

We must always remember the debt that we owe our fallen veterans that have paid the ultimate sacrifice. From the four surviving World War I veterans known to be living in the United States, to the over 300,000 veterans of Operation Enduring Freedom and Operation Iraqi Freedom we expect to see by the end of 2008. Our gratitude must continue to be unwavering to our fallen soldiers and veterans.

In the words of President John F. Kennedy, "As we express our gratitude, we must never forget that the highest appreciation is not to utter words, but to live by them." It is not simply enough to sing the praises of our Nation's great veterans; I firmly believe that we must demonstrate by our actions how proud we are of our American heroes.

I urge my colleagues to support this important legislation. I believe it is necessary for the Nation to act now so that we all can pay respect, tribute, and homage to the lives of the fallen armed services veterans who have fought to keep America free and have fought to make sure that all people and nations partake in the universal freedoms that we find so important in this country. These individuals have given so much and have paid us the ultimate sacrifice: the sacrifice of their lives. The least that we can do, is ensure that these veterans rest eternally in peace and that their grave markers are not stolen for the profit of a few. I urge my colleagues to support this bill.

Mr. KING of Iowa. Mr. Speaker, again, I support this bill in its entirety. It is a time that has come. I urge its adoption.

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

Mr. SCOTT of Virginia. Mr. Speaker, I hope that the House will pass the legislation.

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

The SPEAKER pro tempore (Mr. SALAZAR). The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 3480, as amended.

The question was taken.

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

Mr. KING of Iowa. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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.

The point of no quorum is considered withdrawn.

MAKING TECHNICAL CORRECTIONS TO PROVISION GRANTING SPECIAL IMMIGRANT STATUS FOR CERTAIN IRAQIS

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2829) to make technical corrections to section 1244 of the National Defense Authorization Act for Fiscal Year 2008, which provides special immigrant status for certain Iraqis, and for other purposes.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 2829

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

SECTION 1. TECHNICAL CORRECTIONS TO PROVISION GRANTING SPECIAL IMMIGRANT STATUS FOR CERTAIN IRAQIS.

Section 1244(c) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181) is amended—

(1) in paragraph (1), by striking "each of the five years beginning after the date of the enactment of this Act" and inserting "fiscal years 2008 through 2012"; and

(2) in paragraph (3)—

(A) in subparagraph (A)—

(i) in the subparagraph heading, by striking "ONE THROUGH FOUR" and inserting "2008 THROUGH 2011"; and

(ii) by striking "one through four" and inserting "2008 through 2011"; and

(B) in subparagraph (B)—

(i) in the matter preceding clause (i)—

(I) in the subparagraph heading, by striking "FIVE AND SIX" and inserting "2012 AND 2013";

(II) by striking "the fifth fiscal year beginning after the date of the enactment of this Act" and inserting "fiscal year 2012"; and

(III) by striking "the sixth fiscal year beginning after such date" and inserting "fiscal year 2013"; and

(ii) in each of clauses (i) and (ii), by striking "the fifth fiscal year" and inserting "fiscal year 2012".

SEC. 2. AUTHORITY TO CONVERT PETITIONS DURING TRANSITION PERIOD.

(a) IN GENERAL.—The Secretary of Homeland Security or the Secretary of State may convert an approved petition for special immigrant status under section 1059 of the National Defense Authorization Act for Fiscal Year 2006 (8 U.S.C. 1101 note) with respect to which a visa under such section 1059 is not immediately available to an approved petition for special immigrant status under section 1244 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181) notwithstanding any requirement of subsection (a) or (b) of such section 1244 but subject to the numerical limitations applicable under subsection (c) of such section 1244, as amended by this Act.

(b) DURATION.—The authority under subsection (a) shall be available only with respect to petitions filed before October 1, 2008.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Iowa (Mr. KING) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we owe a duty to protect foreign nationals who provide val-

uable service to our soldiers, diplomats, and other government officials overseas. Often these individuals risk their lives and those of their families to assist and protect our endeavors and our people. It's only right that we give them the assistance and protection that they need.

When we pulled out of Vietnam, Vietnamese citizens who worked for our government, as well as their families, were at great risk of being killed if they remained in Vietnam. To protect them, we gave them the opportunity to resettle in the United States. That was the right thing to do then and it is the right thing to do now for those who help us in Iraq.

This bill addresses two problems that currently interfere with our ability to protect those who deserve our protection. The first is a drafting error in the new Special Immigrant Visa Program that we enacted in January for Iraqis whose lives were at risk because of their valuable service to our government. The visas under this program were supposed to be available beginning this fiscal year, but the drafting error has rendered these visas unavailable until the next fiscal year. In the interim, we can't help those who need our help. Many of those could die because of this drafting error. This bill would correct the drafting error to ensure that these visas can be immediately accessed.

S. 2829 also serves to assist several hundred Iraqi and Afghan translators who, because of the error, continue to apply for visas under the older program. Although many of their applications have been processed and approved, they can't come to the United States because of a cap at 500 visas in the program that has already been reached.

Despite having the support of the Department of Defense, the Department of State and the Department of Homeland Security, these translators are without recourse and remain in danger. This bill addresses the problem by creating a 4-month transitional period under which the administration can allow persons with approved petitions in the old program to use one of the 5,000 visas in the new program.

We have all seen in the news that those who have chosen to help us in our efforts in Iraq and Afghanistan are truly risking their lives for our Nation's interests. They are targeted by insurgents for having helped us, their families are targeted, and this bill helps us protect them.

I urge my colleagues to support this important legislation.

Mr. Speaker, I reserve the balance of my time.

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

Now I must oppose this legislation, Mr. Speaker. It amends flawed legislation enacted this year that unjustifiably bypassed the normal committee process.

The National Defense Authorization Act for fiscal year 2008 contained an expansive new refugee program that could result in well over 100,000 refugee admissions to the United States over the next 5 years. This provision was never considered, let alone approved, by the Judiciary Committee or on the House floor.

It's simply irresponsible for this Congress to hand out over 100,000 green cards without allowing for the normal deliberative review process. The provision grants 5,000 "special immigrant" green cards a year for the next 5 years to Iraqi nationals who meet the following criteria: They are citizens or nationals of Iraq; they were employed by or on behalf of the United States Government in Iraq on or after March 20, 2003, and they were employed for not less than a year; they provided faithful and valuable service to the United States Government; and they have experienced or are experiencing an ongoing serious threat as a consequence of their employment by the U.S. Government.

Now, I would say, Mr. Speaker, that our military that served in the line of fire has experienced a threat as a consequence of their employment of the U.S. Government, so has most everyone who has served any duty in that country. And this is a wide-open definition that allows the State Department to make a determination based upon a broad definition that says if they've experienced an ongoing serious threat as a consequence of their employment, and "ongoing" is not defined.

This provision is well-intentioned, however, it is problematic for a number of reasons. First, the State Department estimates that each of the 5,000 beneficiaries will bring an average of four family members with them who will not count against the cap. Therefore, the provision would result in, according to State Department estimates, upwards of 25,000 green cards being granted per year for 5 years. My math on that is 125,000, Mr. Speaker. Given that legal immigration now regularly exceeds 1 million persons a year, and the American people, by overwhelming margins, do not want to see further increases at least until we enforce the law and get operational control of the border, these numbers today are irresponsible.

Second, the provision will produce a drain for pro-U.S. and pro-democracy Iraqis actually living in Iraq. This potential exodus may prove devastating to efforts to rebuild that country.

Third, the provision grants refugee status to aliens who do not meet the long-standing statutory definition of a refugee—a person who is persecuted or who has a well-founded fear of persecution on account of race, religion, nationality, membership in a social group, or political opinion. That's the definition that exists today that the State Department could act under, Mr. Speaker. But we should not be setting such precedent without very careful deliberation.

Fourth, terrorists could easily infiltrate this program and not only gain access to the U.S., but attain the benefits of legal permanent residence and then U.S. citizenship. These benefits include the ability to travel the world over with the knowledge that one can easily return to the U.S., leaving us more vulnerable.

The inclusion of this refugee program in the Department of Defense authorization bill without adequate deliberation was a mistake, and in this follow-on bill it also is a mistake. Therefore, I cannot support today's legislation.

Mr. Speaker, I would reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as she may consume to the gentlelady from Texas, Ms. SHEILA JACKSON-LEE.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Again, let me thank the members of the Judiciary Committee, the chairman and ranking member and the manager of this bill, Mr. SCOTT.

Mr. Speaker, this is a question of life or death. Many of us have traveled to Iraq. I just recently came back in the last couple of weeks. In fact, I was utilizing our delegation's Iraqi translators. We were out in the field, we were talking to Iraqi soldiers, and these translators were enormously important. They're utilized in Afghanistan as well.

But it is not just the translators and others in this realm, in this era, that we speak of. We remember those who ventured out in the early stages of this war that was initiated by this administration, individuals who jeopardized the lives of their families and themselves to really align themselves with U.S. soldiers, necessary vital components of serving the soldiers in order to save the U.S. soldiers' lives.

□ 1615

Some of these individuals still remain under threat in Iraq.

This is a balanced approach. This is an approach order offered by Senator KENNEDY along with a number of bipartisan Senators. And let me pay tribute to Senator KENNEDY. He has always looked to balance our security along with benefit. I pay tribute to him, and I particularly pay tribute to him for this initiative because what it says is for those who have been caught in an abyss, who have been caught in between and in betwixt now have 5,000 visas to be able to utilize to provide a safety net for them and their families.

There are millions of internally displaced persons in Iraq. It is a disruptive and an unstable situation. Those individuals who have lent their talents to the U.S. Government and the U.S. military face jeopardy. Many of their neighbors know what they have done.

So I rise to support this legislation because I believe it is a partnership between the Homeland Security Depart-

ment and the State Department, working together to ensure, as they vet these individuals, that they have access to the visas.

The problem that this is fixing is that the loophole or the provision was closed, legitimately closed for legitimate requests, and individuals who were applying under an old process, that would not make them eligible. This simply clears up that problem. It vets the individuals to utilize the visas, and it helps to save lives.

I ask, Mr. Speaker, that our colleagues support this legislation.

Mr. Speaker, I rise today in support of S. 2829, an act to make technical corrections to section 1244 of the National Defense Authorization Act for fiscal year 2008, which provides special immigrant status for certain Iraqis, and for other purposes.

This bill addresses two problems with our ability to protect those who deserve our protection. In January, we enacted a new Special Immigrant Visa, SIV, program for Iraqis whose lives are at risk because of their valuable service to our government. The SIVs were supposed to be available beginning this fiscal year. But a drafting error rendered the SIVs unavailable until the next fiscal year. The bill fixes these errors.

The bill also helps out a few hundred Iraqi and Afghan translators who, because of the error, continued to apply for visas under an older program. Although many of their applications have been processed and approved, they cannot come to the U.S. because of the 500 visa cap in that program has already been reached.

This bill would create a 4-month transition period under which the Administration can allow persons with approved petitions in the older program to use one of the 5,000 visas in the new program.

We owe a duty to protect foreign nationals who provide valuable services to our soldiers, diplomats, and other government officials overseas. These individuals risk their lives and that of their families, to assist and to protect our endeavors and our people. It is only right that we return the favor.

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

Mr. Speaker, this discussion is about the technical changes to existing ill-advised legislation that came through this Congress, not through the Judiciary Committee, but it came to this floor without the due process and the consultation that would come from people on both sides of the aisle that could have examined this and measured the consequences, in fact, the unintended consequences of this legislation.

Under current law the President can set the number of refugees, and the Secretary of State administers this. We've met with the Secretary of State on this, and the definition I provided in my remark of existing law that is well-founded and well-tested says that the refugees meeting this standard can come into the United States under a number of items as agreed to by the administration, generally by the Secretary of State. And a person who would qualify would be a person who is

persecuted or who has a well-founded fear of persecution on account of their race, religion, nationality, membership in a particular social group, or political opinion. These applicants that would come under this standard don't meet this standard that exists under refugee law because the threat is not as great, and they want to open this up for folks that have not faced a threat that is as great.

So now the language that's in the bill that we are seeking to technically correct here is language that says, well, what kind of standards do they meet? Well, up to 125,000 of them, perhaps, over this 5-year period of this authorization, what do they have to be? They have to be an Iraqi. They have to have worked for Uncle Sam. Their work had to have had value. And then they had to have experienced or maybe currently are experiencing a serious threat. And I will submit that everybody that works for the Federal Government experienced a threat. Anybody that set foot inside the Green Zone experienced a threat. Anybody that set foot outside the Green Zone probably experienced a greater threat. So the experience of the threat that's defined in this bill is opened up to all Iraqis that might want to present themselves if they are an Iraqi; if they worked for the Federal Government, if Uncle Sam cut them a check, worked for a year; and then if their work had value, which I think all work really does have value.

So what we're doing here is a technical correction that shouldn't have been passed in the first place, that should have gone through the regular order, that should have been submitted to the committee process, who would have had the opportunity to examine the effect of the numbers in this open door for perhaps 125,000.

So we can talk about process here, Mr. Speaker, and we can debate about the right way to bring legislation through so that we have an opportunity to perfect that legislation. But I think the bottom line is there's a consequence to this that weighs poorly for the Iraqi people in general. And that is if this legislation is technically corrected today, if this legislation passes and receives the signature of the President and becomes law, perhaps 125,000 Iraqis, perhaps more, can come to the United States under a standard that's looser than the refugee standard that the Secretary of State has to uphold today, and a Nation of about 26 or 27 million people could lose 125,000 of its best citizens and its best people. The allies of the United States of America and coalition forces, the people who believe the most in freedom, those who stepped up and did put their lives on the line, those that will be the vitality to rebuild a country that's emerging from the surge and continuing day by day, and the numbers and the data that we are looking at look more and more optimistic, they need good people.

It's people that are policy. We know that in our own offices. We know that

within our companies. We know that within our own military, within our own government. People are policy. Good people in Iraq will rebuild Iraq. We need people there. I want to see Americans go there to help. I want to see the Iraqi people stay there and rebuild their country. That's a high level of patriotism for them to show.

This is a bill that discourages that and actually works inversely to the best interests of the United States and the best interests of Iraq. So I urge its defeat.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, again, we have seen ongoing news reports that those who have chosen to help us in our efforts in Iraq and Afghanistan are risking their lives for our Nation's interests, and it is appropriate that we give them assistance.

This bill is exactly what we thought we had done earlier in the year. This is a technical correction. It's not a change in policy. It is what we thought we were doing. In fact, I'm surprised we have opposition because we didn't think it was controversial. The Senate bill, just to read the original cosponsors, the Senate bill was introduced by Senators KENNEDY and LUGAR with bipartisan cosponsorship of Senators LEAHY, CORNYN, BIDEN, MCCAIN, LEVIN, SPECTER, OBAMA, HAGEL, DURBIN, SUNUNU, CARDIN, SMITH, COLEMAN, and BOND. An identical bill was introduced in the House by the gentlewoman from California (Ms. ZOE LOFGREN) with original cosponsorship of Mr. FORTENBERRY, Mr. CONYERS, Mr. SEN-SENRENNER, Mr. SKELTON, Mr. HUNTER, Mr. BERMAN, Ms. ROSLEHTINEN, Mr. BLUMENAUER, Mr. SMITH of New Jersey, Mr. PERLMUTTER, Mr. PENCE, and Ms. JACKSON-LEE of Texas.

Obviously those broad bipartisan cosponsors suggest that this is something that should not be controversial, especially when you consider it also has the strong support of the Department of Defense, the Department of State, and the Department of Homeland Security.

I would hope, Mr. Speaker, that we adopt the bill and do what we thought we were doing in January to protect our friends who have protected us.

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 Virginia (Mr. SCOTT) that the House suspend the rules and pass the Senate bill, S. 2829.

The question was taken.

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

Mr. KING of Iowa. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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.

The point of no quorum is considered withdrawn.

EXTENDING PROGRAM RELATING TO WAIVER OF FOREIGN COUNTRY RESIDENCE REQUIREMENT WITH RESPECT TO INTERNATIONAL MEDICAL GRADUATES

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5571) to extend for 5 years the program relating to waiver of the foreign country residence requirement with respect to international medical graduates, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5571

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

SECTION 1. EXTENSION OF WAIVER PROGRAM.

Section 220(c) of the Immigration and Nationality Technical Corrections Act of 1994 (8 U.S.C. 1182 note) is amended by striking "June 1, 2008" and inserting "June 1, 2013".

SEC. 2. EXPANDING THE FLEXIBILITY OF THE CONRAD STATE 30 PROGRAM.

Section 214(l)(1)(D)(ii) of the Immigration and Nationality Act (8 U.S.C. 1184(l)(1)(D)(ii)) is amended by striking "5" and inserting "10".

SEC. 3. SENSE OF CONGRESS.

It is the sense of the Congress that—

(1) Federal programs waiving the 2-year foreign residence requirement under section 212(e) of the Immigration and Nationality Act (8 U.S.C. 1182(e)) for physicians are generally designed to promote the delivery of critically needed medical services to people in the United States lacking adequate access to physician care; and

(2) when determining the qualification of a location for designation as a health professional shortage area, the Secretary of Health and Human Services should consider the needs of vulnerable populations in low-income and impoverished communities, communities with high infant mortality rates, and communities exhibiting other signs of a lack of necessary physician services.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Iowa (Mr. KING) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. SCOTT of Virginia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill under consideration.

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

There was no objection.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Today we take urgent action to prevent a critically important immigration program from expiring.

No one disputes that there is a health care crisis in this country. With our