CONGRESSIONAL RECORD—SENATE
 September 6, 2001

ninety-one thousand, eight-three dollars and ninety cents.

Ten years ago, September 5, 1991, the Federal debt stood at $3,023,548,000,000. Three trillion, six hundred twenty-three billion, five hundred forty-eight million, which reflects a debt in- crease of more than $3 trillion.

Fifteen years ago, September 5, 1986, the Federal debt stood at $2,112,803,000,000, two trillion, one hundred twenty billion, eight hundred nineteen million, fifty-five thousand, two hundred ninety dollars and twenty-nine cents during the past 15 years.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SECTION 245(i) EXTENSION ACT OF 2001

Mr. REID. Mr. President, I ask unanimous consent that the Senate now turn to the consideration of calendar No. 74, H.R. 1885, the 245(i) family unification bill; that the bill be amended with a substitute amendment, which is a modified text of S. 778 as reported by the Judiciary Committee, which I send to the desk on behalf of Senator LOTT; that the amendment be agreed to, the bill be read a third time and passed.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Amendment No. 1532 agreed to, as follows:

AMENDMENT NO. 1532

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Section 245(i) Extension Act of 2001”.

SEC. 2 EXTENSION OF DEADLINE.

(a) In General.—Section 245(i)(1) of the Immigration and Nationality Act (8 U.S.C. 1255(i)(1)) is amended—

(1) in subparagraph (B)—

(A) by striking “on or before April 30, 2001” and inserting “on or before the earlier of April 30, 2001, or”;

(B) in clause (i), by striking “or before such deadline” and inserting “or before the earlier date described in clause (i)”;

(2) in subparagraph (C), by adding “and” at the end; and

(3) by inserting after subparagraph (C) the following:

“(D) who, in the case of a beneficiary of a petition for classification, or an application for labor certification in subparagraph (B) that was filed after April 30, 2001, demonstrates that the familial relationship existed before August 15, 2001, or the application for labor certification that is the basis of such petition for classification was filed before August 15, 2001:”.

(b) EFFECTIVE DATE.—The amendments made by this section are effective as if included in the enactment of the Legal Immigration Family Equity Act (114 Stat. 2762A-345), as enacted by law section 1(a)(2) of Public Law 106–553.

The bill (H.R. 1885), as amended, was read the third time and passed.

Mr. DASCHLE. Mr. President, I am so pleased tonight we were able to pass a measure that honors our heritage as a nation of immigrants and provides American and immigrant families some relief from our outdated immigration laws.

Today, immigrants who don’t have the proper documentation to stay in the United States have the legal right to become permanent residents because they are the spouses of US citizens can be stuck in a horrible catch-22 situation. If they return to their home country to get the immigrant visa to which they are entitled, they can be barred from re-entering the United States for up to 10 years.

Take the example of a woman named Norma. Norma entered the U.S. from Mexico, and settled in North Carolina. She then married a U.S. citizen. They have been married over two years, have a child, are expecting another this fall, and recently bought a new home for their growing family. Norma and her husband are torn on what to do about her immigration status. As the wife of a citizen, she qualifies for an immigrant visa. However, if she returns to Mexico to obtain her visa, she would be barred from re-entering the U.S. for 10 years. Norma doesn’t want to leave her husband, her children, or her home for 10 years—and she shouldn’t have to.

This action allows Norma’s family—and hundreds of thousands of other families—to stay together. S. 778, introduced by Senators HAGEL and KENNEDY, extends the period of time for eligible people to file their petitions for relief with the Immigration and Naturalization Service and the Department of Labor for one year.

By doing that, S. 778 would provide real and immediate relief for hundreds of thousands of eligible immigrants.

With 30 Republican and Democratic cosponsors, this bill enjoyed broad bipartisan support:

It passed out of the Senate Judiciary Committee mark up by a unanimous voice vote.

To satisfy critics, Senators HAGEL and KENNEDY compromised by accepting language that immigrants applying under the earlier deadline must show that their family or employment relationship existed prior to the enactment of the bill.

I have talked to the President about this issue on more than one occasion, and I raised it again with him this week at the White House. He assured me this morning that he shares my concern that we need to take action on this important priority.

Since April 30th of this year, when Section 245(i) last expired, immigrants have been waiting in limbo. INS statistics show that approximately seventy-five percent of the immigrants who apply for 245(i) relief are the spouses and children of U.S. citizens and permanent residents.

Eight out of 10 legal immigrants come to the United States to join a family member. What message are we sending if our policies pry families apart?

President Vicente Fox’s historic visit has helped to focus attention on the need to re-craft our immigration policies in ways that better reflect our core values of family unity, fundamental fairness and economic opportunity.

Passing the Section 245(i) Extension Act of 2001 sends a clear message that we are truly committed to providing real immigration reform. The Senate has taken the first step. I hope the House will soon follow. Let’s put this bill on President Bush’s desk, and let’s do it this week. Norma’s family, and thousands of families just like hers, are looking to us. Let’s not let them down.

Mr. KENNEDY. Mr. President, last year’s Legal Immigration Family Equity Act extended the deadline under section 245(i) of the immigration laws to April 30, 2001—a window of just 4 months—to enable persons who are eligible for green cards to adjust their status in the United States, rather than have to return to their country of origin to do so. The deadline has proved to be inadequate. The short extension created an overwhelming demand for information and services, and many qualified persons did not have enough time to file their petitions.

To address this urgent problem, Senator HAGEL and I introduced new legislation on April 26, a few days before the April 30 deadline. Congress should have acted long before now to extend the deadline, but all of us who support an extension are pleased that the Senate is finally acting on this bill. I know many of my colleagues on both sides of the aisle share my desire to move this bill quickly because it affects so many people. It is a humanitarian measure that is strong bipartisan support. It also has the support of the President.

This bill will provide real and immediate relief to hundreds of thousands of immigrants. INS data show that approximately 75 percent of the immigrants who apply for this relief are the spouses and children of U.S. citizens and permanent residents. These are
families who have made lasting contributions to our communities and contributed to the economic vitality of our nation. This bill does not propose substantial delay, but only a continuation of the prior relief. Last year’s temporary extension to April 30, 2001 was designed to benefit immigrants who were in the country by December 21, 2000. This bill will extend the deadline to provide this group of immigrants with more time to file their petitions.

I know that some of my colleagues support the extension, but had concerns with our bill. We worked with them to develop an acceptable compromise. Our bill, with an amendment offered by Senator KYL reflects our promise. Our bill, with an amendment that would help provide these families with the opportunity to stay together and the assurance that they are not trapped in a continued state of delay and hardship. But in the spirit of compromise, we accepted this amendment.

I am pleased that we are moving this bill forward, as this legislation will keep immigrant families together. We cannot continue to delay or otherwise frustrate the purpose of this legislation—to prevent the separation of immigrant families—will be defeated. This measure is of critical importance to Mexican President Vicente Fox, who is in Washington today, and to the women and children who have to pay a $1000 fee to retain vital employees. Third, because immigrants can also qualify to become legal permanent residents, this bill will allow businesses to retain vital employees. Third, because immigrants have to pay a $1000 fee to apply under 245(i), this program raises millions of dollars for the Federal Treasury.

Senators KENNEDY and HAGEL deserve great credit for their sponsorship of and support for this bill. I am pleased that the Senate has approved this bipartisan bill to keep families together, and I urge the House to follow the Senate’s lead.

Mr. REID. Mr. President, let me briefly say that this is extremely important. With President Fox in the country, this sends a message to him that we really are trying to work toward making things easier in relations between the United States and Mexico. But the Senate has, by President Bush and a bipartisan coalition of Senators—making it easier for people who are eligible to become legal permanent residents to apply for their green cards without leaving the United States. There could not be a more opportune time to pass this bill than during the visit of President Vicente Fox to our nation, and I applaud the Majority Leader for making passage today possible. I hope that the approval of this bill will send a signal of the Congress’ willingness to work with the Mexican Government to achieve our common goals, and to maintain fair immigration policies.

I was pleased to schedule this bill for a markup as soon as I became Chairman of the Judiciary Committee. Although I would have preferred that the Committee report the bill as it was introduced. I am glad that a compromise was reached that allowed the bill to receive the Committee’s support and mark it to the floor of the Senate.

This bill extends section 245(i) of the Immigration and Nationality Act, which expired on April 30, 2001. Section 245(i) allows foreign-born people who are present in the United States and eligible for legal permanent residency to apply for that status from within the country instead of having to return to their nation of origin to apply. We reauthorized section 245(i) last year, but only for a four-month period. Many eligible individuals were unable to find attorneys and submit applications during that brief period.

There are at least three good reasons to extend 245(i). First, it allows families to stay together in the United States instead of forcing family members to return to their native countries to apply for their green cards. Second, because immigrants can also qualify to become legal permanent residents based on an employment relationship, extending 245(i) will allow businesses to retain vital employees. Third, because immigrants have to pay a $1000 fee to apply under 245(i), this program raises millions of dollars for the Federal Treasury.

Mr. LEAHY. Mr. President, this legislation accomplishes a goal supported by President Bush and a bipartisan coalition of Senators—making it easier for people who are eligible to become legal permanent residents to apply for their green cards without leaving the United States. There could not be a more opportune time to pass this bill than during the visit of President Vicente Fox to our nation, and I applaud the Majority Leader for making passage today possible. I hope that the approval of this bill will send a signal of the Congress’ willingness to work with the Mexican Government to achieve our common goals, and to maintain fair immigration policies.

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