

I rise in support of this bill and commend the Chairman not only for defending the Judiciary Committee's jurisdiction but also for his bipartisanship. The Committee has not authorized the Department of Justice in more than 20 years, instead permitting the appropriators to decide what DOJ programs should be authorized and for how much. Needless to say, this puts a serious cramp in the Committee's critical oversight duties.

To remedy this, the Chairman worked with the Democratic staff and the Justice Department to draft H.R. 2215. Aside from fixing errors in the law, H.R. 2215 is the voice of the Committee on how the Justice Department should be funded. For example, this bill tracks our request that the Civil Rights Division receive \$101.8 million for fiscal year 2002. Among other things, these funds will be used for voting rights and police brutality investigations and FACE enforcement.

The bill also creates a separate and statutory office for the administration of the Violence Against Women Act. The new Violence Against Women Office will raise the profile of VAWA issues and make it easier to distribute grants to combat domestic and other forms of violence against women.

That being said, the bill is not perfect. For instance, it does not touch on all-important DOJ grant programs such as COPS. But it is a useful starting point and a precursor to what I hope will be more active Committee involvement in the running of the Justice Department.

Finally, the Chairman and the Ranking Member of the House Judiciary Committee have contacted Senate Judiciary Chairman LEAHY and Senator HATCH about this bill and believe there may be a reasonable opportunity to pass this legislation in the other body.

I urge my colleagues to vote "yes" on this legislation.

Madam Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Madam Speaker, I yield 2 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Madam Speaker, I rise in support of the Department of Justice Reauthorization act. I want to thank the gentleman from Wisconsin (Chairman SENSENBRENNER) and his staff for their hard work on this bill.

I would also like to bring to the Members' attention a specific provision, one of many, but a specific provision that was added in the Committee on the Judiciary by the gentlewoman from Wisconsin (Ms. BALDWIN), which is also stand-alone legislation introduced by the gentlewoman from New York (Ms. SLAUGHTER) and myself as H.R. 28. By including this provision, we have another opportunity to strengthen the Federal Government's commitment to helping victims of domestic violence, sexual assault, and stalking.

The Violence Against Women Office Act, as amended to this bill, would make the Violence Against Women Office permanent and provide it with a Presidentially appointed and Senate-confirmed director. This office does much more than administer grants. It also expertly implements programs and offers Federal, State, and local governments critical assistance in policy

making to combat all forms of violence against women.

The Director's ability, as set out under this bill, to report directly to the Deputy Attorney General demonstrates the essential commitment of the Federal Government and this administration to incorporating strong policies against domestic violence, sexual assault, and stalking.

Again, I thank the gentleman from Wisconsin (Chairman SENSENBRENNER) for working with the advocates to maintain this provision in H.R. 2215 and for his support for maintaining and fully funding the Violence Against Women Act grants within the Department of Justice.

I urge my colleagues to vote for this measure.

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

Madam Speaker, I simply want to thank the gentlewoman from Maryland (Mrs. MORELLA) for her leadership on the issues of violence against women.

I conclude, Madam Speaker, by thanking the chairman of the committee and the ranking member for their leadership on this legislation. I ask for passage of H.R. 2215.

Ms. SLAUGHTER. Madam Speaker, I am pleased to rise in support of H.R. 2215, the 21st Century Department of Justice Appropriations Authorization Act, which includes a provision to statutorily create a permanent Violence Against Women Office within the Department of Justice.

Currently, the Violence Against Women Office is responsible for coordinating the training of judges, law enforcement and prosecutors in responding to victims of domestic violence, stalking and assault. Among other responsibilities, it works with states and localities to provide a coordinated community response to domestic violence and establishes public education initiatives to heighten national awareness of domestic violence as a crime. Unfortunately, the office only exists by administrative order and could be abolished at any time.

As we begin a new century, violence against women remains a national problem. At present, approximately 4.9 million domestic physical assaults take place against women annually in the United States. There are also 1.1 million protective or restraining orders obtained by victims of intimate partner rape, physical assault, and stalking annually. And finally, \$22.3 billion in criminal and legal costs are incurred by domestic violence victims each year.

In response to these statistics, I introduced H.R. 28, the Violence Against Women Office Act, which would establish the Office permanently in statute. I am proud to report that the bill currently has 148 cosponsors. With overwhelming bipartisan support, this language was included as an amendment to H.R. 2215 by the members of the House Judiciary Committee.

Establishing the Violence Against Women Office permanently within the Department of Justice responds to the growing problem of domestic violence and ensures the continued coordination of support, education, and assistance initiatives from the national to the community level.

As the members of House Judiciary Committee have recognized by including the language of H.R. 28 as an amendment to this bill, the need for a permanent Violence against Women Office is strong. Moreover, without the security of a statute, the continuation of the Office's important work is threatened. Today, we have the opportunity to change that.

Domestic violence is nothing less than an epidemic and must be attacked with all the resources we would bring to bear against a deadly disease. I therefore urge my colleagues to support H.R. 2215, which includes a provision to establish the Violence Against Women Office permanently in statute.

Ms. JACKSON-LEE of Texas. Madam Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore (Mrs. BIGGERT). 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. 2215, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CRIMINAL LAW TECHNICAL AMENDMENTS ACT OF 2001

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2137) to make clerical and other technical amendments to title 18, United States Code, and other laws relating to crime and criminal procedure, as amended.

The Clerk read as follows:

H.R. 2137

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 "Criminal Law Technical Amendments Act of 2001".

SEC. 2. TECHNICAL AMENDMENTS RELATING TO CRIMINAL LAW AND PROCEDURE.

(a) MISSING AND INCORRECT WORDS.—

(1) CORRECTION OF GARBLED SENTENCE.—Section 510(c) of title 18, United States Code, is amended by striking "fine of under this title" and inserting "fine under this title".

(2) INSERTION OF MISSING WORDS.—Section 981(d) of title 18, United States Code, is amended by striking "proceeds from the sale of this section" and inserting "proceeds from the sale of such property under this section".

(3) CORRECTION OF INCORRECT WORD.—Sections 1425 through 1427, 1541 through 1544 and 1546(a) of title 18, United States Code, are each amended by striking "to facility" and inserting "to facilitate".

(4) CORRECTING ERRONEOUS AMENDATORY LANGUAGE ON EXECUTED AMENDMENT.—Effective on the date of the enactment of Public Law 103-322, section 60003(a)(13) of such public law is amended by striking "\$1,000,000 or imprisonment" and inserting "\$1,000,000 and imprisonment".

(5) INSERTION OF MISSING WORD.—Section 2326 of title 18, United States Code, is amended by inserting "section" before "2322b".

(6) CORRECTION OF REFERENCE TO SHORT TITLE OF LAW.—That section 2332d(a) of title

18, United States Code, which relates to financial transactions is amended by inserting "of 1979" after "Export Administration Act".

(7) ELIMINATION OF TYPO.—Section 1992(b) of title 18, United States Code, is amended by striking "term or years" and inserting "term of years".

(8) SPELLING CORRECTION.—Section 2339A(a) of title 18, United States Code, is amended by striking "or an escape" and inserting "of an escape".

(9) SECTION 3553.—Section 3553(e) of title 18, United States Code, is amended by inserting "a" before "minimum".

(10) MISSPELLING IN SECTION 205.—Section 205(d)(1)(B) of title 18, United States Code, is amended by striking "groups's" and inserting "group's".

(11) CONFORMING CHANGE AND INSERTING MISSING WORD IN SECTION 709.—The paragraph in section 709 of title 18, United States Code, that begins with "A person who" is amended—

(A) by striking "A person who" and inserting "Whoever"; and

(B) by inserting "or" after the semicolon at the end.

(12) ERROR IN LANGUAGE BEING STRICKEN.—Effective on the date of its enactment, section 726(2) of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132) is amended—

(A) in subparagraphs (C) and (E), by striking "section" the first place it appears; and

(B) in subparagraph (G), by striking "relating to" the first place it appears.

(b) MARGINS, PUNCTUATION, AND SIMILAR ERRORS.—

(1) MARGIN ERROR.—Section 1030(c)(2) of title 18, United States Code, is amended so that the margins of subparagraph (B) and each of its clauses, are moved 2 ems to the left.

(2) CORRECTING CAPITALIZATION IN LANGUAGE TO BE STRICKEN.—Effective on the date of its enactment, section 607(g)(2) of the Economic Espionage Act of 1996 is amended by striking "territory" and inserting "Territory".

(3) CORRECTING PARAGRAPHING.—The material added to section 521(a) of title 18, United States Code, by section 607(q) of the Economic Espionage Act of 1996 is amended to appear as a paragraph indented 2 ems from the left margin.

(4) SUBSECTION PLACEMENT CORRECTION.—Section 1513 of title 18, United States Code, is amended by transferring subsection (d) so that it appears following subsection (c).

(5) INSERTION OF PARENTHETICAL DESCRIPTIONS.—Section 2332b(g)(5)(B)(i) of title 18, United States Code, is amended—

(A) by inserting "(relating to certain killings in Federal facilities)" after "930(c)";

(B) by inserting "(relating to wrecking trains)" after "1992"; and

(C) by striking "2332c".

(6) CORRECTION TO ALLOW FOR INSERTION OF NEW SUBPARAGRAPH AND CORRECTION OF ERRONEOUS INDENTATION.—Section 1956(c)(7) of title 18, United States Code, is amended—

(A) in subparagraph (B)(ii), by moving the margin 2 ems to the right;

(B) by striking "or" at the end of subparagraph (D);

(C) by striking the period at the end of subparagraph (E) and inserting "; or"; and

(D) in subparagraph (F), by striking "Any" and inserting "any".

(7) CORRECTION OF CONFUSING SUBDIVISION DESIGNATION.—Section 1716 of title 18, United States Code, is amended—

(A) in the first undesignated paragraph, by inserting "(j)(1)" before "Whoever";

(B) in the second undesignated paragraph—

(i) by inserting "(2)" at the beginning of that paragraph;

(C) by inserting "(3)" at the beginning of the third undesignated paragraph; and

(D) by redesignating subsection (j) as subsection (k).

(8) PUNCTUATION CORRECTION IN SECTION 1091.—Section 1091(b)(1) of title 18, United States Code, is amended by striking "subsection (a)(1)," and inserting "subsection (a)(1)".

(9) PUNCTUATION CORRECTION IN SECTION 2311.—Section 2311 of title 18, United States Code, is amended by striking the period after "carcasses thereof" the second place that term appears and inserting a semicolon.

(10) SYNTAX CORRECTION.—Section 115(b)(2) of title 18, United States Code, is amended by striking " attempted kidnapping, or conspiracy to kidnap a person" and inserting "or attempted kidnapping of, or a conspiracy to kidnap, a person".

(11) CORRECTING CAPITALIZATION IN SECTION 982.—Section 982(a)(8) of title 18, United States Code, is amended by striking "Court" and inserting "court".

(12) PUNCTUATION CORRECTIONS IN SECTION 1029.—Section 1029 of title 18, United States Code, is amended—

(A) in subsection (c)(1)(A)(ii), by striking "(9)," and inserting "(9)"; and

(B) in subsection (e), by adding a semicolon at the end of paragraph (8).

(13) CORRECTIONS OF CONNECTORS AND PUNCTUATION IN SECTION 1030.—Section 1030 of title 18, United States Code, is amended—

(A) by striking "and" at the end of subsection (c)(2)(A);

(B) by inserting "and" at the end of subsection (c)(2)(B)(iii);

(C) by striking "; and" at the end of subsection (c)(3)(B) and inserting a period;

(D) by striking the period at the end of subsection (e)(4)(I) and inserting a semicolon; and

(E) by striking "and" at the end of subsection (e)(7).

(14) CORRECTION OF PUNCTUATION IN SECTION 1032.—Section 1032(1) of title 18, United States Code, is amended by striking "13," and inserting "13".

(15) CORRECTION OF PUNCTUATION IN SECTION 1345.—Section 1345(a)(1) of title 18, United States Code, is amended—

(A) in subparagraph (B), by striking " or" and inserting "; or"; and

(B) in subparagraph (C), by striking the period and inserting a semicolon.

(16) CORRECTION OF PUNCTUATION IN SECTION 3612.—Section 3612(f)(2)(B) of title 18, United States Code, is amended by striking "preceding," and inserting "preceding".

(17) CORRECTION OF INDENTATION IN CONTROLLED SUBSTANCES ACT.—Section 402(c)(2) of the Controlled Substances Act (21 U.S.C. 842(c)(2)) is amended by moving the margin of subparagraph (C) 2 ems to the left.

(c) ELIMINATION OF REDUNDANCIES.—

(1) ELIMINATION OF REDUNDANT PROVISION.—Section 2516(1) of title 18, United States Code, is amended—

(A) by striking the first paragraph (p); and

(B) by inserting "or" at the end of paragraph (o).

(2) ELIMINATION OF DUPLICATE AMENDMENTS.—Effective on the date of its enactment, paragraphs (1), (2), and (4) of section 601(b), paragraph (2) of section 601(d), paragraph (2) of section 601(f), paragraphs (1) and (2) of section 601(j), paragraphs (1) and (2) of section 601(k), subsection (d) of section 602, paragraph (4) of section 604(b), subsection (r) of section 605, and paragraph (2) of section 607(j) of the Economic Espionage Act of 1996 are repealed.

(3) ELIMINATION OF EXTRA COMMA.—Section 1956(c)(7)(D) of title 18, United States Code, is amended—

(A) by striking "Code,," and inserting "Code,,"; and

(B) by striking "services)," and inserting "services)".

(4) REPEAL OF SECTION GRANTING DUPLICATIVE AUTHORITY.—

(A) Section 3503 of title 18, United States Code, is repealed.

(B) The table of sections at the beginning of chapter 223 of title 18, United States Code, is amended by striking the item relating to section 3503.

(5) ELIMINATION OF OUTMODED REFERENCE TO PAROLE.—Section 929(b) of title 18, United States Code, is amended by striking the last sentence.

(d) CORRECTION OF OUTMODED FINE AMOUNTS.—

(1) IN TITLE 18, UNITED STATES CODE.—

(A) IN SECTION 492.—Section 492 of title 18, United States Code, is amended by striking "not more than \$100" and inserting "under this title".

(B) IN SECTION 665.—Section 665(c) of title 18, United States Code, is amended by striking "a fine of not more than \$5,000" and inserting "a fine under this title".

(C) IN SECTIONS 1924, 2075, 2113(b), AND 2236.—

(i) Section 1924(a) of title 18, United States Code, is amended by striking "not more than \$1,000," and inserting "under this title".

(ii) Sections 2075 and 2113(b) of title 18, United States Code, are each amended by striking "not more than \$1,000" and inserting "under this title".

(iii) Section 2236 of title 18, United States Code, is amended by inserting "under this title" after "warrant, shall be fined", and by striking "not more than \$1,000".

(D) IN SECTION 372 AND 752.—Sections 372 and 752(a) of title 18, United States Code, are each amended by striking "not more than \$5,000" and inserting "under this title".

(E) IN SECTION 924(e)(1).—Section 924(e)(1) of title 18, United States Code, is amended by striking "not more than \$25,000" and inserting "under this title".

(2) IN THE CONTROLLED SUBSTANCES ACT.—

(A) IN SECTION 401.—Section 401(d) of the Controlled Substances Act (21 U.S.C. 841(d)) is amended—

(i) in paragraph (1), by striking "and shall be fined not more than \$10,000" and inserting "or fined under title 18, United States Code, or both"; and

(ii) in paragraph (2), by striking "and shall be fined not more than \$20,000" and inserting "or fined under title 18, United States Code, or both".

(B) IN SECTION 402.—Section 402(c)(2) of the Controlled Substances Act (21 U.S.C. 842(c)) is amended—

(i) in subparagraph (A), by striking "of not more than \$25,000" and inserting "under title 18, United States Code"; and

(ii) in subparagraph (B), by striking "of \$50,000" and inserting "under title 18, United States Code".

(C) IN SECTION 403.—Section 403(d) of the Controlled Substances Act (21 U.S.C. 843(d)) is amended—

(i) by striking "of not more than \$30,000" each place that term appears and inserting "under title 18, United States Code"; and

(ii) by striking "of not more than \$60,000" each place it appears and inserting "under title 18, United States Code".

(e) CROSS REFERENCE CORRECTIONS.—

(1) SECTION 3664.—Section 3664(o)(1)(C) of title 18, United States Code, is amended by striking "section 3664(d)(3)" and inserting "subsection (d)(5)".

(2) CHAPTER 228.—Section 3592(c)(1) of title 18, United States Code, is amended by striking "section 36" and inserting "section 37".

(3) CORRECTING ERRONEOUS CROSS REFERENCE IN CONTROLLED SUBSTANCES ACT.—

Section 511(a)(10) of the Controlled Substances Act (21 U.S.C. 881(a)(10)) is amended by striking "1822 of the Mail Order Drug Paraphernalia Control Act" and inserting "422".

(4) CORRECTION TO REFLECT CROSS REFERENCE CHANGE MADE BY OTHER LAW.—Effective on the date of its enactment, section 601(c)(3) of the Economic Espionage Act of 1996 is amended by striking "247(d)" and inserting "247(e)".

(5) TYPOGRAPHICAL AND TYPEFACE ERROR IN TABLE OF CHAPTERS.—The item relating to chapter 123 in the table of chapters at the beginning of part I of title 18, United States Code, is amended—

(A) by striking "2271" and inserting "2721"; and

(B) so that the item appears in bold face type.

(6) SECTION 4104.—Section 4104(d) of title 18, United States Code, is amended by striking "section 3653 of this title and rule 32(f) of" and inserting "section 3565 of this title and the applicable provisions of".

(7) ERROR IN AMENDATORY LANGUAGE.—Effective on the date of its enactment, section 583 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998 (111 Stat. 2436) is amended by striking "Section 2401" and inserting "Section 2441".

(8) ERROR IN CROSS REFERENCE TO COURT RULES.—The first sentence of section 3593(c) of title 18, United States Code, is amended by striking "rule 32(c)" and inserting "rule 32".

(9) SECTION 1836.—Section 1836 of title 18, United States Code, is amended—

(A) in subsection (a), by striking "this section" and inserting "this chapter"; and

(B) in subsection (b), by striking "this subsection" and inserting "this section".

(10) CORRECTION OF ERRONEOUS CITE IN CHAPTER 119.—Section 2510(10) of title 18, United States Code, is amended by striking "shall have" and all that follows through "United States Code;" and inserting "has the meaning given that term in section 3 of the Communications Act of 1934;"

(11) ELIMINATION OF OUTMODED CITE IN SECTION 2339A.—Section 2339A(a) of title 18, United States Code, is amended by striking "2332c,"

(12) CORRECTION OF REFERENCES IN AMENDATORY LANGUAGE.—Effective the date of its enactment, section 115(a)(8)(B) of Public Law 105-119 is amended.—

(A) in clause (i)—

(i) by striking "at the end of" and inserting "following"; and

(ii) by striking "paragraph" the second place it appears and inserting "subsection"; and

(B) in clause (ii), by striking "subparagraph (A)" and inserting "clause (i)".

(f) TABLES OF SECTIONS CORRECTIONS.—

(1) CONFORMING TABLE OF SECTIONS TO HEADING OF SECTION.—The item relating to section 1837 in the table of sections at the beginning of chapter 90 of title 18, United States Code, is amended by striking "Conduct" and inserting "Applicability to conduct".

(2) CONFORMING HEADING TO TABLE OF SECTIONS ENTRY.—The heading of section 1920 of title 18, United States Code, is amended by striking "employee's" and inserting "employees".

SEC. 3. ADDITIONAL TECHNICALS.

Title 18, United States Code, is amended—

(1) in section 922(t)(1)(C), by striking "1028(d)(1)" and inserting "1028(d)";

(2) in section 1005—

(A) in the first undesignated paragraph, by striking "Act.," and inserting "Act.,"; and

(B) by inserting "or" at the end of the third undesignated paragraph;

(3) in section 1071, by striking "fine of under this title" and inserting "fine under this title";

(4) in section 1368(a), by inserting "to" after "serious bodily injury";

(5) in section 1956(c)(7)(B)(ii), by inserting "or" at the end thereof;

(6) in section 1956(c)(7)(B)(iii), by inserting a closing parenthesis after "1978";

(7) in subsections (b)(1) and (c) of section 2252A, by striking "paragraphs" and inserting "paragraph"; and

(8) in section 2254(a)(3), by striking the comma before the period at the end.

SEC. 4. REPEAL OF OUTMODED PROVISIONS.

(a) Section 14 of title 18, United States Code, and the item relating thereto in the table of sections at the beginning of chapter 1 of title 18, United States Code, are repealed.

(b) Section 1261 of such title is amended—

(1) by striking "(a) The Secretary" and inserting "The Secretary"; and

(2) by striking subsection (b).

(c) Section 1821 of such title is amended by striking ", the Canal Zone".

(d) Section 3183 of such title is amended by striking "or the Panama Canal Zone,".

(e) Section 3241 of such title is amended by striking "United States District Court for the Canal Zone and the".

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. 2137, 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, during the last half of the 20th century, Congress has expanded the criminal code almost exponentially. According to a study conducted by the Task Force on Federalization of Criminal Law of the Criminal Section of the American Bar Association, more than 40 percent of the Federal criminal provisions enacted since the Civil War have been enacted since 1970. In addition to the increased responsibility placed on Federal law enforcement agencies, this explosion of lawmaking has resulted in the enactment of numerous technical mistakes which litter the criminal code. This legislation corrects those mistakes.

Specifically, H.R. 2137 makes over 60 separate technical changes to various criminal statutes by correcting missing and incorrect words, margins, punctuation, redundancies, outmoded fine amounts, cross references, and other technical and clerical errors.

Madam Speaker, this is not a glamorous bill. No one will issue a press release about its passage or will make it

a plank in one's reelection. But it is important work. Correcting mistakes in the criminal code is important to the thousands of Assistant U.S. Attorneys and Federal law enforcement officials throughout the Nation who rely on the accuracy of the criminal code on a daily basis. No longer will they have to rely on an editor's footnote to guess Congress' true intentions. Furthermore, the placement of a comma is not always trivial. The Supreme Court has reviewed cases because of confusion over Congress' grammatical mistakes, including the mistake in placement of a comma.

Madam Speaker, I would like to thank the three cosponsors of this legislation: the gentleman from Michigan (Mr. CONYERS), the ranking minority member of the committee; the gentleman from Texas (Mr. SMITH), the chairman of the Subcommittee on Crime; and the gentleman from Virginia (Mr. SCOTT), the ranking minority member of the Subcommittee on Crime.

I would also like to recognize the staff of the Office of Legislative Counsel and Law Revision Counsel who, along with majority and minority staff, spent hours going through each minor change.

I urge Members 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 in favor of the bill, H.R. 2137, the Criminal Law Technical Amendments Act of 2001. I am satisfied that the Criminal Law Technical Amendments Act of 2001 is simply what its name implies, a bill involving purely technical amendments to the Federal criminal code.

The bill is cosponsored by the chairman of the Committee on the Judiciary, the gentleman from Wisconsin (Mr. SENSENBRENNER); the ranking member, the gentleman from Michigan (Mr. CONYERS); the chairman of the Subcommittee on Crime, the gentleman from Texas (Mr. SMITH); and the ranking member, the gentleman from Virginia (Mr. SCOTT). We thank them for their work.

Committee staff for both sides of the aisle have thoroughly reviewed the provisions of the bill in consultation with government and outside organizations concerned about the Federal criminal code. All agree that these are purely technical amendments which correct mistakes or omissions in the originally enacted language to ensure the smooth process of the criminal justice system. The amendments give the provisions their intended language, therefore clarifying the importance of the distinction needed to ensure justice, thus avoiding possible confusion and misinterpretation.

Accordingly, I support the bill, and I urge my colleagues to do the same.

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

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.

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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.