

Activity. He demonstrated outstanding skills in directing a quite diverse organization, from the command staff of the Marine Corps Regional Contracting Office, Family Services Center, and Housing Office. Col. Oberhelman ran a highly cohesive staff with a single focus on providing the best possible support to all Kansas City area military personnel as well as families living at Richards-Gebaur.

Col. Oberhelman has been at the forefront of every major military-related challenge in the Kansas City area. He helped to devise a five year plan for Richards-Gebaur, and worked toward bringing 300 additional Marines to the former Air Force facility. In addition, he worked toward the establishment of a TRICARE Prime Site there.

Col. Oberhelman has fostered good will within the Kansas City community, and he has developed a close working relationship with civic leaders and organizations. I am certain that Members of the House will join me in paying tribute to this outstanding American as he retires from active duty.

ADJUSTMENTS OF STATUS OF
BANGLADESH NATIONALS, H.R.
4652

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 28, 1998

Mr. GILMAN. Mr. Speaker, it is with great pleasure that I rise to introduce H.R. 4652, a bill to provide for the adjustment of status of certain nationals of Bangladesh who have resided in the U.S. for over a decade. Despite attempts at promoting democracy and pluralism in Bangladesh, nearly half of that nation's population still lives below the poverty line. Per capita income is approximately \$260 dollars per year making Bangladesh one of the poorest nations in the world.

The Monsoon's of 1998 have magnified Bangladesh's problems making it ever more difficult for the people of that nation to distribute the scarce resources available. With 830 people per square kilometer, Bangladesh is one of the world's most densely populated places. In 1992, nearly 2/3 of Bangladesh is one of the world's most densely populated places. In 1992, nearly 2/3 of Bangladeshi children suffered from severe malnutrition. The picture in Bangladesh remains exceedingly bleak.

The recent nuclear threats emanating from Bangladesh's larger neighbors have placed further burdens on a nation which has traveled so far in its quest for democracy yet remains precariously perched in a very dangerous neighborhood. Our colleagues should applaud Bangladesh for its efforts to reduce the problems associated with child labor over the last several years. We must, however, do more. We must do something vital and tangible to demonstrate our commitment to help a limited number of Bangladeshi people who have lived in this country for at least a decade, contributed to American society and in many cases, raised their American children.

The perils of living in poverty and climatic devastation in Bangladesh has forced some of these people to follow the same route of our own ancestors and seek refuge in the United States. Some of these people are suspended

in a statute of permanent illegality, entangled in a labyrinth of changing, complex immigration laws. These people are not on our welfare rolls and will not become wards of the state. They are good, hard working people with whom I have been proud to associate myself.

Mr. Speaker, let us do what is right, let us do what is just and let us do what is humane. Let us respect that role that immigrants have played in the cultural mosaic that is our United States. Accordingly, I invite my colleagues to join me in supporting this limited action to legalize those who truly are deserving of permanent residency in this great nation.

Mr. Speaker, I request that a copy of the bill be inserted into the RECORD following my remarks.

A bill to provide for adjustment of status for certain nationals of Bangladesh.

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

This Act may be cited as the "Bangladeshi Adjustment Act".

SEC. 2. ADJUSTMENT OF STATUS FOR CERTAIN NATIONALS OF BANGLADESH.

(a) ADJUSTMENT OF STATUS.—

(1) IN GENERAL.—The status of any alien described in subsection (b) shall be adjusted by the Attorney General to that of an alien lawfully admitted for permanent residence, if the alien—

(A) applies for such adjustment before July 1, 2000; and

(B) is otherwise admissible to the United States for permanent residence, except in determining such admissibility the grounds for inadmissibility specified in paragraphs (4), (5), (6)(A), (7)(A), and (9)(B) of section 212(a) of the Immigration and Nationality Act shall not apply.

(2) RELATIONSHIP OF APPLICATION TO CERTAIN ORDER.—An alien present in the United States who has been ordered excluded, deported, removed, or ordered to deport voluntarily from the United States under any provision of the Immigration and Nationality Act may, notwithstanding such order, apply for adjustment of status under paragraph (1). Such an alien may not be required, as a condition of submitting or granting such application, to file a separate motion to reopen, reconsider, or vacate such order. If the Attorney General grants the application, the Attorney General shall cancel the order. If the Attorney General renders a final administrative decision to deny the application, the order shall be effective and enforceable to the same extent as if the application had not been made.

(b) ALIENS ELIGIBLE FOR ADJUSTMENT OF STATUS.—

(1) IN GENERAL.—The benefits provided by subsection (a) shall apply to any alien who is a national of Bangladesh and who has been physically present in the United States for a continuous period, beginning not earlier than the date the application for adjustment under such subsection is filed, except an alien shall not be considered to have failed to maintain continuous physical presence by reason of an absence, or absences, from the United States for any periods in the aggregate not exceeding 180 days.

(2) PROOF OF COMMENCEMENT OF CONTINUOUS PRESENCE.—For purposes of establishing that the period of continuous physical presence referred to in paragraph (1) commenced not later than January 1, 1987, an alien—

(A) shall demonstrate that the alien, prior to January 1, 1987—

(i) performed service, or engaged in a trade or business, within the United States which is evidenced by records maintained by the Commissioner of Social Security; or

(ii) applied for any benefit under the Immigration and Nationality Act by means of an application establishing the alien's presence in the United States prior to January 1, 1987; or

(B) shall make such other demonstration of physical presence as the Attorney General may provide for by regulation.

(c) STAY OF REMOVAL; WORK AUTHORIZATION.—

(1) IN GENERAL.—The Attorney General shall provide by regulation for an alien subject to a final order of deportation or removal to seek a stay of such order based on the filing of an application under subsection (a).

(2) DURING CERTAIN PROCEEDINGS.—Notwithstanding any provision of the Immigration and Nationality Act, the Attorney General shall not order any alien to be removed from the United States, if the alien is in exclusion, deportation, or removal proceedings under any provision of such Act and has applied for adjustment of status under subsection (a), except where the Attorney General has rendered a final administrative determination to deny the application.

(3) WORK AUTHORIZATION.—The Attorney General may authorize an alien who has applied for adjustment of status under subsection (a) to engage in employment in the United States during the pendency of such application and may provide the alien with an "employment authorized" endorsement or other appropriate document signifying authorization of employment, except that if such application is pending for a period exceeding 180 days, and has not been denied, the Attorney General shall authorize such employment.

(d) ADJUSTMENT OF STATUS FOR SPOUSES AND CHILDREN.—

(1) IN GENERAL.—The status of an alien shall be adjusted by the Attorney General to that of all alien lawfully admitted for permanent residence, if—

(A) the alien is a national of Bangladesh;

(B) the alien is the spouse, child, or unmarried son or daughter, of an alien whose status is adjusted to that of an alien lawfully admitted for permanent residence under subsection (a), except that in the case of such an unmarried son or daughter, the son or daughter shall be required to establish that they have been physically present in the United States for a continuous period, beginning not later than January 1, 1987, and ending not earlier than the date the application for adjustment under this subsection is filed;

(C) the alien applies for such adjustment and is physically present in the United States on the date the application is filed;

(D) the alien is otherwise admissible to the United States for permanent residence, except in determining such admissibility the grounds for exclusion specified in paragraphs (4), (5), (6)(A), (7)(A), and (9)(B) of section 212(a) of the Immigration and Nationality Act shall not apply; and

(E) applies for such adjustment before July 1, 2000.

(2) PROOF OF CONTINUOUS PRESENCE.—For purposes of establishing the period of continuous physical presence referred to in paragraph (1)(B), and alien—

(A) shall demonstrate that such period commenced not later than January 1, 1987, in a manner consistent with submission (b)(2); and

(B) shall not be considered to have failed to maintain continuous physical presence by reason of an absence, or absences, from the United States for any period in the aggregate not exceeding 180 days.

(e) AVAILABILITY OF ADMINISTRATIVE REVIEW.—The Attorney General shall provide to applicants for adjustment of status under subsection (a) the same right to, and procedures for, administrative review as are provided to—

(1) applicants for adjustment of status under section 245 of the Immigration and Nationality Act; or

(2) aliens subject to removal proceedings under section 240 of such Act.

(f) LIMITATION ON JUDICIAL REVIEW.—A determination by the Attorney General as to whether the status of any alien should be adjusted under this section is final and shall not be subject to review by any court.

(g) APPLICATION OF IMMIGRATION AND NATIONALITY ACT PROVISIONS.—Except as otherwise specifically provided in this section, the definitions continued in the Immigration and Nationality Act shall apply in the administration of this section. Nothing contained in this section shall be held to repeal, amend, alter, modify, affect, or restrict the powers, duties, functions, or authority of the Attorney General in the administration and enforcement of such Act or any other law relating to immigration, nationality, or naturalization. The fact that an alien may be eligible to be granted the status of having been lawfully admitted for permanent residence under this section shall not preclude the alien from seeking such status under any other provision of law for which the alien may be eligible.

WORKFORCE IMPROVEMENT AND PROTECTION ACT OF 1998

SPEECH OF

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 24, 1998

Mr. STOKES. Mr. Speaker, I rise in strong opposition to the "Workforce Improvement and Protection Act of 1998," H.R. 3736, which is designed to increase the number of H-1B visas. This bill is especially detrimental to American workers in the computer programming, engineering and other skilled worker fields. This negative jobs bill takes critical jobs out of the hands of American workers and compromises the economic stability of American families.

High-tech companies complain they cannot find the numbers of technologically skilled employees that they need among the United States workforce. Yet, reports abound about widespread abuses where U.S. workers, in the information technology industry, have been laid off and replaced by nonimmigrant workers. These high-tech companies would rather bring in H-1B workers than invest in the American workforce.

While it is true that our Nation's workforce is experiencing critical skills gaps, the answer is not to take jobs out of the hands of our existing and future American work forces. Nor is it to ignore the fact that many of the 6.2 million—or 4.5 percent of the U.S. population—who remain unemployed need critical opportunities for job training and education. We cannot afford to abandon that segment of our population for short-sighted profit-making motives that put our Nation's long-term economic security at risk.

Mr. Speaker, we already know how this ends. Just consider what happened to our Nation's economy when we handed over our industrial-based jobs to the cheaper labor-force overseas. Many of our cities are still struggling to overcome the impact of that action.

While I am very concerned about ensuring that our Nation's high-tech industries have the

most qualified workforce available in our labor market, I do not believe that simply raising the cap on H-1Bs will effectively address the long-term problem of the perceived labor shortage.

We must work together to increase U.S. enrollments in computer science and engineering programs. We must work together to ensure continuing education and training for U.S. workers as well as sustained efforts to prepare unskilled labor to compete in the technologically advanced workforce. And, we must work together to provide our Nation's current workforce with employment protections to ensure that they are not displaced by cheaper foreign workers. These are the components of a serious long-term strategy to address workforce shortages.

It is for these reasons that I urge my colleagues to join me in opposing H.R. 3736.

TRIBUTE TO THE HONORABLE VIC FAZIO

SPEECH OF

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 24, 1998

Mr. MATSUI. Mr. Speaker, I am pleased to rise before my colleagues today in support of this legislation that will help pay tribute to one of the most esteemed Members in this House. Contained in this legislation is a provision that will rename the Yolo Basin Wetlands in Yolo, CA in honor of Congressman VIC FAZIO.

Congressman FAZIO recognized the potential value of this area as a wetlands habitat long ago and has since played a significant role in turning what was once a dream into reality. The Wetlands represents the largest public/private restoration project in the West at more than 3,600 acres. The Yolo Basin Wetlands occupies a central location on the Pacific flyway and will benefit migratory and resident ducks, geese, swans, shorebirds, raptors and songbirds.

For more than a decade, VIC has worked tirelessly to guarantee the design and construction of the wetlands area. He has been involved every step of the way, making certain the project meets Army Corps of Engineers construction criteria and has remained the key figure in securing the federal funds needed for the Corps to build the project.

The gentleman from California is the first to recognize that the Yolo Basin Wetlands project truly is a cooperative venture—combining the efforts of local, State and Federal agencies as well as elected officials and private sector entities. In all, VIC FAZIO has become the centerpiece of more than 20 individual and agency partners involved in completing this effort.

Mr. Speaker, I would like to thank the conferees for their support of this provision and particularly appreciate the efforts of Chairman MCDADE to ensure that this language was included in the bill. As we say goodbye to one of the most beloved and well-respected Members of this governing body, I think it is important to remember the acts of dedication and generosity that define his career. I can think of no better way to recognize the more than 20 years of faithful public service my good friend from California has given to his community

and his country than by renaming this beautiful wildlife area in his honor.

H. RES. 557 ON HOLOCAUST-ERA ASSETS AND THE FORTHCOMING WASHINGTON CONFERENCE ON HOLOCAUST ASSETS

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 28, 1998

Mr. LANTOS. Mr. Speaker, I rise today to call the attention of my colleagues to House Resolution 557, which expresses support for U.S. government efforts to identify Holocaust-era assets and urging the restitution of individual and communal property. I introduced this resolution earlier today with my dear friend and our distinguished colleague, the Chairman of the International Relations Committee, Congressman BENJAMIN A. GILMAN.

Mr. Speaker, this resolution is a direct result of discussions which took place during a hearing of the International Relations Committee just during the first week of August. Stuart Eizenstat, our Undersecretary of State for Economic Affairs, testified before the Committee regarding the status of Holocaust restitution activities. During that hearing, he told our Committee that a resolution supporting the efforts of the Administration in its restitution activities and urging positive response from European governments would be helpful and positive action.

I want to call to the attention of our colleagues, Mr. Speaker, my profound respect and great admiration for the outstanding job that Mr. Eizenstat has done in dealing with issues related to Holocaust Restitution. Under his leadership, with the unwavering support of our exceptional Secretary of State, Madeleine Albright, the United States has set the example for other countries with the issue of Holocaust restitution.

In early December, Mr. Speaker, the United States will host the Washington Conference on Holocaust-era Assets, and this resolution emphasizes the importance of this conference in bringing about a resolution of matters related to restitution.

Mr. Speaker, a number of our distinguished colleagues are original cosponsors of this important resolution. In addition to the distinguished Chairman of the International Relations Committee, Mr. GILMAN of New York, the resolution has been cosponsored by the ranking Democratic member of the International Relations Committee, Mr. HAMILTON, and Mr. SMITH of New Jersey, Mrs. MALONEY of New York, Ms. WOOLSEY, Mr. FRANKS of New Jersey, Mr. ACKERMAN, Mr. BERMAN, Mr. BROWN of Ohio, Mr. BURTON, Mr. CHABOT, Mr. DEUTSCH, Mr. FALCONE, Mr. FOLEY, Mr. FOX, Mr. FROST, Mr. FRANK of Massachusetts, Mr. HASTINGS of Florida, Mr. HORN, Mrs. LOWEY, Mr. MENENDEZ, Ms. ROS-LEHTINEN, Mr. SANDERS, Mr. SCHUMER, Mr. SHERMAN, Mr. SISISKY, Mr. WAXMAN, and Mr. WEXLER.

Mr. Speaker, I urge my colleagues to join us as cosponsors of this important resolution. I ask that the text of the resolution be included in the RECORD.

H. RES. 557

Expressing support of U.S. government efforts to identify Holocaust-era assets, urging