The Accrediting Council for Continuing Education and Training or the Commission on English Language Program Accreditation.

The three typical steps in the accreditation process are (1) the completion of a written

self-study that documents how the program or institution meets the standards of the accreditation agency; (2) a site visit by an agency team to verify that standards are being met; and (3) follow-up measures on the part of the school to correct any deficiencies, subject to review and final approval by the accreditation agency.

Currently, many legitimate IEPs are voluntarily becoming accredited on their own.

I urge my colleagues to support passage of this bill.

Madam Speaker, I yield such time as he may consume to the gentleman from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. Madam Speaker, I want to thank my friend from Texas for yielding.

This legislation is a good piece of legislation. I urge my colleagues to support it.

But there are other issues that I think need to be addressed today. There has been bipartisan agreement across this country and in Congress that blanket moratoriums on offshore drilling hurts America when it comes to jobs and energy. Yet the Obama administration has suddenly imposed a moratorium that closes the eastern Gulf of Mexico and the entire Atlantic coast.

Madam Speaker, this is the wrong way to respond to the BP oil spill. It hurts our economy and job creation. The answer is not to say America can’t figure it out and we should rely on other countries to produce our energy. The right answer is to find out what went wrong and make the effective, timely reforms that ensure that U.S. offshore drilling is the safest in the world.

The Deepwater Horizon spill was a terrible tragedy; but this is a great country, Madam Speaker, and we shouldn’t allow this single event to disrupt our long-term need to develop an all-of-the-above energy plan that includes the responsible development of our Nation’s offshore oil and gas reserves.

The administration has taken us in the wrong direction. Instead, we need to be working to keep and create energy jobs here in America.

Mr. SMITH of Texas. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. CONYERS. I am going to yield back, but can I ask my friends on the other side, if you have got another subject matter you want to introduce on a bill, can you wait until we pass the bill and then make your speech about whatever you want?

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, S. 1338.

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

A motion to reconsider was laid on the table.

HELP HAITIAN ADOPTEES IMMEDIATELY TO INTEGRATE ACT OF 2010

Mr. CONYERS. Madam Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 5283) to provide for adjustment of status for certain Haitian orphans paroled into the United States after the earthquake of January 12, 2010.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as—

(1) the “Help Haitian Adoptees Immediately to Integrate Act of 2010”; or

(2) the “Help HAITI Act of 2010”.

SEC. 2. ADJUSTMENT OF STATUS FOR CERTAIN HAITIAN ORPHANS.

(a) IN GENERAL.—The Secretary of Homeland Security may adjust the status of an alien to that of an alien lawfully admitted for permanent residence if the alien—

(1) was inspected and granted parole into the United States pursuant to the humanitarian parole policy for certain Haitian orphans announced by the Secretary of Homeland Security on January 18, 2010, and suspended as to new applications on April 15, 2010;

(2) is physically present in the United States;

(3) is admissible to the United States as an immigrant, except as provided in subsection (c); and

(4) files an application for an adjustment of status under this section not later than 3 years after the date of the enactment of this Act.

(b) NUMERICAL LIMITATION.—The number of aliens who are granted the status of an alien lawfully admitted for permanent residence under this section shall not exceed 1400.

(c) GROUNDS OF INADMISSIBILITY.—Section 212(a)(7)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(7)(A)) shall not apply to an alien seeking an adjustment of status under this section.

(d) VISA AVAILABILITY.—The Secretary of State shall not be required to reduce the number of immigrant visas authorized to be issued under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) for any alien granted the status of having been lawfully admitted for permanent residence under this section.

(e) ALIENS DEEMED TO MEET DEFINITION OF CHILD.—An unmarried alien described in subsection (a) who is under the age of 18 years shall be deemed to satisfy the requirements applicable to adopted children under section 101(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1)) if—

(1) the alien obtained adjustment of status under this section; and

(2) a citizen of the United States adopted the alien prior to, on, or after the date of the decision granting such adjustment of status.

(f) NO IMMIGRATION BENEFITS FOR BIRTH PARENTS.—No birth parent of an alien who obtains adjustment of status under this section shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under this section or the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

SEC. 3. COMPLIANCE WITH PAYGO.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. Madam 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 gentleman from Michigan?

There was no objection.

Mr. CONYERS. I yield myself as much time as I may consume.

Madam Speaker, Members of the House, this bill, entitled the Help HAITI Act of 2010, was introduced by the gentleman from Nebraska (Mr. FORTENBERRY). It is incredibly important that we finish the job we undertook when we rescued just over 1,200 Haitian orphans immediately following the earthquake that devastated Haiti on January 12 earlier this year.

□ 1600

All in all, 1.5 million people were directly affected in terms of human and economic impact. It was one of the worst natural disasters ever recorded in the Western Hemisphere.

In response to this disaster, the Department of Homeland Security instituted a policy for the immediate evacuation of Haitian orphans who had been adopted or were in the process of being adopted as citizens.

Now, in the United States with their adoptive or prospective adoptive American parents, these children need one more bit of assistance. Had the earthquake not hit and disrupted the adoption process in Haiti, each of these children would have entered the country as United States citizens under current immigration law.

But because of the emergency procedures used to evacuate these children, they must now wait years before they can get permanent residency and years more before they can qualify for citizenship. Some are even running the risk of aging out even before they can get their residency, which would make them ineligible for legal status in the country.

So what the measure before us does is treat these children as if they had come to the United States under the normal adoption procedures that would have applied had the earthquake not occurred and required hastening their move.

It is with that in mind that I am pleased to thank the bipartisan efforts of the Judiciary Committee, starting with the ranking member, LAMAR SMITH; the immigration subcommittee chair, ZOE LOFGREN; and, of course, Judge Poe, who is leading the measure on the other side.

With that, I reserve the balance of my time.

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

I strongly support H.R. 5283. Madam Speaker, earlier this year, Haiti was hit by a massive earthquake and hundreds of thousands of people died. In reaction, the Department of Homeland Security announced a humanitarian parole policy under which orphaned Haitian children who were in the middle of an adoption process with prospective Americans would be immediately brought to the United States. Under this policy, about 1,200 Haitian children, orphans, came to the United States.

Since adoption proceedings were not yet completed when these children were brought to this country, they will have to live with their adoptive parents for 2 years before being eligible for permanent resident status in the United States. In the interim, they remain in parole status, which is to be renewed each and every year.

This legal limbo can be stressful to the children and to the families who have adopted them. We must remember, Madam Speaker, these children had already been approved for adoption to American parents.

Additionally, Representative FORTENBERRY from Nebraska was concerned about the impact of this delay on children and circumstances such as the death of adoptive parents. Mr. FORTENBERRY therefore introduced the Help HAITI Act of 2010. This bill grants immediate permanent residence to the airlifted Haitian orphans.

This legislation completes the humanitarian endeavor launched by the Department of Homeland Security and secures the futures of children who have already suffered a great deal. It is in the best tradition of American humanitarian response. The House has already passed the Fortenberry bill by voice vote. The Senate made some minor changes and passed the bill by unanimous consent.

I know personally how important this bill is to the children and families of this country. The Parker family, from my district in Kingwood, Texas, contacted my office shortly after the earthquake that devastated Haiti to get help in finalizing the adoption of their son.

Before the earthquake, the Parker family had been in the process of adopting a young Haitian named Ronel. Prior to the earthquake, Ronel had been cleared to immigrate to the United States. But after the bureaucratic breakdown following the earthquake, his adoption was held up. Fearing for Ronel's safety, Mr. Parker flew down to Port-au-Prince and slept on the floor of the United States Embassy for several days as he haggled with United States and Haitian authorities to permit the adoption. Finally, after many sleepless nights, the adoption was permitted and Ronel was allowed to fly to his new home in Kingwood, Texas.