Mr. SENSENBRENNER. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 2137 , as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SENSENBRENNER. Madam 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

FAMILY SPONSOR IMMIGRATION ACT OF 2001

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1892) to amend the Immigration and Nationality Act to provide for the acceptance of an affidavit of support from another eligible sponsor if the original sponsor has died and the Attorney General has determined for humanitarian reasons that the original sponsor's classification petition should not be revoked, as amended.

The Clerk read as follows:

H.R. 1892

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 ''Family Sponsor Immigration Act of 2001''.

SEC. 2. SUBSTITUTION OF ALTERNATIVE SPONSOR IF ORIGINAL SPONSOR HAS DIED.

(a) PERMITTING SUBSTITUTION OF ALTERNATIVE CLOSE FAMILY SPONSOR IN CASE OF DEATH OF PETITIONER.—

(1) RECOGNITION OF ALTERNATIVE SPONSOR.—Section 213A(f)(5) of the Immigration and Nationality Act (8 U.S.C. 1183a(f)(5)) is amended to read as follows:

''(5) NON-PETITIONING CASES.—Such term also includes an individual who does not meet the requirement of paragraph (1)(D) but who—

''(A) accepts joint and several liability with a petitioning sponsor under paragraph (2) or relative of an employment-based immigrant under paragraph (4) and who demonstrates (as provided under paragraph (6)) the means to maintain an annual income equal to at least 125 percent of the Federal poverty line; or

''(B) is a spouse, parent, mother-in-law, father-in-law, sibling, child (if at least 18 years of age), son, daughter, son-in-law, daughter-in-law, grandparent, or grandchild of a sponsored alien or a legal guardian of a sponsored alien, meets the requirements of paragraph (1) (other than subparagraph (D)), and executes an affidavit of support with respect to such alien in a case in which—

''(i) the individual petitioning under section 204 for the classification of such alien died after the approval of such petition; and

''(ii) the Attorney General has determined for humanitarian reasons that revocation of such petition under section 205 would be inappropriate.''.

(2) CONFORMING AMENDMENT PERMITTING SUBSTITUTION.—Section 212(a)(4)(C)(ii) of such Act (8 U.S.C. 1182(a)(4)(C)(ii)) is amended by striking ''(including any additional sponsor required under section 213A(f))'' and inserting ''(and any additional sponsor required under section 213A(f) or any alternative sponsor permitted under paragraph (5)(B) of such section)''.

(3) ADDITIONAL CONFORMING AMENDMENTS.—Section 213A(f) of such Act (8 U.S.C. 1183a(f)) is amended, in each of paragraphs (2) and (4)(B)(ii), by striking ''(5).'' and inserting ''(5)(A).''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to deaths occurring before, on, or after the date of the enactment of this Act, except that, in the case of a death occurring before such date, such amendments shall apply only if—

(1) the sponsored alien—

(A) requests the Attorney General to reinstate the classification petition that was filed with respect to the alien by the deceased and approved under section 204 of the Immigration and Nationality Act (8 U.S.C. 1154) before such death; and

(B) demonstrates that he or she is able to satisfy the requirement of section 212(a)(4)(C)(ii) of such Act (8 U.S.C. 1182(a)(4)(C)(ii)) by reason of such amendments; and

(2) the Attorney General reinstates such petition after making the determination described in section 213A(f)(5)(B)(ii) of such Act (as amended by subsection (a)(1) of this Act).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from Texas (Ms. JACKSON-LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1892, as amended.

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

There was no objection.

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

Madam Speaker, H.R. 1892, the Family Sponsor Immigration Act of 2001, was introduced by the gentleman from California (Mr. CALVERT) and amended in the Committee on the Judiciary by our other colleague, the gentleman from California (Mr. ISSA). I want to thank both of them for bringing to our attention an unintended quirk in the Immigration and Nationality Act that needlessly keeps families separated. I want to thank them for developing this bill, which brings families back together.

Each year the United States provides hundreds of thousands of immigrant visas for spouses and other family members of U.S. citizens and permanent residents. Tragically, each year a number of these U.S. citizens and permanent residents petitioning for their family members will die before the immigration process is complete. Generally, INS regulations provide for the automatic revocation of a petition when the petitioner dies. The consequences are severe for a beneficiary when his or her petitioner dies before the beneficiary has adjusted status or received an immigrant visa.

□ 1500

If no other relative can qualify as a petitioner, then the beneficiary would lose an opportunity to become a permanent resident.

For instance, if a petition is revoked because a widowed citizen's father dies after petitioning for an adult unmarried daughter, the daughter would have no living mother to file a new petition. If another relative can file an immigrant visa petition for the beneficiary, the beneficiary would still go to the end of the line if the visa category were numerically limited.

For instance, if the daughter's mother was alive, she could file a new first-family preference petition. However, the daughter would lose the priority date, based upon the time her father's petition had been filed with the INS and would receive a later priority date based upon the filing date of her mother's petition. Given that first-family preference visas are now available to beneficiaries from Mexico with priority dates from April, 1994, and are available to those from the Philippines with priority dates from May, 1988, this can result in a significant additional delay before a visa is available.

Because of the severe consequences of the revocation of a visa petition, INS regulations do allow the Attorney General, in his or her discretion, to determine that, for humanitarian reasons, revocation would be inappropriate and thus complete the unification of a family.

However, there is a complication. The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 requires that when a family member petitions for a relative to receive an immigrant visa, that visa can only be granted if the petitioner signs a legally binding affidavit of support promising to provide for the support of the immigrant. If the petitioner has died, obviously he or she cannot sign that affidavit. Thus, even in cases where the Attorney General feels a humanitarian waiver of the revocation of the visa petition is warranted, under current law a permanent resident visa cannot be granted because the affidavit requirement is unfulfilled.

Madam Speaker, H.R. 1892 solves this dilemma. It simply provides that in cases where the petitioner has died and the Attorney General has determined for humanitarian reasons that revocation of the petition would be inappropriate, a close family member other than the petitioner would be allowed to sign the necessary affidavit of support. Eligible family members of beneficiaries would include spouses, parents, grandparents, mothers-in-law and fathers-in-law, siblings, adult sons and daughters, adult sons-in-law and daughters-in-law, and grandchildren. Legal guardians would also be eligible.

In order to sign an affidavit of support, the individual would need to meet the general eligibility requirements needed to be an immigrant sponsor. Thus, he or she would need to, first, be a citizen or national of the United States or an alien who is lawfully admitted to the United States for permanent residence; second, be at least 18 years of age; third, be domiciled in a State, the District of Columbia, or any territory or possession of the United States; and, fourth, demonstrate the means to maintain an annual income equal to at least 125 percent of the Federal poverty line.

Madam Speaker, H.R. 1892 is a humanitarian and pro-family piece of legislation. I would urge my colleagues to support this bill.

Madam Speaker, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise to support H.R. 1892, and I believe that it is a legislative initiative that speaks to the cornerstone of immigration policy in this Nation: family reunification.

The Family Sponsor Immigration Act of 2001 is a very important immigration bill. With bipartisan support, we are correcting a glitch in the immigration law. As the ranking member of the Subcommittee on Immigration and Claims of the House Committee on the Judiciary, I was pleased to work with the gentleman from Pennsylvania (Mr. GEKAS), the chairman of the subcommittee, on this legislation, along with the original sponsors of this legislation as well, and I thank them for their service and leadership.

Currently, the Immigration and Nationality Act requires that the same person that petitions for the admission of an immigrant must be the same person who signs the affidavit of support: the sponsor, that person is called. So, if the sponsor dies, current law does not allow someone else to sign the affidavit of support, although they are a legitimate person, although there is no attempt to commit fraud, and that person is unable to adjust his or her status to receive an immigrant visa, even though they have been waiting in a line in a very procedurally correct manner and adhering to the laws of our Nation. Such consequences of the law toward a beneficiary when his or her petitioner dies before the beneficiary has a chance to adjust status or receive an immigrant visa has been and continues to be too harsh.

H.R. 1892 will amended the Immigration Nationality Act to allow an alternative sponsor, a close family member other than the petitioner, as a substitute if the original sponsor of the affidavit of support has died, assuming all other requirements are met.

Additionally, I am very pleased that we were able to work out an agreement that further allows alternative sponsors to be a spouse, parent, mother-in-law, father-in-law, sibling, child, if at least 18 years of age, son, daughter, son-in-law, daughter-in-law, grandparent or grandchild of a sponsored alien or legal guardians of a sponsored alien, all with the idea of reunifying a family.

This bill, H.R. 1892, which has bipartisan support, is important because in the event of the death of the sponsor the beneficiary's application will now be able to have someone else sign the affidavit of support and the beneficiary's application for permanent residency can move forward without losing the beneficiary's priority date, in essence, not having them go to the back of the line and, therefore, delaying them being reunited with their family.

Madam Speaker, I believe this is an important initiative that we have done in a bipartisan way, and I ask my colleagues to support this legislation.

Madam Speaker, H.R. 1892, the Family Sponsor Immigration Act of 2001 is a very important immigration bill. With bipartisan support we are correcting a glitch in the current immigration law.

Currently, the Immigration and Nationality Act requires that the same person that petitions for the admission of an immigrant must be the same person who signs the affidavit of support—the sponsor. So if the sponsor dies, current law does not allow someone else to sign the affidavit of support and that person is unable to adjust his or her status or receive an immigrant visa. Such consequences of the law toward a beneficiary when his or her petitioner dies before the beneficiary has a chance to adjust status or receive an immigrant visa are too harsh.

H.R. 1892 will amend the Immigration and Nationality Act to allow an alternative sponsor—a close family member other than the petitioner—as a substitute if the original sponsor of the affidavit of support has died, assuming all other requirements are met.

H.R. 1892 allows the alternative sponsors to be a: spouse, parent, mother-in-law, father-in-law, daughter-in-law, grandparent, or grandchild of a sponsored alien or a legal guardian of a sponsored alien.

This bill, H.R. 1892, which has bipartisan support, is important because in the event of the death of the sponsor, the beneficiary's application will now be able to have someone else sign the affidavit of support and the beneficiary's application for permanent residency can move forward without losing the beneficiary's priority date.

Madam Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Madam Speaker, I yield 5 minutes to the gentleman from California (Mr. CALVERT), the author of the bill.

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

In January of this year, my office received a letter from a constituent that hit a roadblock in his attempt to be obtain U.S. citizenship. His father, who petitioned for my constituent's permanent U.S. residence over 8 years ago, suddenly passed away. He had long ago filled out the necessary paperwork and paid the required $1,000 fee.

Last December, my constituent went for his interview with the INS. His paperwork was in order. He was asked if he had ever been in trouble with the law or accepted government assistance. The constituent, who had worked as a manager at a gas station the past 6 years and files his taxes every year, said no. Everything seemed fine. But a week later a letter from the INS came, notifying him that his permanent residence was denied because his petitioner, his father, was dead. Under current law, he has to go back to the end of the line and begin the 8 to 10 year process all over again.

This roadblock only discourages legal immigration. As millions of undocumented immigrants enter this country illegally, law-abiding immigrants like my constituent find that their first interaction with the United States Government is frustrating and confusing. The news of this process surely reaches back to the immigrant's home country. Some might use situations like this as an excuse to forgo the legal process and instead become illegal aliens. This is no way to promote legal immigration.

Madam Speaker, H.R. 1892 would cut down this roadblock in the Immigration and Nationality Act of 1996. Currently, if applicant's petitioner dies after an application is accepted by the INS, the applicant is automatically returned to the beginning of the entire nationalization process, a 7 to 8 year process. They cannot substitute their financial sponsor with another qualified relative.

This legislation would allow for a parent, spouse, son, daughter, son-in-law, daughter-in-law, grandparent, grandchild or sibling, so long as they qualify, to take up the role of financial sponsor from a deceased sponsor, without having an interruption in the nationalization process for the applicant.

It is important to note that this legislation will not allow unqualified applicants to be adjusted or unqualified sponsors to take up sponsorship. Nor will this legislation have any impact on the number of immigrants entering the process. This legislation only affects applicants already in the adjustment process. This bill is noncontroversial, a good fix to this infrequent but substantial problem. It passed the full Committee on the Judiciary by a voice vote.

On July 11, 2001, the President participated in a swearing-in of immigrants at Ellis Island and announced his support for this measure. The President said, ''If a child's parent and financial sponsor should pass away, we should permit the other parent to take over as sponsor.''

The President's recognition that we are a nation of immigrants and his concern that the naturalization process has become unwieldy for legal immigrants serves to quickly right this present injustice. More importantly, his support for such legislation moves us closer to getting this bill signed into

law. This legislation would correct an injustice suffered by too many immigrants that have chosen to adjust their immigration status through the legal process. Immigrants that apply for this status are financially secure and contributors to our society, not burdens on it. These are the immigration cases that should be promoted, not further frustrated.

Madam Speaker, I would like to thank people who have helped on this bill, including the gentleman from California (Mr. ISSA) for all his work on the Committee on the Judiciary; the gentlewoman from California (Ms. LOFGREN) and the gentleman from Utah (Mr. CANNON) who were very active in helping us perfect this legislation; and certainly the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the full committee; and the gentleman from Pennsylvania (Mr. GEKAS), the chairman of the subcommittee; and the ranking members who have worked diligently on working this bill through the entire committee.

Finally, I would like to thank the Khan family who brought this issue to my attention. I look forward to the day when the Khan brothers will become U.S. citizens. These are hard-working individuals who will only be an asset to our community and to our country. I am proud to be able to help them achieve that dream sooner rather than later.

Ms. JACKSON-LEE of Texas. Madam Speaker, I am delighted to yield 3 minutes to the distinguished gentlewoman from California (Ms. WOOLSEY), the chair of the Democratic Caucus Task Force on Children.

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

Ms. WOOLSEY. Madam Speaker, I rise in strong support of the Family Immigration Sponsor Act. In fact, a family in my district with a tragic story has become a well-known example of exactly why this bill is necessary.

Mrs. Zhenfu Ge, a 73-year-old Chinese national, came to the United States in 1998 to help care for her dying daughter and her daughter's two children. Her daughter, my constituent, Yanyu Wong, requested that her mother be able to stay in America to take care of her grandchildren after the mother died. Following INS rules, my constituent immediately submitted the appropriate paperwork to sponsor her mother's petition for a green card so she could stay in the United States. But, tragically, on April 15 of this year, my constituent lost her life to cancer. This was only 11 days before the INS was scheduled to grant Mrs. Ge permanent resident status.

In a desperate attempt to keep his mother-in-law in the country, my constituent's husband petitioned to be Mrs. Ge's new sponsor. However, INS law mandates the sponsor be an adult blood relative. Without an adult blood relative left alive to sponsor her, Mrs. Ge must go back to China and restart the process. Realizing the devastating results of these circumstances, I introduced H.R. 2011, a private bill to allow Mrs. Ge to remain legally in the United States while she completes the process for legal status.

Forcing Mrs. Ge to abandon her family during this time would only add to the tragedy her 3-year-old granddaughter and 12-year-old grandson were already experiencing. Allowing Mrs. Ge to stay in the country would give the children a living link to their mother and to their mother's culture, something they would be denied forever if their grandmother is deported.

With the passage of the Family Immigration Sponsor Act, authored by the gentleman from California (Mr. CALVERT), Mrs. Ge can stay in America and take care of her daughter's children while she completes the immigration process. Then she can keep her promise to her daughter.

Madam Speaker, I strongly urge my colleagues to vote for the Family Immigration Sponsor Act to help relieve some of the pain that families like Mrs. Ge's have endured.

Mr. SENSENBRENNER. Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. ISSA).

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

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Madam Speaker, I, too, rise in support of H.R. 1892. I, too, have at least one of my constituents who has the same problem. Myrna Gabiola has tried, so far in vain, to take over the sponsorship of her two brothers.

But this is not to say that there are not one, two, or three thousand separate occurrences right now in America. This, like many of the problems dealt with her in the House, needs in fact good legislation so that they do not fall to the desk of individual Congressmen and Congresswomen in the future.

Good government is dependent upon good and consistent rules of the road that allow for the immigration process to be done under our laws, but under common sense. I believe that the reason this was such a bipartisan effort, and the reason that I am very hopeful it will pass here today, is that we took the time to realize that no organization, except perhaps a Federal Government, would in fact allow the loss of a loved one to turn into a ''go back to go and start over.''

I believe that this type of reform, and others to come on a bipartisan basis, are the best way to signal to the people of the world, the tens or hundreds of millions who would like to come here, that they are better off getting in line, playing by the rules, waiting their turn, than coming here illegally.

These kinds of reforms make the process fairer and more likely to be obeyed by those who wish to come to our country. Most of all, it is fairer for those citizens of our country who do in fact want to be repatriated with their loved ones from abroad.

Ms. JACKSON-LEE of Texas. Madam Speaker, I am delighted to yield 3 minutes to the gentlewoman from Hawaii (Mrs. MINK), who has been a leader on family unification and providing for opportunities for immigrants to access legalization.

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks, and include extraneous material.)

Mrs. MINK of Hawaii. Madam Speaker, I thank the gentlewoman for yielding time to me.

Madam Speaker, I rise in strong support of the passage of H.R. 1892, the Family Sponsor Immigration Act of 2001.

I wish to thank the Committee on the Judiciary for reporting this important bill, especially the gentleman from Wisconsin (Chairman SENSENBRENNER) and the gentlewoman from Texas (Ms. JACKSON-LEE), and acknowledge the sterling leadership of the gentleman from California (Mr. CALVERT) for introducing this bill, which will help many grieving families where the petitioners die before the family member is able to gain immigration status.

I have had several of these cases over the years, and have had to transmit the sad news to the families who have been waiting sometimes more than 10 years before the parent petitioner died, and the petition was then, upon his death, deemed expired also.

They were told that their only option was to have another family member file a new petition and perhaps wait another 10 years. This is a tearful message to transmit to any loved one.

Under current law, death of the parent petitioner forfeits the priority date established by the deceased parent. The new petition would have a new priority date, creating a tragic outcome for family members who have already waited more than 10 years for their number to be called.

This bill provides a compassionate outcome. The current law allows the Attorney General to offer a humanitarian reprieve, but he could not because the affidavit of support was deemed void upon the death of the petitioner. This bill allows the voided affidavit of support of the deceased to be substituted by another affidavit submitted by a close family member. It is a commonsense kind of solution to a very tragic personal problem.

This bill offers an avenue of relief for many grieving families who continue their petitions for loved ones, even under the devastating conditions today that they have to wait another 10 years. I hope that this bill will pass and will become law, and will provide the kind of relief that these families have been waiting so long to have.

Ms. JACKSON-LEE of Texas. Madam Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from California (Mr. HONDA), who is

well aware of these issues. Having visited his district, I know of his leadership on the issues of family reunification.

Mr. HONDA. Madam Speaker, I just want to enter into the CONGRESSIONAL RECORD my thanks for the leadership of the gentleman from California (Mr. CALVERT), the chairman of the Committee on the Judiciary, the gentleman from Wisconsin (Mr. SENSENBRENNER), and the gentlewoman from Texas (Ms. JACKSON-LEE).

The reason I rise on this issue, Madam Speaker, is because just this past week I was visited by a constituent who is a Russian immigrant. He came to this country as a refugee. He was trying to reunite his family, his adult son and his family, and it turns out that he had a change of categories in Russia. Because of that, he lost his standing as a refugee and became an immigrant applicant. That made him go to the end of the line.

The reason the father came to me is because he exhausted all his administrative remedy and all he had left was hope, the hope that he may live long enough that his son may be with him in this country as a legal immigrant. But then he would have to wait 4 to 6 years. He is an elderly person.

He asked me if there was any way to change this ruling so that he would be allowed to see his son who has been in Russia for all these years. I had no answer for him because the rules are the rules. He wanted to follow them, but he wonders if there is a way we could shorten that.

This bill may not give him much hope in the sense that he may not live long enough, but it will give him hope that his son may enter into this country under his petition currently, and that if he does pass away, he will at least have the satisfaction that his petition will remain current.

So to that end, I rise to support this with all my emotion, all my support, for this family who face this possibility, and I have seen this, but with the hope that the family will ultimately be reunified.

I thank the gentleman from California (Mr. CALVERT) for this bill.

Ms. JACKSON-LEE of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I conclude by simply saying we have heard the number of tragic stories that this legislation will cure. Again, I thank the author of the legislation, and I appreciate the bipartisan effort in bringing it to the floor of the House so we may cure the tragedies that have impacted families and reunite the families.

I ask my colleagues to support H.R. 1892.

Madam Speaker, I yield back the balance of my time.

Mr. SENSENBRENNER. Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. HORN).

Mr. HORN. Madam Speaker, I rise today in strong support of H.R. 1892, the Family Sponsor Immigration Act, and urge my colleagues to vote in favor of this worthwhile legislation.

Madam Speaker, many Americans share a very serious concern that our immigration laws can be abused by those who do not respect the legal process. However, there are countless individuals who abide by the law and deserve a fair and just process. The Family Sponsor Immigration Act provides that fairness to those who have followed the letter of the law in seeking legal naturalization.

This important legislation corrects an unfair loophole in the Immigration and Nationality Act of 1996. Currently, an immigrant applying for permanent resident status must have a single family member sponsor them. If the sponsor dies before the application is reviewed by the Immigration and Naturalization Service, the applicant is forced to find another sponsor and begin the naturalization process over again. In effect, they are kicked to the back of the line due to the circumstances beyond their control.

The Family Sponsor Immigration Act allows another qualified immediate family member to take up the role of financial sponsor from a deceased sponsor without interrupting the naturalization process. By correcting this injustice suffered by many immigrants who followed the legal process, we can ensure fairness in our immigration system.

This bill in no way allows unqualified applicants or unqualified sponsors to abuse the system. There is also no impact on the number of immigrants entering the naturalization process. Family unity is a priority in our immigration policy, and this bill will promote that goal. By providing this commonsense correction to the naturalization process, we can ensure fairness and compassion for law-abiding individuals.

I encourage my colleagues to support this effort. Let us support vigorously H.R. 1892.

Mr. LEWIS of California. Madam Speaker, I urge my colleagues to support the passage of the Family Sponsor Immigration Act, introduced by my good friend and neighbor, KEN CALVERT. This legislation will help us avert family tragedies that now happen all too often because of our overworked immigration system.

Jamie Clarino and his family are an example of the terrible results of how our system now works. Mr. Clarino, a Filipino native, fought with the United States Army in World War II and won his American citizenship through his military service.

In 1988, Mr. Clarino petitioned to sponsor his four adult children for legal immigration to the United States. Unfortunately, far more people would like to come to our country from the Philippines than we can accept in any year. In fact, the backlog is so large from the Philippines that it took 12 years—until the year 2000—for Mr. Clarino's children to be certified to begin the immigration process.

Their documents were found in order. They were scheduled for an interview with our consular officials in Manila that would complete the process. They would soon be able to join their U.S. citizen father in his home for the past dozen years.

And then tragedy struck: Mr. Clarino died just before the interviews were to take place. He could not sign the affidavit of support required at the time of the interviews. And under our current law, these children of this man who fought for America in World War II must now begin the process all over again with a new sponsor.

Without this legislation, the Clarino family will be forced to wait perhaps a dozen more years for the chance to immigrate. As you can imagine, this means the dream of their father—that his family come to his adopted homeland—will probably never become reality. A sister who is a lawful permanent resident, who could easily take over as sponsor for her siblings, will probably never get the chance.

Madam Speaker, I believe we must stop our system from adding to the tragedy of families like the Clarinos, who lose a loved one and at the same time have their hopes of coming to America dashed. My friend KEN CALVERT's bill will allow these families to continue their quest under a new sponsor, without losing their place in line. It does not grant special favors; it merely closes a loophole to help those families who are playing by the rules to gain legal immigration to our nation.

I strongly support H.R. 1892 and urge its passage.

Mr. ISSA. Madam Chairman, I rise in support of H.R. 1892, the ''Family Sponsor Immigration Act of 2001.'' I thank Congressman KEN CALVERT, author of this bill, Chairman SENSENBRENNER, Chairman GEKAS, and the Immigration Subcommittee staff for their leadership and assistance on this bill. This bill will correct the Immigration and Nationality Act (INA) to allow another family member to become a sponsor of an applicant by signing an affidavit of support if the original sponsor has died.

Current INS regulation, set up by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRAIRA), allows sponsors to sign an affidavit of support to transfer sponsorship of an applicant. Unfortunately, if a sponsor dies without signing an affidavit of support, the applicant must start the long process over again. Due to the immense number of applicants filing for permanent residency, the application process for the INS can take more than a decade.

I first became aware of this problem in the IIRAIRA of 1996 when my district office told me of a constituent, Myrna Gabiola, who wanted to sponsor her two brothers after her father passed away. The family was so focused on the health of the father that they did not realize that the father had to sign an affidavit of support allowing another family member to take over the application while he was still alive. There was no indication of a problem until Renan and Ben Patao had interviews and did not have the required affidavit of support. They were subsequently denied because their father had passed away before the interviews took place.

The Gabiola family waited over sixteen years to be granted an interview for permanent residency but were then sent to the back of the line to begin the process over again. I urged my staff to explore every possible avenue to assist Ms. Gabiola through the administrative process, but upon further exploration,

there was none. I contemplated a private bill, but after discussing the possibilities with the Immigration Subcommittee staff for the Judiciary Committee, they revealed that Congressman KEN CALVERT had draft legislation to correct a similar situation. After talking with Congressman CALVERT, he explained that he had a constituent in a similar situation and wanted to bring forth legislation as soon as possible.

After being introduced on May 17th of this year, this bill passed the Judiciary Committee's Immigration subcommittee and the full committee by voice vote. H.R. 1892 has received tremendous bi-partisan support from Members and the INS, and is supported by the White House. This bill will keep families together and help avoid the possibility of having two tragedies stemming from one unfortunate event.

Again, I urge my colleagues to vote in favor of this legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 1892, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SENSENBRENNER. Madam 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

HONORING FOUR FIREFIGHTERS WHO LOST THEIR LIVES FIGHTING THIRTYMILE FIRE IN CASCADE MOUNTAINS OF WASHINGTON STATE

Mrs. JO ANN DAVIS of Virginia. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 201) honoring four firefighters who lost their lives fighting the Thirtymile Fire in the Cascade Mountains of Washington State, as amended.

The Clerk read as follows:

H. RES. 201

Whereas, on July 10, 2001, 21 United States Forest Service firefighters were dispatched to contain a spot fire of the Thirtymile Fire in the Okanogan and Wenatchee National Forest in the Cascade Mountains of Washington State;

Whereas high temperatures, low humidity, and erratic winds, combined with very dry forest fuels, caused the fire to become an explosive, high-intensity fire that rapidly progressed from less than 25 acres to over 2,500 acres in less than 3 hours;;

Whereas 14 of the firefighters were forced to deploy emergency shelters as a result of being overrun by the rapidly expanding fire;

Whereas 4 of the firefighters and 2 civilians were injured in the fire, including firefighter Jason Emhoff, firefighter Thomas Taylor, firefighter Scott Sherzinger, and firefighter Rebecca Welch, whose heroic actions saved the lives of the two civilians;

Whereas, in service to the Nation and in the line of duty to protect their communities and fellow citizens, 4 firefighters lost their lives in the fire; and

Whereas these 4 firefighters who lost their lives were Tom Craven of Ellensburg, Washington, husband and father of two, Karen FitzPatrick of Yakima, Washington, Jessica Johnson of Yakima Washington, and Devin Weaver of Yakima, Washington: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors firefighters Tom Craven, Karen FitzPatrick, Jessica Johnson, and Devin Weaver, who lost their lives fighting the Thirtymile Fire in the Cascade Mountains of Washington State, for their bravery and sacrifice in service to the Nation;

(2) extends its deepest sympathies to the families and fellow firefighters of these heroes; and

(3) reaffirms its support and commitment to America's Federal firefighters who, without reservation, answer the call of duty and risk their lives for the Nation.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and the gentlewoman from Hawaii (Mrs. MINK) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia (Mrs. DAVIS).

GENERAL LEAVE

Mrs. JO ANN DAVIS of Virginia. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 201.

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

There was no objection.

Mrs. JO ANN DAVIS of Virginia. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of House Resolution 201, and I commend its sponsor, the distinguished gentleman from Washington (Mr. HASTINGS), for introducing it.

This resolution honors four firefighters: Tom Craven, a husband and father of two from Ellensburg, Washington; and Karen Fitzpatrick, Jessica Johnson, and Devin Weaver, all of Yakima, Washington, who gave their lives fighting the Thirtymile Fire in the Okanogan and Wenatchee National Forest in Washington's Cascade Mountains.

The resolution also expresses the deepest sympathies of this House for their families.

Finally, Madam Speaker, it pledges that the House will continue to support and work for all American firefighters who, in the words of the resolution, ''without reservation answer the call of duty and risk their lives for the Nation.''

Madam Speaker, on July 10, 2001, 21 Forest Service firefighters were sent to contain a spot fire, but high temperatures, low humidity, and erratic winds combined with very dry forest fuels to cause the fire to become an explosive, high-intensity fire. In under 3 hours, that fire spread from less than 25 acres to more than 2,500 acres. Fourteen firefighters were overrun by the rapidly expanding fire and had to deploy emergency shelters.

In addition to the four firefighters who were killed, four others and two civilians were injured. The injured firefighters were Jason Emhoff, Thomas Taylor, Scott Sherzinger, and Rebecca Welch. Ms. Welch's heroic actions saved the lives of the two civilians.

Madam Speaker, less than 1 month ago, this House honored three firefighters who died fighting a blaze in Queens, New York. Today we are again honoring four more firefighters killed in the line of duty, which reinforces the observations we made then of the dangers inherent in fighting fires. Their deaths are a sad reminder of the daily risk our firefighters voluntarily assume to protect the lives and property of their fellow Americans.

The men and women who have devoted their lives to fighting fires in America are truly heroes. I, as the wife of a career firefighter, understand the many risks and sacrifices these dedicated professionals endure, and as we honor the four firefighters who died in Washington State, Madam Speaker, let us also thank and honor all American firefighters.

I encourage all Members to support this resolution.

Madam Speaker, I reserve the balance of my time.

Mrs. MINK of Hawaii. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the honorable gentleman from Illinois (Mr. DAVIS), ranking minority member of the Subcommittee on Civil Service and Agency Administration, would have been here except for an unavoidable delay, and I have the honor of representing the gentleman from Illinois (Mr. DAVIS) in making this opening statement and guiding the course of House resolution 201 honoring four firefighters who lost their lives in the Cascade Mountains of Washington State.

□ 1530

The gentleman from Illinois (Mr. DAVIS) would have said this morning that he had spoken of three firefighters who lost their leaves on Father's Day fighting a five-alarm blaze that ripped through a hardware store in Queens, New York. At that time he would have said their names would be added to the fallen firefighter memorial wall in Memorial Park in Colorado Springs, Colorado.

Today, he would have said that he was saddened to have to stand before the House and say that an additional four names would have to be added to that memorial park. Tom Craven, 30; Devin Weaver, 21; Jessica Johnson, 19; and Karen FitzPatrick, 19, died on Tuesday, July 10, in the North Cascade Mountains in Winthrop, Washington. They were part of a 21-member crew