

While this bill represents progress in this regard, it alone will not completely fulfill this moral obligation.

The Committee notes in House Report 110–158 that, “[i]n approving this bill for expedited consideration, the Committee acknowledges the issues that are left unaddressed.” The Committee, in its report accompanying this legislation, comments that, “[t]here appears to be little reason to limit this relief to those serving with our Missions in Iraq and Afghanistan as a translator or interpreter. Iraqis and Afghans are serving in many different functions in aid of our Missions there, and as their lives come under threat as a result, they would seem similarly deserving of our help in delivering them from harm’s way.” House Report 110–158, furthermore, notes that, “[t]here is also the question of whether these would-be refugees should be granted access to refugee assistance programs promptly once they arrive in the United States.” I fully understand and recognize that this is a complicated issue. But it is my hope that comprehensive Iraqi and Afghan refugee legislation can be considered and agreed to by this body in the near future.

I would hope that such comprehensive Iraqi and Afghan refugee legislation, at a minimum, would provide the authority for at-risk Iraqi and Afghan individuals and their family members—who serve in any capacity—alongside, in support of, or in close coordination with United States or Coalition military and civilian personnel—to be eligible to petition the United States Government and be approved for entry into the United States under special immigrant status. Specifically, I would hope that such comprehensive refugee legislation would, at a minimum, provide petition authority and approval eligibility for at-risk Iraqis and Afghans who are direct hires of United States Government or Coalition country departments, agencies, and military services; Iraqis and Afghans who work as contractors for, or in support of, United States Government or Coalition country departments, agencies, and military services; Iraqi and Afghan public sector employees or elected members of government who work alongside, or who are closely or commonly associated with, United States and Coalition country military and civilian personnel; and Iraqi and Afghan business owners and operators and laborers who have performed work on construction, service, or other contacts financed by United States Government or Coalition government funds.

Success achieved by United States and Coalition military and civilian personnel in Iraq and Afghanistan to date can be, in part, attributed to the efforts of the local nationals in those countries. Those Iraqis and Afghans, for the most part, believe in democratic, peaceful and prosperous futures for their countries and their families. That is why they choose to stand for election to public office, why they serve alongside United States and Coalition personnel, whether as translators, cultural advisors, or the myriad other roles that these brave individuals perform in support of our missions in those countries, and why they perform work on reconstruction projects financed by the United States Government and the governments of Coalition countries. By doing so, however, they and their family members are exposed to extreme risks.

Here in Washington, DC it is all too easy for us to distinguish between the roles and responsibilities of Iraqis or Afghans who are di-

rect hires of the United States Government and the governments of Coalition countries, Iraqis and Afghans who work on contract in support of United States and Coalition personnel, and Iraqis and Afghans who are employees of their governments. Each has a distinct role and relationship with the United States and Coalition governments and the missions pursued by their personnel. But these distinctions are not similarly considered by insurgents, militias, criminals, and terrorists who wish to do these individuals harm. That is, the enemy does not first review their employment situations and statuses of Iraqis and Afghans, draw distinctions, and then issue threats or conduct acts of intimidation or violence accordingly. The enemy kills, kidnaps, and intimidates “enablers” without discrimination. The Iraqis and Afghans who work alongside our personnel know this reality all too well. Comprehensive legislation to address this issue should, to the best of our ability, not draw distinctions or discriminate either.

S. 1104, as noted by the Committee in its report to accompany this bill, is not a comprehensive response to the problem before our country with respect to Iraqis and Afghans who are at-risk of violence and intimidation as a result of their association with United States and Coalition country departments, agencies, and military services’ operating in Iraq and Afghanistan. Nevertheless, I recognize the urgency of enacting the limited reforms to current law contained in the language of this bill; and, therefore, I support its passage. I urge my colleagues to vote “yes” on this bill and to continue to work in support of comprehensive refugee legislation with respect to the service of Iraqi and Afghan nationals.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and pass the Senate bill, S. 1104, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. BERMAN. Mr. 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 question will be postponed.

#### GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill, H.R. 1615.

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

There was no objection.

#### ALIEN SMUGGLING AND TERRORISM PREVENTION ACT OF 2007

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 2399) to amend the Immigration and Nationality Act and title 18, United States Code, to combat the crime of alien smuggling and related activities, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2399

*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 “Alien Smuggling and Terrorism Prevention Act of 2007”.

#### SEC. 2. FINDINGS.

Congress finds that—

(1) Alien smuggling by land, air and sea is a transnational crime that violates the integrity of United States borders, compromises our Nation’s sovereignty, places the country at risk of terrorist activity, and contravenes the rule of law.

(2) Aggressive enforcement activity against alien smuggling is needed to protect our borders and ensure the security of our Nation. The border security and anti-smuggling efforts of the men and women on the Nation’s front line of defense are to be commended. Special recognition is due the Department of Homeland Security through the United States Border Patrol, United States Coast Guard, Customs and Border Protection, and Immigration and Customs Enforcement, and the Department of Justice through the Federal Bureau of Investigation.

(3) The law enforcement community must be given the statutory tools necessary to address this security threat. Only through effective alien smuggling statutes can the Justice Department, through the United States Attorneys’ Offices and the Domestic Security Section of the Criminal Division, prosecute these cases successfully.

(4) Alien smuggling has a destabilizing effect on border communities. State and local law enforcement, medical personnel, social service providers, and the faith community play important roles in combating smuggling and responding to its effects.

(5) Existing penalties for alien smuggling are insufficient to provide appropriate punishment for alien smugglers.

(6) Existing alien smuggling laws often fail to reach the conduct of alien smugglers, transporters, recruiters, guides, and boat captains.

(7) Existing laws concerning failure to heave to are insufficient to appropriately punish boat operators and crew who engage in the reckless transportation of aliens on the high seas and seek to evade capture.

(8) Much of the conduct in alien smuggling rings occurs outside of the United States. Extraterritorial jurisdiction is needed to ensure that smuggling rings can be brought to justice for recruiting, sending, and facilitating the movement of those who seek to enter the United States without lawful authority.

(9) Alien smuggling can include unsafe or recklessly dangerous conditions that expose individuals to particularly high risk of injury or death.

#### SEC. 3. CHECKS AGAINST TERRORIST WATCHLIST.

The Department of Homeland Security shall, to the extent practicable, check against all available terrorist watchlists those alien smugglers and smuggled individuals who are interdicted at the land, air, and sea borders of the United States.

#### SEC. 4. STRENGTHENING PROSECUTION AND PUNISHMENT OF ALIEN SMUGGLERS.

Section 274(a) of the Immigration and Nationality Act (8 U.S.C. 1324(a)) is amended—