

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

There was no objection.

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

Mr. Speaker, I rise in support of H. Con. Res. 367, honoring and praising the National Society of the Sons of the American Revolution on the 100th anniversary of being granted its Congressional Charter.

As the Declaration of Independence states, governments are instituted among men to secure the inalienable rights that the Creator has endowed upon us. Because the bonds of tyranny over the United Colonies were destructive of this end, the United Colonies sought separation from Great Britain and fought to attain their freedom and independence.

The National Society of the Sons of the American Revolution, or the SAR, was formed by descendants of patriots of the American Revolution who sought a fraternal and civic society to salute those who pledged their lives, fortunes, and sacred honor in America's battle for independence from the British Crown.

Today, we honor the SAR, which was founded on April 30, 1899, and chartered by Congress 100 years ago on June 9, 1906. The SAR is composed of lineal descendants of the men who wintered at Valley Forge, signed the Declaration of Independence, fought in the battles of the American Revolution, served in the Continental Congress, or otherwise supported the cause of American independence.

The SAR is a historic, patriotic, and educational organization. In keeping with its historical mission, the SAR commemorates and provides memorials for the people and events of the American Revolution, helps preserve records relating to the events leading up to and during the revolution, and supports research and presentations related to the history and people of the revolutionary era.

In fulfilling its patriotic mission, the SAR reaffirms the principles upon which our Nation was founded, maintains and extends the institutions of American freedom, provides recognition for public service, and honors, respects, and supports veterans.

□ 1230

Mr. Speaker, I urge my colleagues to support this resolution to honor the SAR for its important work to preserve the legacy of these fallen heroes.

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

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

Mr. Speaker, I rise in support of H. Con. Res. 367 honoring and praising the National Society of the Sons of the American Revolution on the 100th anniversary of being granted its Congressional Charter.

The National Society of the Sons of the American Revolution was chartered by Congress 100 years ago on June 9, 1906. The charter was signed by Theodore Roosevelt, who was a member. The resolution, which is sponsored by the distinguished gentleman from North Carolina (Mr. COBLE), recognizes this anniversary and honors and praises the National Society of the Sons of the American Revolution on the occasion of this anniversary for its work to perpetuate and honor the memory of the brave men who fought to gain freedom during the American Revolution and for the society's unflinching devotion to our Nation's youth.

Mr. Speaker, I rise in support of the resolution and urge my colleagues to support it.

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

Mr. SENSENBRENNER. 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 Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 367.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

REQUIRING REPRESENTATIVES OF GOVERNMENTS DESIGNATED AS STATE SPONSORS OF TERRORISM TO DISCLOSE TO ATTORNEY GENERAL LOBBYING CONTACTS WITH LEGISLATIVE BRANCH OFFICIALS

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5228) to require representatives of governments designated as State Sponsors of Terrorism to disclose to the Attorney General lobbying contacts with legislative branch officials, and for other purposes.

The Clerk read as follows:

H.R. 5228

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

SECTION 1. LOBBYING CONTACTS FROM REPRESENTATIVES OF GOVERNMENTS DESIGNATED AS STATE SPONSORS OF TERRORISM.

The Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611 et seq.) is amended by inserting after section 4 the following:

“LOBBYING CONTACTS FROM REPRESENTATIVES OF GOVERNMENTS DESIGNATED AS STATE SPONSORS OF TERRORISM

“SEC. 4A. (a) Every person required to register under the provisions of this Act who is an agent of a foreign principal, in a case in which the foreign principal is a covered foreign principal, and who makes a lobbying contact with a covered legislative branch official shall, not later than 45 days after the date of such contact, provide to the Attorney General a detailed statement of such contact.

“(b) The Secretary of State shall not recognize as accredited a diplomatic or consular

officer of a covered foreign principal unless such officer agrees to provide to the Attorney General a detailed statement of any lobbying contact with a covered legislative branch official not later than 45 days after the date of such contact.

“(c) The Attorney General shall make information relating to a lobbying contact described in subsections (a) and (b) available to the general public in an electronic format not later than 90 days after the date of receipt of the statement concerning such contact.

“(d) For purposes of this section—

“(1) the term ‘covered foreign principal’ means—

“(A) a State Sponsor of Terrorism; or

“(B) the government of, or a political party of, a State Sponsor of Terrorism;

“(2) the term ‘covered legislative branch official’ has the meaning given that term in section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602);

“(3) the term ‘lobbying contact’ means any oral or written communication (including an electronic communication) with regard to—

“(A) the formulation, modification, or adoption of Federal legislation (including legislative proposals);

“(B) the formulation, modification, or adoption of a Federal rule or regulation, an Executive order, or any other program, policy, or position of the United States Government;

“(C) the administration or execution of a Federal program or policy (including the negotiation, award, or administration of a Federal contract, grant, loan, permit, or license); or

“(D) the nomination or confirmation of a person for a position subject to confirmation by the Senate; and

“(4) the term ‘State Sponsor of Terrorism’ means a country the government of which has been determined by the Secretary of State, for purposes of section 6(j) of the Export Administration Act of 1979, section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or other provision of law, is a government that has repeatedly provided support for acts of international terrorism.”.

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.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 5228 currently under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 5228, legislation to enhance lobbying disclosure requirements for lobbyists who represent foreign nations designated as state sponsors of terrorism.

Lobbyists who represent foreign governments must register under the Foreign Agents Registration Act, or

FARA, which also requires that they file a semiannual report with the Attorney General detailing lobbying contacts.

H.R. 5228 would require additional disclosure of the lobbying activities of foreign agents who lobby on behalf of countries that the Secretary of State has designated as state sponsors of terrorism, namely Cuba, Iran, North Korea, Sudan and Syria.

In addition to the semiannual statements, this legislation would require that agents who represent governments deemed state sponsors of terrorism also file a detailed statement with the Attorney General of every lobbying contact with a covered legislative branch official within 45 days of the contact. The Attorney General in turn must make that disclosure available to the public in an electronic format within 90 days.

If an agent of a state sponsor of terrorism failed to make these disclosures, they would be subject to the penalties of FARA, including fines of up to \$10,000 and imprisonment of up to 5 years.

In addition, the legislation provides that diplomatic and consular officers of a state sponsor of terrorism, who are not otherwise required to report their activities under FARA, cannot be recognized by the Secretary of State as accredited unless the diplomatic or consular officer agrees to provide the Attorney General with a detailed statement of every lobbying contact they have had with a covered legislative branch official within 45 days of the contact.

Mr. Speaker, at a time when American forces are engaged in the global war on terror, it is both right and necessary that agents of state sponsors of terrorism be required to more fully disclose their lobbying contacts with U.S. Government officials.

I commend the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) for introducing this bill and urge all of my colleagues to join me in supporting this measure.

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

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

Mr. Speaker, I rise today in support of H.R. 5228 and note that while this is not a bad bill, it does track current law. Therefore, it does not really address the major problems that currently plague the lobbying industry.

This bill would amend the Foreign Agents Registration Act of 1938, FARA, to require the representatives of foreign governments that have been designated by the Secretary of State as state sponsors of terrorism to disclose to the Attorney General any lobbying contact they have made with a legislative branch official, a vital need for those governments really sponsoring terrorism, many of whom are on the list held by the Attorney General.

Moreover, this bill will require such agents of foreign principals to disclose

their contacts in a timely manner or risk their diplomatic or consular accreditation by the Secretary of State.

Let me make it very clear, there are some members of the list, some nation states on the list that if a bill was to come forward on this floor, I would vote to remove them from the list. But I think overall the underlying purpose of this is to ensure that those who are perpetrating terrorists and are activating or providing or facilitating terrorist acts around the world, that any who represent them in the United States should have to report.

Under the current law, agents of foreign principals that are required to register under FARA already must disclose all lobbying contacts with legislative and executive branch officials. Thus, the premise and point of this legislation seems somewhat unclear and may only track current law.

The best component of this bill is that it would require for the first time that the Justice Department post these lobbying contact reports on the Internet. This is excellent. Currently FARA only requires paper reports that are only available at the DOJ offices. And even though DOJ has put much of this information into their own computerized system, they have refused to share the information with the public. This bill would bring much-needed sunlight to a dark industry.

I have been a constant critic of the lack of oversight of this body. This legislative initiative provides another tool for Congress to raise its head of oversight. Things don't work in this country as long as we have a lack of the three branches of government functioning independently and individually as they should. This gives Congress and the public another tool of oversight.

The lobbying industry is growing at a startling rate, and current laws have proven inadequate to keep up with this evolving industry. The recent list of stories detailing the cozy relationships between lobbyists and certain Members of Congress are only the tip of the iceberg. They are symptoms of deeper problems with lobbying regulations and oversight.

While this bill does not do much to take down the house that Jack built, it is a good step in the right direction. It calls upon Congress to raise its head on oversight.

I rise today in support of H.R. 5228, but note that while this is not a bad bill, it does track current law and therefore does not really address the major problems that currently plague the lobbying industry.

This bill would amend the Foreign Agents Registration Act of 1938, FARA, to require representatives of foreign governments that have been designated by the Secretary of State as State Sponsors of Terrorism to disclose to the Attorney General any lobbying contacts that they have made with a legislative branch official. Moreover, this bill will require such agents of foreign principals to disclose their contacts in a timely manner or risk their diplomatic or consular accreditation by the Secretary of State.

Under the current law, agents of foreign principals that are required to register under FARA already must disclose all lobbying contacts with legislative and executive branch officials. Thus, the point and premise of this legislation are unclear and seemingly unnecessary.

The best component of this bill is that it would require, for the first time, that the Justice Department post these lobbying contact reports on the Internet. This is excellent. Currently, FARA only requires paper reports that are only available at the DOJ offices, and even though the DOJ has put much of this information into their own computerized system, they have refused to share their information to the public. This requirement would bring much needed sunlight to a dark industry.

The lobbying industry is growing at a startling rate and current laws have proven inadequate to keep up with this evolving industry. The recent spate of stories detailing the cozy relationships between lobbyists and certain Members of Congress are only the tip of the iceberg—they are merely symptoms of deeper problems with lobbying regulation and oversight. While this bill does not do much to take down "the House that Jack built," it is a good step in the right direction.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART), the author of the bill.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I thank the gentleman for his leadership in bringing this to the floor today. I appreciate my friend Ms. JACKSON-LEE for her support of the legislation.

I think, as Chairman SENSENBRENNER pointed out, we are living in a different time now. It is a different era. We are in a different kind of struggle.

There are different regimes, and I happen to believe that the genocide in Darfur is an affront to the entire civilized world. It is estimated over 300,000 people have been murdered there. I think we need to bring the power of sunshine to the strategies and the actions of regimes such as that. The American people need to know, I think they deserve to know, when a regime like that is paying for representation here in Washington and what contacts are being made here in Washington by representatives of a regime like that to attempt to influence officials here.

So I think it is important legislation, especially as we move forward on this area of transparency in the legislative process, improving transparency in the legislative process. I think this is an appropriate thing to do.

As Chairman SENSENBRENNER brought out, there are really two legs to this stool. You have the so-called diplomats of these regimes, and in order to be accredited here, to receive their accreditation, they would have to agree to fulfill this requirement. So obviously if they don't fulfill it, that could be a reason for seeing those so-called diplomats off, ending their accreditation.

But equally as important is that regimes such as that pay people in the

United States, and we want to know who those lobbyists are and what contacts they have with the legislative branch. So we are adding to existing legislation this requirement, as Chairman SENSENBRENNER stated, to the Foreign Agents Registration Act, and despite an erroneous report in one of the publications that cover the Hill today, there are significant penalties, Mr. Speaker.

As Chairman SENSENBRENNER pointed out, if you are a lobbyist and don't fulfill these requirements, you can be subjected to a fine of up to \$10,000 or imprisonment or both. So it is a serious bill.

I thank Ms. JACKSON-LEE for her support and urge all colleagues to support this legislation, especially at this time when we are in a different era, a very dangerous and challenging one.

Again, I thank Chairman SENSENBRENNER for his help and his support.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield 7 minutes to the distinguished gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, out of deference to our ranking member, I didn't claim time in opposition, but I am opposed to this bill, and I want to state why.

H.R. 5228 does change the law significantly with respect to United States policy towards countries designated as state sponsors of terrorism; but moreover, with respect to executive branch scrutiny over the schedules chosen by Members of Congress. More about that in a moment.

Under current law, the Foreign Agents Registration Act, FARA, requires that agents from foreign countries have to report on their activities to the Attorney General, but there is an exemption for all diplomatic officials recognized by the State Department.

This bill would change that. It would remove the exemption for diplomats from governments designated as state sponsors of terrorism: Cuba, Iran, Syria, Sudan and North Korea. These countries already have limited diplomatic channels in the United States. While Syria and Sudan have embassies, Iran and North Korea do not have embassies in the United States, and Iranian and North Korean diplomats don't have meetings in the halls of Congress.

Thanks to President Carter, we do have a Cuban Interest Section in the United States and a U.S. Interest Section in Havana. Meetings between Members of Congress and Cuban, Sudanese and Syrian diplomats are important, as they are with all diplomats. They offer channels for expressing ideas, improving relations, and expressing concerns.

Currently, Cuban, Sudanese and Syrian diplomats don't report on their meetings with Members of Congress and staff, just as all other diplomats do not. But this bill would require these diplomats to now report all of their meetings with Congress to the Justice Department.

Moreover, it would most directly impact the Cuban Interest Section, which has frequent meetings with Members of Congress. Furthermore, there are more Cuba-related bills and amendments per year than there are for Sudan and Syria. This bill is, therefore, a step backwards for diplomatic relations between the U.S. and Cuba, whose relations are already strained.

Moreover, this bill increases executive branch scrutiny over the scheduling books of Members of Congress, but only for Members and staff who meet with the Cuban Interest Section, the Embassy of Sudan and the Embassy of Syria.

□ 1245

I want to state this again. This bill increases executive branch scrutiny over the scheduling books of Members of Congress.

Now, in the last month, there has been a significant debate in this country and in this Congress over questions of separation of power, over the very speech and debate clause of the United States Constitution which gives me the ability to stand on this floor and basically state anything that I think is in the interest of my constituents or the American people. And I can say it with impunity. This is a privilege that is given Members of Congress, that sets our role apart from the rest of the people in this country. No one outside this Chamber can make statements that would be free from being subject to attack by libel laws. Here we can say anything we want. We have a special role. This bill takes away the ability that Congress has to be able to meet independently without having to report to the executive branch or being reported on to the executive branch with respect to discussions with representatives of other countries.

I want Members of Congress to hear me loud and clear. The doctrine of separation of powers is at stake here. Our constitutional ability under speech and debate, which has been under attack by the Executive, is at risk when the Attorney General now will be collecting information from other countries based on contacts made with them by Members of Congress.

I want Members of Congress to think about this. We are a coequal branch of government, and we are a separate branch of government. Members of Congress, this is a power grab by the Executive over the legislative branch, and specifically targets Members of Congress who believe in engagement over isolation and believe that diplomacy is an important tool to achieve peaceful resolution to conflicts.

Ironically, this power grab by the Executive has been initiated by the legislative branch. Why are we so ready to give up our constitutional prerogative?

Why are we asking for countries whose representatives we meet with to report on us to the Attorney General?

What could possibly be the motivation for that, to set the stage for Mem-

bers of Congress for being accused of being disloyal to the United States? How absurd can that be? Yet this is exactly what this legislation sets the stage for.

Over the last month, we have had a debate over whether the administration has the right to go into any congressional office and grab the papers of a Member of Congress. That debate focuses on the speech and debate clause of the Constitution. This debate also should, and the fact that this has been put on the suspension calendar doesn't give it the right to waive critical inspection and demand that it meet the constitutional test. This does not meet the constitutional test. This is unconstitutional. It is an abrogation of our obligations as Members of Congress to assert a check and balance to the administration exercise of power.

We ought to remember where we came from. Our power comes from the people. Congress was created specifically to be spokespersons for the people of the United States. We should not and cannot give that away.

Vote against H.R. 5228. Reassert congressional authority to be a coequal branch of government to assert checks and balances over the administration. I do not, and I insist on not having to have my schedule open to the Attorney General or to anyone else when I am pursuing the interests of this country.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART).

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I think it is important for Members to realize and focus on precisely what we are talking about here.

First of all, there is no requirement on Members of the House, Members of Congress, to report. The requirement is on the lobbyist firm who has been hired by one of a handful, five of, I would like to repeat it, state sponsors of terrorism.

What this bill says is if you are hired by one of those state sponsors of terrorism, you should report, especially in this era, your contacts. So it is an important piece of legislation, Mr. Speaker. It is one that will contribute to the national security.

I think the American people have a right to know the contacts by those paid lobbyists from state sponsors of terrorism. And so, with that in mind, and cognizant of the era that we are living in, I have brought forth this legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield 2 minutes again to the distinguished gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, I will repeat the title of this bill: "To require representatives of government designated as state sponsors of terrorism to disclose to the Attorney General lobbying contacts with legislative branch officials."

This bill would require diplomats, Cuban, Sudanese, Syrian and perhaps

others, to now report their meetings with Congress to the Justice Department. Now, this is a two-way street. Once they do that, then the Attorney General has the ability to go back to Members of Congress and begin to inquire what was that meeting about. They don't have any business doing that. We are a coequal branch of government. We are a separate branch of government.

Since the Justice Department now feels that they can go into our offices and grab our papers, what is the difference between doing that and having another government say they met with Members of Congress and then the Justice Department coming back and saying what was that meeting about.

We don't have to answer to the Justice Department. I wasn't elected by the Attorney General. I was elected by the people of Ohio's 10th Congressional District.

This bill opens the door for the destruction of our constitutional right to speech and debate of the separation of powers. Not everything that we do here in this Congress poses an undermining of our role as Members of Congress. And I assert that this does. So I appreciate the gentlewoman's indulgence, and I appreciate the attention of Members of Congress who are also concerned with this issue of speech and debate and of our separation of powers.

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

Let me thank the distinguished gentleman from Ohio for his insight. And I am hoping that as we move this bill along, this instruction that he has given us will be taken into account.

Might I close by simply saying that one of the strong elements of this bill, which I think maybe Members of Congress might not have been aware of, and I hope is made very plain, as these various individuals meet with members in the White House, meet with Vice President CHENEY on issues that we have concern with, they will have to report and it will be publicized, those interactions.

There is a component of this that will be worthy of the oversight that this particular bill gives at this instance. But I think it is important that when we do engage in oversight that our legislative initiatives pass constitutional muster.

With that, I would ask for the words of our various speakers, including Mr. KUCINICH, to be taken into consideration as we move this bill along. And as indicated, I ask my colleagues to support this legislation.

Mr. Speaker, I yield back my time.

Mr. SENSENBRENNER. 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 Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 5228.

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. KUCINICH. 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.

NURSING RELIEF FOR DISADVANTAGED AREAS REAUTHORIZATION ACT OF 2005

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1285) to amend the Nursing Relief for Disadvantaged Areas Act of 1999 to remove the limitation for nonimmigrant classification for nurses in health professional shortage areas, as amended.

The Clerk read as follows:

H.R. 1285

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 "Nursing Relief for Disadvantaged Areas Reauthorization Act of 2005".

SEC. 2. 3-YEAR EXTENSION FOR CHANGES TO REQUIREMENTS FOR ADMISSION OF NONIMMIGRANT NURSES IN HEALTH PROFESSIONAL SHORTAGE AREAS.

Section 2 of the Nursing Relief for Disadvantaged Areas Act of 1999 (8 U.S.C. 1182 note) is amended—

(1) in the section heading, by striking "4-YEAR" and inserting "SPECIFIED"; and

(2) by amending subsection (e) to read as follows:

"(e) LIMITING APPLICATION OF NON-IMMIGRANT CHANGES TO SPECIFIED PERIOD.—The amendments made by this section shall apply to classification petitions filed for nonimmigrant status only during the period—

"(1) beginning on the date that interim or final regulations are first promulgated under subsection (d); and

"(2) ending on the date that is 3 years after the date of the enactment of the Nursing Relief for Disadvantaged Areas Reauthorization Act of 2005."

SEC. 3. EXEMPTION FROM ADMINISTRATIVE PROCEDURE ACT.

The requirements of chapter 5 of title 5, United States Code (commonly referred to as the 'Administrative Procedure Act') or any other law relating to rulemaking, information collection or publication in the Federal Register, shall not apply to any action to implement the amendments made by section 2 to the extent the Secretary Homeland of Security, the Secretary of Labor, or the Secretary of Health and Human Services determines that compliance with any such requirement would impede the expeditious implementation of such amendments.

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.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all

Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 1285 currently under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 1285, to extend for 3 years the Nursing Relief For Disadvantaged Areas Act of 1999 which provides nonimmigrant visas for nurses in health professionals shortage areas.

A number of hospitals are experiencing great difficulty in attracting American nurses, particularly hospitals serving mostly poor patients in inner-city neighborhoods and those serving rural areas. For example, St. Bernard Hospital in Chicago is the only remaining hospital in an area of over 100,000 people and has a patient base composed entirely of individuals in poverty. St. Bernard almost closed its doors in 1992, primarily because of its inability to attract registered nurses.

In 1999, Congress passed the Nursing Relief for Disadvantaged Areas Act to help precisely these kinds of hospitals. This legislation created a new H-1C temporary registered nurse visa program with 500 visas available a year. To be eligible to petition for an alien nurse, the employer must, one, be located in a health professional shortage area as designated by the Department of Health and Human Services; two, have at least 190 acute care beds; three, have a certain percentage of Medicare patients; and, four, have a certain percentage of Medicaid patients.

The H-1C program adopted protections for American nurses contained in the expired H-1A nursing visa program. For instance, for a hospital to be eligible for H-1C nurses, it has to agree to take timely and significant steps to recruit American nurses, then H-1C nurses have to be paid the prevailing wage. The program also contained new protections such as the requirement that H-1C nurses cannot comprise more than 33 percent of the hospital's workforce of registered nurses, and that a hospital cannot contract out H-1C nurses to work at other facilities. This bill would reauthorize the H-1C program for an additional 3 years.

Our goal in creating the H-1C program was set out in the Immigration Nursing Relief Advisory Committee which recognized the necessity to "balance both the continuing need for foreign nurses in certain specialties and localities for which there are not adequate domestic registered nurses, and then the need to continue to lessen employers dependence on foreign registered nurses and protect the wages and working condition of U.S. registered nurses."

The H-1C program reflects this balance. I urge my colleagues to support this reauthorizing legislation.