

1 **TITLE ____—ENCOURAGING IM-**
2 **MIGRANT FAMILY REUNIFI-**
3 **CATION**

4 **SEC. ____01. SHORT TITLE.**

5 This title may be cited as—

6 (1) the “Legal Immigration Family Equity
7 Act”; or

8 (2) the “LIFE Act”.

9 **SEC. ____02. NONIMMIGRANT STATUS FOR SPOUSES AND**
10 **CHILDREN OF PERMANENT RESIDENTS**
11 **AWAITING THE AVAILABILITY OF AN IMMI-**
12 **GRANT VISA; PROVISIONS AFFECTING SUBSE-**
13 **QUENT ADJUSTMENT OF STATUS FOR SUCH**
14 **NONIMMIGRANTS.**

15 (a) IN GENERAL.—Section 101(a)(15) of the Immi-
16 gration and Nationality Act (8 U.S.C. 1101(a)(15)) is
17 amended—

18 (1) in subparagraph (T), by striking “or” at
19 the end;

20 (2) in subparagraph (U), by striking the period
21 at the end and inserting “; or”; and

22 (3) by adding at the end the following:

23 “(V) subject to section 214(o), an alien who is
24 the beneficiary (including a child of the principal
25 alien, if eligible to receive a visa under section



1 203(d)) of a petition to accord a status under sec-
2 tion 203(a)(2)(A) that was filed with the Attorney
3 General under section 204 on or before the date of
4 the enactment of the Legal Immigration Family Eq-
5 uity Act, if—

6 “(i) such petition has been pending for 3
7 years or more; or

8 “(ii) such petition has been approved, 3
9 years or more have elapsed since such filing
10 date, and—

11 “(I) an immigrant visa is not imme-
12 diately available to the alien because of a
13 waiting list of applicants for visas under
14 section 203(a)(2)(A); or

15 “(II) the alien’s application for an im-
16 migrant visa, or the alien’s application for
17 adjustment of status under section 245,
18 pursuant to the approval of such petition,
19 remains pending.

20 (b) PROVISIONS AFFECTING NONIMMIGRANT STA-
21 TUS.—Section 214 of the Immigration and Nationality
22 Act (8 U.S.C. 1184) is amended by adding at the end the
23 following:

24 “(o)(1) In the case of a nonimmigrant described in
25 section 101(a)(15)(V)—



1 “(A) the Attorney General shall authorize the
2 alien to engage in employment in the United States
3 during the period of authorized admission and shall
4 provide the alien with an ‘employment authorized’
5 endorsement or other appropriate document signi-
6 fying authorization of employment; and

7 “(B) the period of authorized admission as such
8 a nonimmigrant shall terminate 30 days after the
9 date on which any of the following is denied:

10 “(i) The petition filed under section 204 to
11 accord the alien a status under section
12 203(a)(2)(A) (or, in the case of a child granted
13 nonimmigrant status based on eligibility to re-
14 ceive a visa under section 203(d), the petition
15 filed to accord the child’s parent a status under
16 section 203(a)(2)(A)).

17 “(ii) The alien’s application for an immi-
18 grant visa pursuant to the approval of such pe-
19 tition.

20 “(iii) The alien’s application for adjust-
21 ment of status under section 245 pursuant to
22 the approval of such petition.

23 “(2) In determining whether an alien is eligible to
24 be admitted to the United States as a nonimmigrant under



1 section 101(a)(15)(V), the grounds for inadmissibility
2 specified in section 212(a)(9)(B) shall not apply.

3 “(3) The status of an alien physically present in the
4 United States may be adjusted by the Attorney General,
5 in the discretion of the Attorney General and under such
6 regulations as the Attorney General may prescribe, to that
7 of a nonimmigrant under section 101(a)(15)(V), if the
8 alien—

9 “(A) applies for such adjustment;

10 “(B) satisfies the requirements of such section;

11 and

12 “(C) is eligible to be admitted to the United
13 States, except in determining such admissibility, the
14 grounds for inadmissibility specified in paragraphs
15 (6)(A), (7), and (9)(B) of section 212(a) shall not
16 apply.”.

17 (c) PROVISIONS AFFECTING PERMANENT RESIDENT
18 STATUS.—Section 245 of the Immigration and Nation-
19 ality Act (8 U.S.C. 1255) is amended by adding at the
20 end the following:

21 “(m)(1) The status of a nonimmigrant described in
22 section 101(a)(15)(V) who the Attorney General deter-
23 mines was physically present in the United States at any
24 time during the period beginning on July 1, 2000, and
25 ending on October 1, 2000, may be adjusted by the Attor-



1 ney General, in the discretion of the Attorney General and
2 under such regulations as the Attorney General may pre-
3 scribe, to that of an alien lawfully admitted for permanent
4 residence, if—

5 “(A) the alien makes an application for such
6 adjustment;

7 “(B) the alien is eligible to receive an immi-
8 grant visa and is admissible to the United States for
9 permanent residence, except in determining such ad-
10 missibility, the grounds for inadmissibility specified
11 in paragraphs (6)(A), (7), and (9)(B) of section
12 212(a) shall not apply; and

13 “(C) an immigrant visa is immediately available
14 to the alien at the time the alien’s application is
15 filed.

16 “(2) Paragraph (1) shall not apply to an alien who
17 has failed (other than through no fault of the alien or for
18 technical reasons) to maintain continuously a lawful status
19 since obtaining the status of a nonimmigrant described in
20 section 101(a)(15)(V).

21 “(3) Upon the approval of an application for adjust-
22 ment made under paragraph (1), the Attorney General
23 shall record the alien’s lawful admission for permanent
24 residence as of the date the order of the Attorney General
25 approving the application for the adjustment of status is



1 made, and the Secretary of State shall reduce by one the
2 number of the preference visas authorized to be issued
3 under sections 202 and 203 within the class to which the
4 alien is chargeable for the fiscal year then current.

5 “(4) The Attorney General may accept an application
6 for adjustment made under paragraph (1) only if the alien
7 remits with such application a sum equalling \$1,000, ex-
8 cept that such sum shall not be required from an alien
9 if it would not be required from the alien if the alien were
10 applying under subsection (i).

11 “(5) The sum specified in paragraph (4) shall be in
12 addition to the fee normally required for the processing
13 of an application under this section.

14 “(6)(A) The portion of each application fee (not to
15 exceed \$200) that the Attorney General determines is re-
16 quired to process an application under this subsection
17 shall be disposed of by the Attorney General as provided
18 in subsections (m), (n), and (o) of section 286.

19 “(B) One-half of any remaining portion of such fee
20 shall be deposited by the Attorney General into the Immi-
21 gration Examination Fee Account established under sec-
22 tion 286(m), and one-half of any remaining portion of
23 such fees shall be deposited by the Attorney General into
24 the Breached Bond/Detention Fund established under sec-
25 tion 286(r).



1 “(7) Nothing in this subsection shall be construed as
2 precluding a nonimmigrant described in section
3 101(a)(15)(V) who is eligible for adjustment of status
4 under subsection (a) from applying for and obtaining ad-
5 justment under such subsection. In the case of such an
6 application, the alien shall be required to remit only the
7 fee normally required for the processing of an application
8 under subsection (a).”.

9 (d) CONFORMING AMENDMENTS.—

10 (1) ADMISSION OF NONIMMIGRANTS.—Section
11 214 of the Immigration and Nationality Act (8
12 U.S.C. 1184) is amended, in each of subsections (b)
13 and (h), by striking “(H)(i) or (L)” and inserting
14 “(H)(i), (L), or (V)”.

15 (2) ADJUSTMENT OF STATUS.—Section 245 of
16 the Immigration and Nationality Act (8 U.S.C.
17 1255) is amended—

18 (A) in each of subsections (d) and (f), by
19 striking “under subsection (a),” each place such
20 term appears and inserting “under subsection
21 (a) or (m),”; and

22 (B) in subsection (e)(1), by striking “sub-
23 section (a).” and inserting “subsection (a) or
24 (m).”.



1 (e) EFFECTIVE DATE.—The amendments made by
2 this section shall take effect on the date of the enactment
3 of this Act and shall apply to an alien who is the bene-
4 ficiary of a classification petition filed under section 204
5 of the Immigration and Nationality Act on or before the
6 date of the enactment of this Act.

7 SEC. ____03. NONIMMIGRANT STATUS FOR SPOUSES AND
8 CHILDREN OF CITIZENS AWAITING THE
9 AVAILABILITY OF AN IMMIGRANT VISA.

10 (a) IN GENERAL.—Section 101(a)(15)(K) of the Im-
11 migration and Nationality Act (8 U.S.C. 1101(a)(15)(K))
12 is amended to read as follows:

13 “(K) subject to subsections (d) and (p) of sec-
14 tion 214, an alien who—

15 “(i) is the fiancée or fiancé of a citizen of
16 the United States and who seeks to enter the
17 United States solely to conclude a valid mar-
18 riage with the petitioner within ninety days
19 after admission;

20 “(ii) has concluded a valid marriage with a
21 citizen of the United States who is the peti-
22 tioner, is the beneficiary of a petition to accord
23 a status under section 201(b)(2)(A)(i) that was
24 filed under section 204 by the petitioner, and
25 seeks to enter the United States to await the



1 approval of such petition and the availability to
2 the alien of an immigrant visa; or

3 “(iii) is the minor child of an alien de-
4 scribed in clause (i) or (ii) and is accom-
5 panying, or following to join, the alien;”.

6 (b) PROVISIONS AFFECTING NONIMMIGRANT STA-
7 TUS.—Section 214 of the Immigration and Nationality
8 Act (8 U.S.C. 1184), as amended by section 2 of this Act,
9 is further amended by adding at the end the following:

10 “(p)(1) A visa shall not be issued under the provi-
11 sions of section 101(a)(15)(K)(ii) until the consular officer
12 has received a petition filed in the United States by the
13 spouse of the applying alien and approved by the Attorney
14 General. The petition shall be in such form and contain
15 such information as the Attorney General shall, by regula-
16 tion, prescribe.

17 “(2) In the case of an alien seeking admission under
18 section 101(a)(15)(K)(ii) who concluded a marriage with
19 a citizen of the United States outside the United States,
20 the alien shall be considered inadmissible under section
21 212(a)(7)(B) if the alien is not at the time of application
22 for admission in possession of a valid nonimmigrant visa
23 issued by a consular officer in the foreign state in which
24 the marriage was concluded.



1 “(3) In the case of a nonimmigrant described in sec-
2 tion 101(a)(15)(K)(ii), and any child of such a non-
3 immigrant who was admitted as accompanying, or fol-
4 lowing to join, such a nonimmigrant, the period of author-
5 ized admission shall terminate 30 days after the date on
6 which any of the following is denied:

7 “(A) The petition filed under section 204 to ac-
8 cord the principal alien status under section
9 201(b)(2)(A)(i).

10 “(B) The principal alien’s application for an
11 immigrant visa pursuant to the approval of such pe-
12 tition.

13 “(C) The principal alien’s application for ad-
14 justment of status under section 245 pursuant to
15 the approval of such petition.”.

16 (c) CONFORMING AMENDMENTS.—

17 (1) ADMISSION OF NONIMMIGRANTS.—Section
18 214(d) of the Immigration and Nationality Act (8
19 U.S.C. 1184(d)) is amended by striking
20 “101(a)(15)(K)” and inserting “101(a)(15)(K)(i)”.

21 (2) CONDITIONAL PERMANENT RESIDENT STA-
22 TUS.—Section 216 of the Immigration and Nation-
23 ality Act (8 U.S.C. 1186a) is amended, in each of
24 subsections (b)(1)(B) and (d)(1)(A)(ii), by striking



1 “214(d)” and inserting “subsection (d) or (p) of sec-
2 tion 214”.

3 (3) ADJUSTMENT OF STATUS.—Section 245 of
4 the Immigration and Nationality Act (8 U.S.C.
5 1255) is amended—

6 (A) in subsection (d), by striking “(relat-
7 ing to an alien fiancée or fiancé or the minor
8 child of such alien)”; and

9 (B) in subsection (e)(3), by striking
10 “214(d)” and inserting “subsection (d) or (p)
11 of section 214”.

12 (d) EFFECTIVE DATE.—The amendments made by
13 this section shall take effect on the date of the enactment
14 of this Act and shall apply to an alien who is the bene-
15 ficiary of a classification petition filed under section 204
16 of the Immigration and Nationality Act before, on, or
17 after the date of the enactment of this Act.

18 **SEC. ____04. ADJUSTMENT OF STATUS OF CERTAIN CLASS**
19 **ACTION PARTICIPANTS WHO ENTERED BE-**
20 **FORE JANUARY 1, 1982, TO THAT OF PERSON**
21 **ADMITTED FOR LAWFUL RESIDENCE.**

22 (a) IN GENERAL.—In the case of an eligible alien de-
23 scribed in subsection (b), the provisions of section 245A
24 of the Immigration and Nationality Act (8 U.S.C. 1255a),
25 as modified by subsection (c), shall apply to the alien.



1 (b) ELIGIBLE ALIENS DESCRIBED.—An alien is an
2 eligible alien described in this subsection if, before October
3 1, 2000, the alien filed with the Attorney General a writ-
4 ten claim for class membership, with or without a filing
5 fee, pursuant to a court order issued in the case of—

6 (1) Catholic Social Services, Inc. v. Meese, va-
7 cated sub nom. Reno v. Catholic Social Services,
8 Inc., 509 U.S. 43 (1993); or

9 (2) League of United Latin American Citizens
10 v. INS, vacated sub nom. Reno v. Catholic Social
11 Services, Inc., 509 U.S. 43 (1993).

12 (c) MODIFICATIONS TO PROVISIONS GOVERNING AD-
13 JUSTMENT OF STATUS.—The modifications to section
14 245A of the Immigration and Nationality Act that apply
15 to an eligible alien described in subsection (b) of this sec-
16 tion are the following:

17 (1) TEMPORARY RESIDENT STATUS.—Sub-
18 section (a) of such section 245A shall not apply.

19 (2) ADJUSTMENT TO PERMANENT RESIDENT
20 STATUS.—In lieu of paragraphs (1) and (2) of sub-
21 section (b) of such section 245A, the Attorney Gen-
22 eral shall be required to adjust the status of an eligi-
23 ble alien described in subsection (b) of this section
24 to that of an alien lawfully admitted for permanent



1 residence if the alien meets the following require-
2 ments:

3 (A) APPLICATION PERIOD.—The alien
4 must file with the Attorney General an applica-
5 tion for such adjustment during the 12-month
6 period beginning on the date on which the At-
7 torney General issues final regulations to imple-
8 ment this section.

9 (B) CONTINUOUS UNLAWFUL RESI-
10 DENCE.—

11 (i) IN GENERAL.—The alien must es-
12 tablish that the alien entered the United
13 States before January 1, 1982, and that
14 he or she has resided continuously in the
15 United States in an unlawful status since
16 such date and through May 4, 1988. In
17 determining whether an alien maintained
18 continuous unlawful residence in the
19 United States for purposes of this subpara-
20 graph, the regulations prescribed by the
21 Attorney General under section 245A(g) of
22 the Immigration and Nationality Act that
23 were most recently in effect before the date
24 of the enactment of this Act shall apply.



1 (ii) NONIMMIGRANTS.—In the case of
2 an alien who entered the United States as
3 a nonimmigrant before January 1, 1982,
4 the alien must establish that the alien's pe-
5 riod of authorized stay as a nonimmigrant
6 expired before such date through the pas-
7 sage of time or the alien's unlawful status
8 was known to the Government as of such
9 date.

10 (iii) EXCHANGE VISITORS.—If the
11 alien was at any time a nonimmigrant ex-
12 change alien (as defined in section
13 101(a)(15)(J) of the Immigration and Na-
14 tionality Act (8 U.S.C. 1101(a)(15)(J)),
15 the alien must establish that the alien was
16 not subject to the two-year foreign resi-
17 dence requirement of section 212(e) of
18 such Act or has fulfilled that requirement
19 or received a waiver thereof.

20 (iv) CUBAN AND HAITIAN EN-
21 TRANTS.—For purposes of this section, an
22 alien in the status of a Cuban and Haitian
23 entrant described in paragraph (1) or
24 (2)(A) of section 501(e) of Public Law 96-
25 422 shall be considered to have entered the



1 United States and to be in an unlawful
2 status in the United States.

3 (C) CONTINUOUS PHYSICAL PRESENCE.—

4 (i) IN GENERAL.—The alien must es-
5 tablish that the alien was continuously
6 physically present in the United States
7 during the period beginning on November
8 6, 1986, and ending on May 4, 1988, ex-
9 cept that—

10 (I) an alien shall not be consid-
11 ered to have failed to maintain contin-
12 uous physical presence in the United
13 States for purposes of this subpara-
14 graph by virtue of brief, casual, and
15 innocent absences from the United
16 States; and

17 (II) brief, casual, and innocent
18 absences from the United States shall
19 not be limited to absences with ad-
20 vance parole.

21 (ii) ADMISSIONS.—Nothing in this
22 section shall be construed as authorizing
23 an alien to apply for admission to, or to be
24 admitted to, the United States in order to
25 apply for adjustment of status under this



1 section or section 245A of the Immigration
2 and Nationality Act.

3 (D) ADMISSIBLE AS IMMIGRANT.—The
4 alien must establish that the alien—

5 (i) is admissible to the United States
6 as an immigrant, except as otherwise pro-
7 vided under section 245A(d)(2) of the Im-
8 migration and Nationality Act;

9 (ii) has not been convicted of any fel-
10 ony or of three or more misdemeanors
11 committed in the United States;

12 (iii) has not assisted in the persecu-
13 tion of any person or persons on account
14 of race, religion, nationality, membership
15 in a particular social group, or political
16 opinion; and

17 (iv) is registered or registering under
18 the Military Selective Service Act, if the
19 alien is required to be so registered under
20 that Act.

21 (E) BASIC CITIZENSHIP SKILLS.—

22 (i) IN GENERAL.—The alien must
23 demonstrate that the alien either—

24 (I) meets the requirements of
25 section 312(a) of the Immigration and



1 Nationality Act (8 U.S.C. 1423(a))
2 (relating to minimal understanding of
3 ordinary English and a knowledge and
4 understanding of the history and gov-
5 ernment of the United States); or

6 (II) is satisfactorily pursuing a
7 course of study (recognized by the At-
8 torney General) to achieve such an
9 understanding of English and such a
10 knowledge and understanding of the
11 history and government of the United
12 States.

13 (ii) EXCEPTION FOR ELDERLY OR DE-
14 VELOPMENTALLY DISABLED INDIVID-
15 UALS.—The Attorney General may, in the
16 discretion of the Attorney General, waive
17 all or part of the requirements of clause (i)
18 in the case of an alien who is 65 years of
19 age or older or who is developmentally dis-
20 abled.

21 (iii) RELATION TO NATURALIZATION
22 EXAMINATION.—In accordance with regu-
23 lations of the Attorney General, an alien
24 who has demonstrated under clause (i)(I)
25 that the alien meets the requirements of



1 section 312(a) of the Immigration and Na-
2 tionality Act may be considered to have
3 satisfied the requirements of that section
4 for purposes of becoming naturalized as a
5 citizen of the United States under title III
6 of such Act.

7 (3) TEMPORARY STAY OF REMOVAL, AUTHOR-
8 IZED TRAVEL, AND EMPLOYMENT DURING PEND-
9 ENCY OF APPLICATION.—In lieu of subsections
10 (b)(3) and (e)(2) of such section 245A, the Attorney
11 General shall provide that, in the case of an eligible
12 alien described in subsection (b) of this section who
13 presents a prima facie application for adjustment of
14 status to that of an alien lawfully admitted for per-
15 manent residence under such section 245A during
16 the application period described in paragraph (2)(A),
17 until a final determination on the application has
18 been made—

19 (A) the alien may not be deported or re-
20 moved from the United States;

21 (B) the Attorney General shall, in accord-
22 ance with regulations, permit the alien to re-
23 turn to the United States after such brief and
24 casual trips abroad as reflect an intention on
25 the part of the alien to adjust to lawful perma-



1 nent resident status and after brief temporary
2 trips abroad occasioned by a family obligation
3 involving an occurrence such as the illness or
4 death of a close relative or other family need;
5 and

6 (C) the Attorney General shall grant the
7 alien authorization to engage in employment in
8 the United States and provide to that alien an
9 “employment authorized” endorsement or other
10 appropriate work permit.

11 (4) APPLICATIONS.—Paragraphs (1) through
12 (4) of subsection (c) of such section 245A shall not
13 apply.

14 (5) CONFIDENTIALITY OF INFORMATION.—Sub-
15 section (c)(5) of such section 245A shall apply to in-
16 formation furnished by an eligible alien described in
17 subsection (b) pursuant to any application filed
18 under such section 245A or this section, except that
19 the Attorney General (and other officials and em-
20 ployees of the Department of Justice and any bu-
21 reau or agency thereof) may use such information
22 for purposes of rescinding, pursuant to section
23 246(a) of the Immigration and Nationality Act (8
24 U.S.C. 1256(a)), any adjustment of status obtained
25 by the alien.



1 (6) USE OF FEES FOR IMMIGRATION-RELATED
2 UNFAIR EMPLOYMENT PRACTICES.—Notwith-
3 standing subsection (c)(7)(C) of such section 245A,
4 no application fee paid to the Attorney General pur-
5 suant to this section by an eligible alien described in
6 subsection (b) of this section shall be available in
7 any fiscal year for the purpose described in such
8 subsection (c)(7)(C).

9 (7) TEMPORARY STAY OF REMOVAL AND WORK
10 AUTHORIZATION FOR CERTAIN APPLICANTS BEFORE
11 APPLICATION PERIOD.—In lieu of subsection (e)(1)
12 of such section 245A, the Attorney General shall
13 provide that in the case of an eligible alien described
14 in subsection (b) of this section who is apprehended
15 before the beginning of the application period de-
16 scribed in paragraph (2)(A) and who can establish
17 a prima facie case of eligibility to have his status ad-
18 justed under such section 245A pursuant to this sec-
19 tion (but for the fact that he may not apply for such
20 adjustment until the beginning of such period), until
21 the alien has had the opportunity during the first 30
22 days of the application period to complete the filing
23 of an application for adjustment, the alien—

24 (A) may not be deported or removed from
25 the United States; and



1 (B) shall be granted authorization to en-
2 gage in employment in the United States and
3 be provided an "employment authorized" en-
4 dorsement or other appropriate work permit.

5 (8) JURISDICTION OF COURTS.—Effective as of
6 November 6, 1986, subsection (f)(4)(C) of such sec-
7 tion 245A shall not apply to an eligible alien de-
8 scribed in subsection (b) of this section.

9 (9) PUBLIC WELFARE ASSISTANCE.—Subsection
10 (h) of such section 245A shall not apply.

11 (d) APPLICATIONS FROM ABROAD.—The Attorney
12 General shall establish a process under which an alien who
13 has become eligible to apply for adjustment of status to
14 that of an alien lawfully admitted for permanent residence
15 as a result of the enactment of this section and who is
16 not physically present in the United States may apply for
17 such adjustment from abroad.

18 (e) DEADLINE FOR REGULATIONS.—The Attorney
19 General shall issue regulations to implement this section
20 not later than 120 days after the date of the enactment
21 of this Act.

22 (f) ADMINISTRATIVE AND JUDICIAL REVIEW.—The
23 provisions of subparagraphs (A) and (B) of section
24 245A(f)(4) of the Immigration and Nationality Act (8
25 U.S.C. 1255a(f)(4)) shall apply to administrative or judi-



1 cial review of a determination under this section or of a
2 determination respecting an application for adjustment of
3 status under section 245A of the Immigration and Nation-
4 ality Act filed pursuant to this section.

5 (g) DEFINITION.—For purposes of this section, the
6 term “such section 245A” means section 245A of the Im-
7 migration and Nationality Act (8 U.S.C. 1255a).





THE FAX ON IMMIGRATION

A nation of immigrants....a nation of prosperity

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Contact: Angela Kelley (202) 544-0004, ext. 19
3 pages

Prominent Republicans Urge Passage Of Immigrant Fairness Measure

Seven prominent House Republican members, **Christopher Smith (NJ)**, **Lincoln Diaz-Balart (FL)**, **Ileana Ros-Lehtien (FL)**, **Bill McCollum (FL)**, **Thomas M. Davis (VA)**, **Constance A. Morella (MD)**, and **Christopher Shays (CT)**, have come out in support of the *Central American and Haitian Adjustment Act (H.R. 2722)*, and the *Andean Adjustment Act (H.R. 2741)*. The measures provide permanent residence status to qualified nationals of El Salvador, Guatemala, Honduras, Haiti, Colombia, and Peru. H.R. 2722 is one of the provisions of the *Latino and Immigrant Fairness Act* currently being debated as part of the CSJ appropriations bill.

In a letter to House leaders, these Republicans say that the legislation is justified because these nationals "fled their home countries at a time when these countries were dangerous places." They go on to say that the people affected are "productive, law-abiding, freedom-loving people", who have "lived and worked in the United States as productive members of our society, many of them for 10 or 15 years."

The letter also stresses that the deportation of people who "are integral and valuable members of our society" would "hurt our economy and impoverish our culture."

"Republicans Are Split" on Including Immigrant Fairness Measures in Spending Bill, Says New York Times

A *New York Times* article on October 22, 2000 reports that Republicans in Congress are split on including provisions of the *Latino and Immigrant Fairness Act (LIFA)* in a spending bill for the State, Commerce and Justice departments. President Clinton has threatened to veto the spending legislation if it does not include LIFA provisions.

Republican leaders, such as **Sen. John McCain (R-AZ)**, **Rep. Thomas M. Davis (R-VA)**, former **Republican Vice Presidential candidate Jack Kemp**, and "business groups with ties to the Republicans" support the LIFA provisions. In a September 27, 2000, speech on the Senate floor, McCain said of LIFA, "It is the right thing to do, and our leaders on both sides of the aisle should find a way to bring it to a vote."

The article says that the "stakes appear much higher for Republicans than Democrats" because "rejecting the legislation could alienate Hispanic voters just before Election Day and resurrect the divisive fights of the 1990's over immigrants' benefits that hurt Republicans in many immigrant communities."

(The article, "G.O.P. Fight With Clinton on Immigrants Splits Party," October 22, 2000) is attached.)



THE FAX ON IMMIGRATION

A nation of immigrants....a nation of prosperity

The New York Times

Sunday October 22, 2000

G.O.P. Fight With Clinton on Immigrants Splits Party

By ERIC SCHMITT

WASHINGTON, Oct. 21 — Congressional Republicans are locked in a battle with the White House over easing immigration law that threatens to undercut Gov. George W. Bush's efforts to court Hispanic voters and shed the party's lingering image as insensitive to new immigrants.

As Congress draws to a close, among the last sticking points between President Clinton and Republicans on a year-end budget deal are Democratic proposals to grant limited amnesty to hundreds of thousands of longtime residents who came to the United States illegally, expand permanent residency to certain Central Americans and help certain other immigrants obtain green cards.

The provisions are in a spending bill that finances the State, Commerce and Justice departments. Mr. Clinton has threatened to veto the legislation if it does not include the immigration proposals.

The stakes appear much higher for Republicans than Democrats. Many conservatives argue that bowing to Mr. Clinton would reward lawbreakers and encourage a new wave of illegal immigrants. But rejecting the legislation could alienate Hispanic voters just before Election Day, and resurrect the divisive fights of the 1990's over immigrants' benefits that hurt Republicans in many immigrant communities.

A coalition of business groups with ties to Republicans, including health care providers, restaurant owners and landscapers, has also endorsed the changes as necessary to retain badly needed workers. "If the Republican Party is really serious about changing its image in the Latino community, it's hard to understand their resistance to these proposals," said Cecilia Muñoz, vice president for policy of the National Council of La Raza, the nation's largest Hispanic civil rights group.

Democrats say they are united behind the proposals, which Vice President Al Gore has said are essential to "ensure fairness and equity for certain immigrants and their families already in the United States."

But Republicans are split. House and Senate Republican leaders have balked at the provisions. Representative Tom DeLay of Texas, the House Republican whip, acknowledged that some immigrants' cases were mishandled in the 1980's, and should be remedied. "But the president wants a blanket amnesty," Mr. DeLay said. "He's playing politics. He's trying to buy votes through an amnesty."

Several other prominent Republicans, including Jack Kemp, the party's 1996 vice-presidential nominee; Senator John McCain of Arizona and Representative Thomas M. Davis III of Virginia, the House Republican re-election chairman, support the proposals. Mr. Davis said that one in five adults in his suburban Washington district was born overseas. "It is the right thing to do, and our leaders on



THE FAX ON IMMIGRATION

A nation of immigrants....a nation of prosperity

both sides of the aisle should find a way to bring it to a vote," Mr. McCain said on the Senate floor on Sept. 27.

Governor Bush, of Texas, sought to distance himself from the contentious issue. "The governor has not gotten involved in the maneuvering or negotiations with any specific immigration bills," said Ray Sullivan, a Bush campaign spokesman. "The governor has said he does not support a blanket amnesty for illegal immigrants at this time."

But another Bush adviser, speaking on condition of anonymity, expressed concern that the issue could backfire on Republicans, adding, "We're trying to find a way to do this without making it a political issue."

The legislation, called the Latino and Immigrant Fairness Act, would make three major changes in immigration law.

First, the measure would allow at least 400,000 immigrants who came to the United States illegally before 1986 to apply for permanent residency, as people who came before 1972 were already able to do.

Proponents say many of these immigrants were wrongfully denied amnesty under an earlier law when the Immigration and Naturalization Service bungled their claims. Critics say some of those cases should be reviewed by a court, but that in many others immigrants are not entitled to a green card, which confers permanent residency. "If we keep granting amnesty to people who came to the country illegally, we are in essence putting up a neon sign on all of our borders saying, Violate our law, come into our country illegally," said Senator Phil Gramm, Republican of Texas.

The second provision calls for granting legal status to 300,000 immigrants who fled wars and political chaos in Haiti, El Salvador, Honduras, Guatemala and Liberia, and applied unsuccessfully for refugee status. Proponents say these immigrants should be treated the same as those from Cuba and Nicaragua, who were granted legal status in 1997.

The third provision would permit immigrants who are changing their legal status to pay a \$1,000 fee and complete the process in the United States, rather than return to their home country and leave relatives here behind.

Senator Orrin G. Hatch, a Utah Republican who heads the Judiciary Committee, has countered the Democrats' plan with a proposal to adjudicate some of the amnesty claims, and grant temporary visas to reunite spouses and children with legal permanent residents here.

Most Democrats hailed Mr. Hatch's plan, but said it fell short.

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SALVADORAN AMERICAN NATIONAL NETWORK

c/o CARECEN - 2845 West 7th Street - Los Angeles, CA 90005 - Tel. (213) 385-0987 - Fax: (213) 385-1094

October 23, 2000

Honorable William J. Clinton
President of the United States of America
1600 Pennsylvania Avenue, NW
Washington, DC 20500
Sent via fax to (202) 456-2461

Dear President Clinton:

On behalf of the communities we represent, we would like to convey our most sincere gratitude for your leadership and support in favor of a legislative amendment to the Nicaraguan Adjustment and Central American Relief Act (NACARA) of 1997. The amendment would grant certain nationals from El Salvador, Guatemala, Haiti and Honduras; what the law already granted to certain nationals from Cuba and Nicaragua: The right to apply for adjustment of immigration status.

The purpose of this letter is to share with you concerns of the organizations and individuals who make up the Salvadoran American National Network (SANN), in relationship to what may happen in the next few days with the Latino and Immigrant Fairness Act (LIFA) of 2000. In particular, we want to share with you our concerns in regard to the component of LIFA related to nationals from Central America and Haiti.

It is our strong opinion that as we reach what may be the last few days of the 2000 legislative session, the Democratic leadership in the Congress as well as the White House, must be stronger than ever in demanding that NACARA be amended in a way that is consistent with bills filed long ago before the U.S. House (H.R. 2722) and the U.S. Senate (S. 1592). Anything short of what the two above mentioned bills propose would represent a significant setback to the long denied justice to these communities. Furthermore, anything short of this would be a disservice to the fundamental American principle of equality under the law.

We have felt compelled to communicate our concerns to you now because we know that in the next few days there will be great pressure put, by Republican leaders in the Congress, on the Democratic leadership and the White House. The purpose of this pressure will be to have you back down from your commitment to have NACARA amended in the way proposed by H.R. 2722 and S. 1592.

One reason why we would like to respectfully encourage you to remain firm on your position regarding a NACARA amendment is that we believe that despite many potential arguments some members of the Republican party may pose against it, we also know that there are other Republican leaders who understand the need and the wisdom of embracing the very changes to NACARA supported by your Administration. Some of the arguments against a NACARA amendment you may hear include that Salvadoran and Guatemalan have already been granted what they deserve in terms of immigration remedies, or that only Salvadoran and Guatemalan nationals who can prove they are members of the American Baptist Church vs. Thornburgh class deserve the right to apply for permanent residence.

Nationals from El Salvador, Guatemala, Haiti and Honduras who sought safe-heaven in the U.S. through 1995 did so because of the brutal human rights violations, widespread -and often officially sponsored- political persecution and bloody civil wars which took the life of many tens of thousands of defenseless civilians. These horrible conditions were not only true in the case of Nicaragua. They were equally true in the case of El Salvador, Guatemala and Haiti. In the case of Honduras, where a civil war per se was not

Current members of the Salvadoran-American National Network: Centro Presente, Inc., Cambridge, MA; Centro Romero, Inc., Chicago, IL; CRECEN, Houston, TX; CARECEN, Los Angeles, CA; Centro Salvadoreño, Hemstead, NY; Comité en Unión de Salvadoreños, Union City, NJ; CARECEN, San Francisco, CA; CARECEN, Houston, TX; Asociación Centro Americana de Worcester, Worcester, MA; El Rescate, Inc., Los Angeles, CA; CARECEN, Washington, DC; ASANOVA, Arlington, VA; Organization of Salvadoran Americans, Washington, DC; Centro Latino Cuzcatlan, San Francisco, CA; Salvadoran American Leadership and Education Fund, Los Angeles, CA; Centro Hispano Cuzcatlan, Queens, NY; Comité ABC Pro-Residencia Permanente, San Francisco, CA

fought, many of the conditions of political persecution and human rights violations also occurred, largely as a result of the profound militarization that Honduras experienced during the 1980's and early 1990's. Therefore, Honduran nationals should not be excluded from the benefit of a NACARA amendment.

Some Republican leaders will argue that Dec. 1995 is a too generous cut-off date. We would like you to remind such leaders that it was they who established that specific date. December 1995 is not a particularly meaningful date for any Central American group. Nor is it for Haitians either. The Contras' war against Nicaragua was settled in 1989. The civil war in El Salvador was settled through a negotiated settlement signed in 1992. The civil war in Guatemala was not settled until 1996. December 1995 was not a date of national significance to any Central American national group or Haitian nationals until NACARA was enacted in Nov. 1997. In light of the existing precedent, the fairest thing to do is to keep this cut off date the same for all national groups to be benefitted from a NACARA amendment. It would not be practical, nor would it be desirable to retroactively roll back the Dec. 1995 cut off date for our Nicaraguan and Cuban brothers and sisters, such a cut off date should be retained as a matter of respect to the principle of equality under the law.

Like our Nicaraguan and Cuban brothers and sisters, many nationals from El Salvador, Guatemala, Haiti and Honduras did not arrive in the U.S. with proper authorization. Many of our country people came to the U.S. propelled by horrible circumstances where all they were trying to do was protect their lives and those of their families. Clearly, under such difficult circumstances of fear and desperation, U.S. immigration laws may have been inadvertently violated. However, such courageous acts on the part of our people resulted in the preservation of thousands of lives that otherwise would have perished under ruthless dictatorships, criminal military regimes and murderous death squads. Unfortunately, some Republican leaders like Mr. Lamar Smith from Texas suggest now, many years later, that our people be penalized and deported. We consider his position hypocritical as he was clearly not bothered by the fact that, in enacting NACARA, Nicaraguans and Cubans who also arrived in the U.S. under similar circumstances were essentially forgiven the fact that they, too, inadvertently violated U.S. immigration laws.

NACARA was a major step forward in the correction of a long neglected injustice committed against Central American national groups during the 1980's and early 1990's: The denial of humanitarian protection through the granting of political asylum in the United States of America. As we look back today to what happened in Central America during the 1980's and early 1990's, it is difficult to understand how it was that of every 100 nationals from Guatemala, El Salvador, Haiti, Honduras and Nicaragua, who applied for political asylum in the U.S., only a handful received a favorable response. This is why SANN recognized in 1997 that NACARA, although full of imperfections, was a positive step forward.

The time to finish for good the task initiated by the Republican party with the passage of NACARA in 1997 is now. The time is now not only because of the moral and legal reasoning, but also because of the people who would benefit from a NACARA amendment have become a key economic asset to our nation's well being. For example, many of the potential beneficiaries work in important service sectors of the economy. Similarly, many of these people who stand to benefit from a NACARA amendment are small business owners. Finally, many of these workers are reliable and responsible. Virtues which have gained the confidence and trust of their employers. In short, potential beneficiaries have all become important contributors to the economic well-being of the United States of America. Therefore, a NACARA amendment is not only the moral and just thing to do. It is also the smart thing to do, as it is good for business in America.

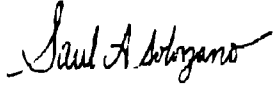
As SANN, we remain committed to everyone of the components included in LIFA. However, our specific area of expertise is the part related to Central American and Haitian parity. We would like to end by encouraging you once again to remain as strong as you have been for the past few months in demanding true parity for Central American and Haitians under NACARA. Our communities have placed a great deal of hope and confidence in your capacity to deliver to us. We will always be grateful for your unequalled leadership in bringing about parity under NACARA for nationals from El Salvador, Guatemala, Haiti and

Honduras. If we can be of assistance, please contact Oscar A. Chacón, the Salvadoran Network's President at (415) 336-6267. Thank you for your consideration.

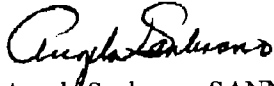
On behalf of the Salvadoran American National Network.



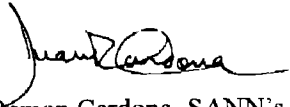
Oscar A. Chacon, SANN's President



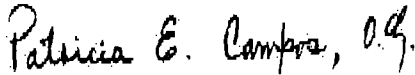
Saul Solorzano, SANN's Vice President and Executive Director at the Central American Resource Center in Washington, DC



Angela Sanbrano, SANN's Treasurer and Executive Director at the Central American Resource Center in Los Angeles, CA



Ramon Cardona, SANN's Executive Committee Member and Executive Director at the Central American Resource Center in San Francisco, CA



Patricia E. Campos, Executive Committee Member and Associate Director at the Labor Council for Latin American Advancement

cc: Senator Thomas Daschle
Senator Harry Reid
Senator Edward Kennedy
Senator Bob Graham
Senator Dianne Feinstein
Rep. Richard Gephardt
Rep. David Bonior
Rep. Martin Frost
Rep. Lucille Roybal-Allard
Rep. Luis Gutierrez
John Podesta, Chief of Staff, The White House
Maria Echaveste, Deputy Chief of Staff

CongressDailyAM

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

OCT. 26, 2000

Clinton, GOP Leaders On Collision Course Over Immigration

APPROPRIATIONS

REPUBLICAN LEADERS late Wednesday were intent on attaching their final version of the FY2001 Commerce-Justice-State spending bill to the District of Columbia conference report and filing the package in time for a floor vote today — despite strenuous resistance from the White House to controversial provisions on immigration and the government's tobacco lawsuit. **Senate Majority Leader Lott** optimistically said Wednesday night that he plans to be back at his alma mater, the University of Mississippi, this Saturday. "I'm going to homecoming at Ole Miss," the former cheerleader told reporters. "We can finish Friday. Let's do it."

The potential showdown with the President Clinton

came as the Senate Wednesday adopted the \$14.9 billion Foreign Operations conference report by a vote of 65-27. The House cleared the bill earlier on a 307-101 vote. And both chambers passed a one-day continuing resolution to keep the unfunded federal agencies running through midnight tonight. Lott said agreements had been struck on all of the major sticking points on the Commerce-Justice-State bill. He said agreements covered not only on the immigration and tobacco litigation language, but a series of telecommunications policy riders and coastal conservation projects as well.

At presstime late Wednesday, appropriations staffers were drafting the final Commerce-Jus- *continued on page 10*

Hastert Queried On 107th Congress

HOUSE
LEADERSHIPHOUSE Speaker
Hastert

is coming under some pressure within the House GOP Conference to spell out how committee chairmen would be chosen when the new Congress organizes just one week after the Nov. 7 elections.

GOP members said Hastert laid out a sketch of how the new Congress will take shape in response to a question from **Rep. Michael Castle**, R-Del., at Wednesday's meeting of the GOP Conference.

"The basic answer is the Committee on Committees will make the decision on the committee chairmen," said one GOP member, using an earlier name for the House Republican Steering Committee.

"The leadership is going to take charge," said **Rep. Marge Roukema**, R-N.J.

And, said a GOP aide, "A lot of people are trying to figure out how we're going to do this so as to ascertain where the power is."

Hastert convened a meeting of his leadership team Wednesday night to

discuss the selection of new chairmen, and will make a presentation at another meeting of the GOP Conference today.

Asked if leadership elections and the selection of chairmen would occur on schedule, Hastert said, "Still not quite decided yet," adding, "I'm listening to some folks." **Conference Chairman J.C. Watts**, R-Okla., said that, "The Speaker feels like he needs to clarify some of the things he said this morning," referring to the Conference meeting.

Members said Hastert said he favors putting off the selection of subcommittee chairmen until December or January — assuming his party retains House control. This would leave the leadership with leverage to try to placate any number of members who may see their hopes dashed in bids for contested chairmanships.

GOP leadership aides said Hastert also is likely to put off making committee assignments until later in the year, holding out still more chits GOP leaders can use to influence members, although other *continued on page 9*

▼ TODAY'S HIGHLIGHTS

Floor Schedule

Senate

Convenes at 9:30 a.m. to consider the Older Americans Act. Votes are possible during the afternoon on the conference reports to accompany the FY2001 District of Columbia/Commerce-Justice-State appropriations package and the Labor-HHS appropriations bill as well as a continuing resolution.

House

Convenes at 10 a.m. to consider the conference reports to accompany the FY2001 District of Columbia/Commerce-Justice-State appropriations package and the Labor-HHS appropriations bill as well as a continuing resolution and a tax bill.

(Committee schedules begin on page 11)

ALL ACROSS AMERICA, IT'S THE SAME STORY:

Allowing unlimited lawsuits against employers and health care plans will mean higher premiums, costlier health care, and millions more uninsured.

"In the 18th century doctors believed they could cure patients by 'bleeding' them with cuts or leeches. The modern equivalent is politicians who want to improve American health care by unleashing the trial lawyers."

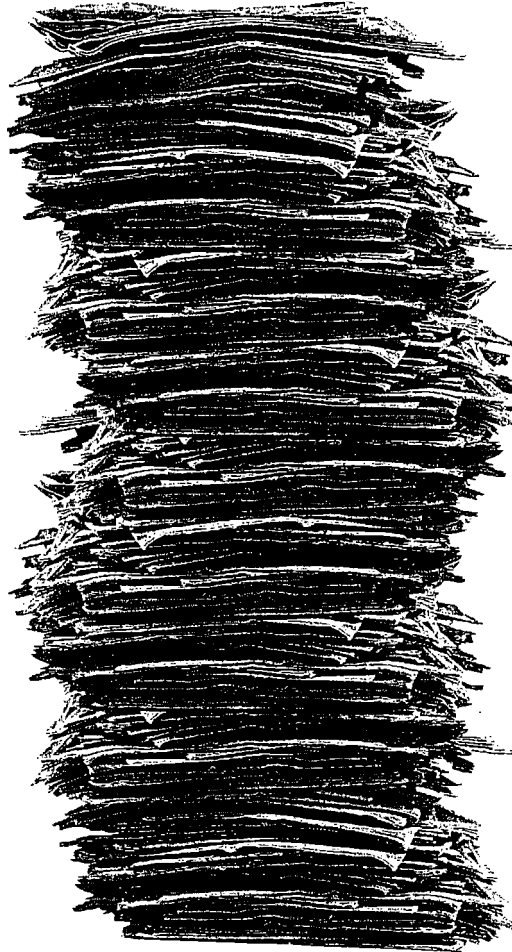
-The Wall Street Journal

"The threat of a lawsuit should not be what governs health care in this country. To the extent that Congress can avoid or contain that awful possibility, we think it should."

-The Washington Post

*"Authorizing lawsuits against HMOs sounds appealing but could have disastrous consequences...
...The only folks who'll have an easier time affording health insurance in a litigation free-for-all will be the lawyers."*

-Louisville Courier-Journal



"Better to put teeth in an administrative review than allow malpractice lawyers to tear the entire health insurance system to shreds."

-The Chicago Tribune

"The cost of these reforms is uncertain. But it will be borne by businesses that provide health care coverage, perhaps by their employees in the form of higher deductibles or co-payments, and by employees who may find themselves uninsured if their employer no longer provides coverage as a result of increasing costs."

-The Arizona Republic

"If the legislation's details were to become law...many employers would drop health insurance benefits altogether and still more people would find themselves joining the 43 million currently uninsured."

-Ventura County Star

It's not every day that dozens of papers from Atlanta to Arizona agree on an issue. But when it comes to the Dingell-Norwood-Kennedy version of the Patients' Bill of Rights, they all come to the same conclusion. Allowing patients to sue their employers and health care plans virtually without limit will only make America's health care system worse.

Working Americans will be hurt by this bill. Trial lawyers will benefit handsomely. Congress: Oppose Dingell-Norwood-Kennedy.

Don't let the Patients' Bill of Rights become the Lawyers' Right to Bill.

A message from the Health Benefits Coalition
www.hbcweb.com



Hill Briefs

Lott Again Fails To File Cloture On Bankruptcy

■ **SENATE Majority Leader Lott** declined to file cloture Wednesday on a bankruptcy reform legislative conference report, despite having said he expected to do so. A spokeswoman said Lott might file for cloture today.

Lott has indicated he wants the bankruptcy vote to be among the Senate's last orders of business prior to adjournment. Both cloture for the measure and final passage are expected, and with plenty of help from among the minority party.

Asked how he was prepared to vote, **Senate Minority Leader Daschle** said: "For me it's a close call. I am going to help procedurally ... But I haven't made a final decision about how I would vote on the final conference report."

House Looking For Support Of Export Control Measure

■ **EFFORTS** were ongoing in the House Wednesday to secure support for a Senate-passed export control measure that would spell the end of two legal challenges that seek public release of confidential business information on exports, *National Journal's Technology Daily* reported.

"We have not lost sight of it," said one House source, who predicted the measure's passage before Congress leaves for the year presumably later this week.

The bill, which would revive the 1979 Export Administration Act until August 2001, has the backing of the House and Senate leadership, the White House and industry, according to Edmund Rice, president of the Coalition for Employment Through Exports.

The bill attracted renewed debate this week following intensive

lobbying against it by the Wisconsin Project, a think tank tracking the spread of nuclear weapons.

The Wisconsin Project is the plaintiff in a case pending in U.S. District Court in the District of Columbia that would force the government to release confidential export licensing data under the Freedom of Information Act. The plaintiff contends that the emergency export control measure in place since the original EAA expired in 1994 does not protect licensing data.

Business Checking Accounts Remain As Unfinished Business

■ **HOUSE Majority Leader Arney** said Wednesday he was uncertain whether a provision to repeal the ban on interest-bearing business checking accounts would be included in a small business tax relief package.

"It's not in there right now," Arney told reporters, but said he did "not want to consider it a lost cause."

Although the vehicle remains unclear, sources said House GOP leadership remain intent on moving the business checking measure, which is backed by the National Federation of Independent Business and America's Community Bankers, the major trade association representing thrift institutions.

Trafficant Friend Pleads Guilty In Corruption Investigation

■ **A. DAVID SUGAR**, a close friend of **Rep. James Trafficant**, D-Ohio, Tuesday admitted that he lied to a federal grand jury conducting a corruption probe of Trafficant, the *Cleveland Plain Dealer* reported.

The guilty plea marks a turning point in the two-year investigation because Sugar is the first contractor to be convicted of

charges stemming from his dealings with Trafficant. Sugar pleaded guilty to charges of perjury, obstruction of justice and witness tampering.

He admitted that he directed his secretary to falsify billing records regarding work his construction company did at Trafficant's farm, and that he lied when asked by a federal prosecutor about billing Trafficant for the work.

Investigators are trying to determine whether contractors, including Sugar, worked for free or reduced rates to influence Trafficant, as they investigate allegations of bribery, racketeering and tax charges against the legislator.

Trafficant said: "I have not broken the law. If the U.S. attorney's office has something on me, indict me before the election so people can see whatever the charges may be."

Danner Misdiagnosed; Broken Arm Sidelines Her From End Of Session

■ **THE CONGRESSIONAL** career of retiring **Rep. Pat Danner**, D-Mo., has been cut a little shorter than she had anticipated. Danner will not be returning to Washington before the 106th Congress adjourns, her office announced Wednesday in a statement.

Two weeks ago, Danner fell in her Washington office and was misdiagnosed as having a dislocated shoulder. She was told to exercise her arm on a constant basis. But as the pain continued to increase this week, she sought a second opinion that found her arm badly broken — and that the exercising was counterproductive.

Danner said she will not require surgery, but her arm will be kept immobilized for three weeks and then require "extensive physical therapy."



Political Roundup

Israel Foes Raise \$50,000 For First Lady In N.Y.

■ First Lady Hillary Rodham Clinton said Wednesday she would return \$50,000 raised for her New York Senate campaign by the American Muslim Alliance, a group whose leader said U.N. resolutions allow the Palestinians to use "armed force" against Israel, the *Associated Press* reported.

The New York *Daily News* first reported the controversy. Clinton had confirmed she attended the event but thought a Boston businessman sponsored it. The American Muslim Alliance took over sponsorship of the event about a week before it took place.

The *Daily News* also reported that as first lady, Clinton held White House Muslim holiday receptions to which individuals opposed to the Middle East peace process and Israel's existence were invited. One guest, Abdurahman Alamoudi of the American Muslim Council, boasted, "We are the ones who went to the White House and defended what is called Hamas."

Alamoudi contributed \$1,000 to Clinton's campaign in May, but a Clinton spokesman said Tuesday that the contribution would be returned immediately.

Jewish support is critical in Clinton's campaign against GOP Rep. **Rick Lazio**. She has come under fire for embracing Palestinian leader Yasser Arafat's wife after Arafat's wife gave a speech accusing Israel of using poison gas on children.

Burns, Schweitzer In A Dead Heat In Montana

■ SEN. CONRAD BURNS, R-Mont., and his Democratic opponent, Brian Schweitzer, are in a statistical dead heat, according to a Montana State University-Billings poll.

The survey of 401 likely voters found Burns trailing Schweitzer 43.4-40.7 percent, which is within the poll's 5 point error margin.

Reform Party nominee Gary Lee garnered 5.7 percent, while 10.2 percent were undecided. The poll was conducted last Thursday through Monday.

Earlier this month a *Great Falls Tribune*-Montana Television Network poll found Burns with a 48-40 percent edge, which was almost identical to a Lee Newspapers of Montana poll a month ago that had Burns leading 48-39 percent. Lee received 1 percent in both surveys.

Meanwhile, Schweitzer Tuesday demanded Burns apologize for accusing him of using an illegal herbicide. During a debate, Burns accused him of using the Canadian version of Roundup, which is not approved by the EPA.

Although Schweitzer admitted buying up to 25 percent of his Roundup from a former Montana Grain Growers Association president who was charged last year with smuggling Canadian Roundup into the United States, he disputed that he knowingly purchased illegal goods. Herbicide is often delivered from a distributor directly into a farmer's tank, and farmer's trust that their herbicide dealers are honest, Schweitzer said.

Burns was unable to provide records showing Schweitzer knowingly broke the law.

Jeffords Holds A Commanding Lead In Vermont

■ SEN. JAMES JEFFORDS, R-Vt., has a nearly 3-1 lead over his Democratic challenger, state Auditor Edward Flanagan, according to a *Burlington Free Press/WPTZ* poll.

The Mason-Dixon Polling & Research Inc. survey, conducted last

Wednesday and Thursday, found Jeffords holding a 66-23 percent edge over Flanagan. The poll of 628 likely voters has a 4 point error margin.

On Monday, Jeffords received the endorsements of the Sierra Club, League of Conservation Voters and Friends of the Earth, the *Rutland Herald* reported. "Jim Jeffords is an environmental hero," said Ralph Monefusco, the Vermont chairman of the Sierra Club. Flanagan attributed the environmental endorsements to the power of incumbency.

Cunneen Plays Down Gephardt Attending GOP-Hosted Fundraiser

■ IN THE RACE TO SUCCEED Rep. Tom Campbell, R-Calif, who is running for the Senate, the co-chairman of GOP Assemblyman Jim Cunneen's campaign held a fundraiser attended by House Minority Leader Gephardt. Cunneen's advisers downplayed the matter.

After stumping in San Jose early Monday for Cunneen's opponent, Democratic Assemblyman Rep. Mike Honda, Gephardt attended a dinner hosted by Cisco Systems CEO John Chambers, a Cunneen campaign co-chairman, the San Francisco *Chronicle* reported.

Cunneen's advisers and Cisco officials said the dinner meeting, which was attended by 20 high tech leaders, signals nothing more than Silicon Valley's bipartisan approach.

"Cisco has been fortunate enough to have played host to a number of members of the House and Senate," said a Cisco spokesman. "John was happy to host Gephardt, but it was in no way a campaign event related to any campaign."

Sen. John McCain, R-Ariz., Tuesday visited Silicon Valley for the second time, where he helped raise \$75,000 for Cunneen while extolling Cunneen's high tech virtues.



The Stars Of 2000

By Charles Todd and Maureen Hurley

■ WEEKS after the 1998 elections were over, Washington was still buzzing about an ad called "Twinkle, Twinkle, Kenneth Starr" that set up the surprise win of the cycle by **Rep. Rush Holt**, D-N.J. While the most memorable moment of 2000 probably will not be apparent until after Election Day, here's *House Race Hotline*'s nomination of tidbits from the trail that may reach star status:

Most bizarre attack: In a rematch in Pennsylvania's 10th District, 1998 Democratic nominee Pat Casey accused GOP **Rep. Donald Sherwood** of "contributing to the spread" of the West Nile virus because property owned by the legislator tested positive for the virus.

Best ad theme: After emerging from a tough primary, it appeared that Illinois GOP state Rep. Tim Johnson would have an easy time replacing retiring GOP **Rep. Thomas Ewing**. However, Democratic college professor Mike Kelleher dug up news reports that Johnson voted with a paper clip in the statehouse. Now, Kelleher's TV ad campaign chronicles other creative uses of a paper clip.

Best revenge: In a competitive cycle like this, the quickest way to vault yourself up on the target list is to switch parties when the going looks tough for your current party. Republican turned Democratic **Rep. Michael Forbes** did just that, and was ousted by an underground National Republican Campaign Committee direct mail blitz in the Democratic primary.

Worst revenge: After he was ousted in the primary, **Rep. Matthew Martinez**, D-Calif., may have thought he was getting the best of House Democrats when he switched parties. Now, Democrats have an easy pickup to add to their final win-loss total.

Best horse trader: Continuing on the theme of party switching, two members played their cards just right. **Rep. Virgil Goode** of Virginia switched from the Democratic to the independent column, but now caucuses with Republicans — nabbing a coveted Appropriations panel seat Forbes gave up, but inoculating himself from a vengeful local party-backed Democratic challenge.

And, **Rep. James Traficant**, D-Ohio, could be the biggest media star of 2000, if the political stars align just right and his promised vote for **House Speaker Hastert** tips the balance of power.

Quickest recovery from a bruised ego: The *Associated Press* called the GOP primary in Utah's 2nd District, in which businessman Derek Smith defeated **Rep. Merrill Cook**, "a hair-pulling, eye-

gouging Melrose Place slapfight" — which should probably get the superlative for best lead in a congressional story.

During the primary, Cook — known for his temper tantrums — vowed to run an independent or write-in campaign if he was ousted. Well, Cook's not on the ticket in any form, and has even indicated he wants to be the next chairman of the state GOP.

Biggest point spread: The latest independent poll in Nebraska's 3rd District had the former University of Nebraska football coach, Republican Tom Osborne, leading his Democratic opponent by 68 percent — and nabbing support from 75 percent of Democrats and 99 percent of college grads.

Worst investors: Mark Kirk, the former chief of staff for retiring **Rep. John Edward Porter**, R-Ill., faced not one but six GOP primary challengers who made it to the FEC's "Top 50 Debts Owed" list, released in June. According to news reports, six millionaires in the race gave a combined \$4.2 million to their losing campaigns.

Most high-profile target: **Rep. Jay Dickey**, R-Ark., is widely listed as one of the most vulnerable incumbents. Several Cabinet officials and White House aides — past and present — have made appearances for Democratic state Sen. Mike Ross, including President Clinton. Clinton once called the 4th District home, and Dickey voted to impeach the local favorite son.

Best irony: **Rep. Bob Barr**, R-Ga., was on the air with a hilarious spot featuring an actor portraying his opponent falling off of a tractor — to tease Democratic businessman Roger Kahn about being a carpetbagger just like First Lady Hillary Rodham Clinton, who moved to New York to run for Senate. Turns out, Kahn dug up voting records that suggest that in 1994, the former impeachment manager himself moved to the district to challenge an incumbent.

Most bitter: No congressional challenger has been as vengeful and downright mean as U.S. Term Limits in its crusade against a term limits turncoat, **Rep. George Nethercutt**, R-Wash. Not only has it had an operative dressed up as the "Weasel King" stalking Nethercutt at campaign events, but it has produced movie posters with Nethercutt as Pinocchio.

Most likely to win a congressional tight jeans contest: In 1992, Idaho GOP Lt. Gov. Butch Otter made headlines for winning a tight jeans contest at Boise's Rockin' Rodeo Lounge. Now, he's on his way to easily winning an open seat, so to speak, wranglers and all.

■ **House Race Hotline EXTRA** appears exclusively each Thursday in *CongressDailyAM*. This insider's look at the races shaping the 2000 elections is prepared by the editors of **House Race Hotline**, which is available daily to subscribers at <http://www.nationaljournal.com>.

Senatorial Committees Spread Funds To Key Races

SENATE RACES

DEMOCRATIC and Republican senatorial campaign committees transferred nearly \$20 million in hard and soft money to party coffers in five states with key Senate races during September, according to reports filed with the FEC.

A *CongressDaily* review of disclosure information shows Michigan, Virginia, Florida and Missouri among the top five states receiving party transfers from both the Democratic Senatorial Campaign Committee and National Republican Senatorial Committee.

New York easily topped the list for Democrats with the DSCC spending \$4.1 million in the Empire State, where First Lady Hillary Rodham Clinton faces GOP Rep. **Rick Lazio**. The NRSC transferred \$250,000 to the state.

In Michigan, where GOP Sen. **Spencer Abraham** is defending his seat against Democratic Rep. **Debbie Stabenow**, the DSCC transferred \$3 million to state affiliates while the NRSC disbursed \$1.8 million.

Virginia Democrats also received \$2.9 million from the DSCC, in part to shore up Democratic Sen. **Charles Robb**. Facing a GOP challenge from another former governor, George Allen, Robb is his party's most vulnerable incumbent. The NRSC wired Virginia Republicans \$1.3 million.

Florida's open seat, caused by the retirement of GOP Sen. **Connie Mack**, also has attracted \$2.9 million from the DSCC and \$780,000 from the NRSC. Former Democratic Rep. **Bill Nelson**, now state insurance commissioner, opened up a wide lead early in the contest, but GOP Rep. **Bill McCollum** this week released polls he said showed the race even.

Both senatorial committees spent heavily in Missouri during September. But the unexpected death last week of Gov. Mel Carnahan, the Democratic nominee, led both committees to suspend campaigning. In September, the DSCC had given \$2.2 million in hard and soft money to the state party, while the NRSC had sent \$690,000 to Missouri Republicans to help shore up GOP Sen. **John Ashcroft**.

In each of the top five states, Democrats appear to be outspending Republicans, but the NRSC report also includes a \$4.2 million hard money transfer to the Republican National Committee.

RNC disclosure reports in September show the committee made about \$4.3 million in coordinated expenditures during September, including \$930,000 for Lazio, \$820,000 for McCollum, \$690,000 for Allen and \$680,000 for Abraham.

The RNC also spent \$710,000 on behalf of Sen. **Rick Santorum**, R-Pa., \$460,000 for Sen. **Rod Grams**, R-Minn., and \$39,000 for Sen. **Slade Gorton**, R-Wash.

The DSCC transferred \$2 million to Delaware Democrats and \$1.1 million each to the Montana and Nebraska Democratic parties. The NRSC reported nominal September spending in Delaware, while sending \$410,000 to Montana.

Delaware and Montana both are states where Democrats are on the offensive against veteran GOP Sens. **William Roth** and **Conrad Burns** with respective Democratic challengers, Gov. Tom Carper and rancher Brian Schweitzer.

In Republican-leaning Nebraska, the NRSC spent \$500,000 to help state Attorney General Don Stenberg, the GOP nominee who had trailed against former Democratic Gov. Ben Nelson.

Among other notable transfers, the NRSC spent \$640,000 in Washington state, \$400,000 in Nevada, \$180,000 in Pennsylvania and \$80,000 in Minnesota.

The DSCC wired \$810,000 to Pennsylvania and \$770,000 to Washington, where Santorum and Gorton face competitive challengers. Senate Democrats also sent \$590,000 to Nevada, and \$500,000 each to Georgia and Ohio.

— BY MARK WEGNER

House GOP Rates Higher On Tech Issues

TECHNOLOGY

THE INFORMATION Technology Industry Council released its congressional ratings Wednesday, awarding "Legislator of the Year" honors to Sens. **Robert Bennett**, R-Utah, and **Ron Wyden**, D-Ore., **House Majority Leader Arme**y and Rep. **Calvin Dooley**, D-Calif.

The high tech lobbying group did not release composite vote ratings for the House, but noted that many Democrats scored higher in the council's vote ratings than they did in the ratings calculated by other business groups.

Council spokeswoman Connie Correll told *CongressDaily* that both Republicans and Democrats in the 106th Congress "got it" on advancing technological issues.

Democrats had fewer perfect scores than Republicans and more low scorers — the same pattern that held when the council released its mid-term tallies about a year ago, according to a *CongressDaily* analysis of the ratings.

In the 106th Congress, 70 House Republicans — but only three House Democrats — registered perfect scores of 100. At the other end of the scale, 59

Democrats — along with Rep. **Bernard Sanders**, I-Vt. — scored 50 percent or lower. Only three Republicans — Reps. **Helen Chenoweth-Hage** of Idaho, **John Duncan** of Tennessee and **Ron Paul** of Texas — scored at or below 50 percent.

Leading Democrats such as **House Minority Leader Gephardt**, **Minority Whip Bonior** and **Democratic Congressional Campaign Committee Chairman Patrick Kennedy** of Rhode Island scored below 50 percent.

By contrast, the GOP's leadership scored well, with Arme'y pulling down a score of 100 and **House Majority Whip DeLay** earning 94 percent.

California — the home of Silicon Valley — accounted for 12 of the 73 perfect scores. But the state also produced seven House members who scored 50 percent or lower, all of them Democrats.

Vote tallies in the Senate were more evenly divided between the parties, with the council reporting that average scores for Republicans were about 90 percent and Democrats averaged in the mid-80s.

— BY LOUIS JACOBSON

Riley Praised, Pilloried At Committee Education Dept. Hearing

EDUCATION

EDUCATION Secretary Riley endured alternating messages of appreciation and admonition — the latter for his department's bookkeeping woes and internal theft reports — from House Education and the Workforce Republicans at a hearing Wednesday.

Although the hearing was intended to "cover a wide variety of topics," according to **Chairman Goodling**, Republicans focused on mismanagement that they said led to "failed audits, several million dollars of theft, hundreds of millions of dollars in duplicate payments" among other problems, in a charge initiated by **Over-sight and Investigations Subcommittee Chairman Peter Hoekstra**, R-Mich.

The department has been under scrutiny since two cases of internal fraud were uncovered — one involv-

ing about \$1 million in theft and a second in which more than \$1 million was stolen from impact aid funding that had been earmarked for two school districts in South Dakota.

Riley declined Hoekstra's request to agree to a comprehensive GAO audit to learn where the major problems with the agency lie. Saying that the GAO works within the department on regular basis, Riley said, "They can do a fraud audit this afternoon" if they deem it necessary.

Riley noted that although the agency was criticized in its last two agency-wide audits, it had passed muster in 1997, which he said is a sign of improvement. He attributed the recent problems to the integration of systems that have not gone as smoothly as planned.

Rep. Rush Holt, D-N.J., assailed Goodling for questions about the department's use of travel funds con-

nected to political appearances. Holt said he was "disappointed ... the secretary is being accused [of wrongdoing] because I asked him to come to my district."

"The charges are without merit," Holt said. Asking the secretary to visit his district, in which he said education is a primary issue, is "common sense."

Rep. Johnny Isakson, R-Ga., questioned the administration's proposed class size reduction plan, which would add 100,000 new teachers, and asked if Riley believed there were that many unemployed, qualified teachers in the U.S.

Riley said the plan would take place over seven years and would include funds to draw mid-career professionals from other fields into education by providing higher salaries and better working conditions.

— BY MARK BUBRISKI

Lott, White House Discussing Delay Of Spectrum Auction

TELECOMMUNICATIONS

THE White House and **Senate Majority Leader Lott** are discussing action to delay the FCC's upcoming auction of NextWave Telecom's wireless spectrum licenses, *Congress Daily* has learned.

An auction delay would deliver a major victory to NextWave by giving the company several more months to reclaim its licenses through court action.

A provision to force the postponement likely would be attached to GOP tax legislation to sidestep resistance from key Republican appropriators, such as **Senate Appropriations Chairman Stevens** and **Senate Commerce-Justice-State Appropriations Subcommittee Chairman Judd Gregg**, R-N.H.

However, **Sen. Charles Grassley**, R-Iowa, an influential member of the Finance panel, also opposes the delay. Grassley is not alone. "A delay would be a \$7 billion ripoff of the American taxpayer," said **Senate Commerce Chairman McCain**.

Lott has not yet made up his mind,

telling reporters Wednesday that he would support a delay only if "extenuating circumstances" led other wireless interests to lower their auction bids. Lott said, "You can make an argument" that the FCC auction meets that criterion.

Lott said the provision would not be added to Commerce-Justice-State appropriations bill, but added, "You never know if it is going to be somewhere else, until you get somewhere else." Senate sources predicted Lott would target the tax bill.

NextWave lobbyists have told key members of Congress that a federal court decision last week in a related case casts doubt over whether the winners of NextWave's licenses would be allowed to retain the spectrum.

"The decision is up to Congress and the administration," said NextWave spokesman Michael Wack.

NextWave and the FCC have been locked in a court battle over the licenses since 1996, when the company bid \$4.6 billion for dozens of spectrum licenses before filing for bankruptcy.

The FCC has sought to reclaim and re-auction the licenses, which both sides now say are worth more than \$7 billion.

As a result, NextWave and its financial backers have funded a massive lobbying effort to delay the auction in order to pursue a legal victory.

NextWave's creditors have hired the lobbying firm of Barbour, Griffith and Rogers to push their case — although Haley Barbour, a former Republican National Committee chairman and a Lott ally, has recused himself because he also represents BellSouth, which would like to purchase NextWave's licenses.

White House aide Bruce Lindsey is leading the administration's efforts. White House Chief of Staff Podesta must steer clear of the issue because his brother's lobbying shop, *podesta.com*, represents other companies who are eager for the spectrum licenses.

Terry McAuliffe, a fundraiser for President Clinton, is a large investor in Global Crossing, a major NextWave creditor.

— BY BRODY MULLINS

Roth Details Tax Bill As GOP Prepares Contingency Plans

TAXES

SENATE Finance Chairman Roth

Wednesday unveiled the main components of a 10-year, \$245 billion tax relief and broad healthcare package that congressional leaders say should be voted on in both chambers today. But legislators late Wednesday continued talks on some sections, and the Clinton administration refused to give its support to the measure.

Ways and Means Chairman Archer and GOP members of his panel met with **Speaker Hastert** Wednesday night on a number of issues, including restoration of Medicare funds cut as a result of the 1997 Balanced Budget Act. President Clinton and Democratic leaders hinted the GOP approach on the so-called Medicare "giveback" could result in a veto of a bill that many GOP leaders have been eager to get signed.

Sen. John Breaux, R-La., said the Medicare provision is the only seriously troublesome matter in the bill for the administration. He said that a provision to give a tax deduction — instead of a credit — to help with access to health insurance, by itself, would not likely cause Clinton to veto the bill. But, coupled with the Medicare section, it could doom the measure.

House To Consider Three Sections

At presstime, sources said the bill was expected to be filed Wednesday night; even if it were to slip to early today, procedural devices could ensure its consideration today.

A Senate source said there is a remote chance that it might not be an all-or-nothing package in the end. House leaders were inclined to file the bill in three pieces — the health care/Medicare provisions, the minimum wage increase/small business tax cuts provisions and the remaining provisions on pension reform/Individual Retirement Account expansion, community renewal and repeal of Foreign Sales Corporations laws.

Dividing it in that way is an arcane device intended to head off the potential for parliamentary obstruction, the source explained. However, it does open the

door for the chance that some — but not all — of the bill will be signed into law.

Senate Majority Leader Lott predicted Clinton would sign the bill because it contains many items sought by the administration and many features with broad bipartisan support.

In particular, Lott said, "If we don't do [Foreign Sales Corporation revisions], we've got a big problems with the Europeans" and the World Trade Organization.

In general, Lott was calm about the bill's fate, saying of Clinton, "If he vetoes it, we'll see you next year." Lott said he had not given thought to what could happen if the bill was vetoed after Congress adjourned or even after the election, but aides said there have discussions about various scenarios.

White House, Senate On Medicare

On the pivotal Medicare package, no formal negotiations were taking place, but it was clear Wednesday that discussions between House and Senate Republicans and the administration — both on the phone and by paper — were occurring.

"We're in the final mile, but not necessarily the final steps," said **House Ways and Means Health Subcommittee Chairman Bill Thomas**, R-Calif.

Added an aide to Lott, "We'll take their input into account."

Meanwhile, House Democrats are objecting to a GOP-backed amendment that would allow the CBO access to sensitive personal data collected by the Census Bureau.

In a "Dear Colleague" Wednesday, **House Commerce ranking member John Dingell**, D-Mich., and **Government Reform Census Subcommittee ranking member Carolyn Maloney**, D-N.Y., said giving a congressional agency access to census data could undermine future confidence in the census.

"Changing the rules on the protection of the information collected by the Census Bureau is the wrong message to send the American public at this point in time," they wrote.

One source said late Wednesday

that Commerce Secretary Mineta was drafting a letter to Clinton recommending he veto the bill if the CBO language is included.

Democrats Unhappy With Process

Also Wednesday, Democrats continued to seethe about not being involved in the talks with GOP leaders. A House Democratic aide said: "They seem to be meeting with themselves, trying to anticipate what we want. That's not a prescription for assigning a bill — that's a prescription for a veto."

The aide continued, "If they are not meeting with the administration, [but] just trying to anticipate what the administration wants, then the bill will not be signed."

The conflicting signals were indicative of what one aide observed was a common year-end ritual of wrangling over a bill even after it is mostly complete. Retiring **Senate Finance ranking member Daniel Patrick Moynihan**, D-N.Y., said: "There is going to be some back and forth. We are closing out and we ought to go."

Even with a package so full of compromises, the bill lacks support from some key quarters. **Sen. Bob Graham**, D-Fla., who authored many of the pension provisions in the bill and backs increases in the cap for private activity bonds, said he would vote against the legislation because Congress has failed to keep a long-term comprehensive approach to the nation's challenges in mind.

He said, "We are all becoming equally indicted co-conspirators" in what he called "fiscal malpractice."

Senate Banking Chairman Phil Gramm denounced the bill as merely a "grab bag" of items and argued it would be better, at least from a policy point of view, to wait for a possible Bush administration next year to enact more generous and comprehensive tax relief.

But, in terms of heading off the pending measure, Gramm said: "My view is not going to prevail on that. We are going to pass this bill."

— BY STEPHEN NORTON, WITH JULIE ROVNER, MARK WEGNER AND GEOFF EARLE CONTRIBUTING

Reorganize

Continued from page 1

sources said these decisions could be made in November.

A number of close House races and a tight presidential race are injecting still more uncertainty into the mix. The defeat of incumbents would create new committee vacancies, while a victory by GOP presidential nominee George W. Bush could prompt a number of members to leave their jobs for positions in the administration, creating a complicated matrix of factors that Hastert must weigh in structuring the organization of the new Congress.

As rank-and-file members search for answers, and as Congress wraps up its final legislative business for the year, GOP leaders have begun thinking through the early stages of how the reorganization will proceed — and strategizing about how different iterations of committee slates will affect their own bids for reelection to their leadership posts.

"I think they want to keep everybody on edge right now," said another GOP member.

Members said Hastert has kept his own counsel on what criteria will be used to select committee chairmen — criteria that could determine who controls a number of key panels because of a six-year term limit for GOP committee chairmen.

These could include seniority, fundraising, the will of the committee and other subjective factors. They also said that Hastert, by necessity, will not make his views known until after the elections, setting the stage for a frenzied period of campaigning for committee chairmanships during the week between the election and the reorganization meetings.

House Administration Chairman Thomas and **ranking member Steny Hoyer**, D-Md., wrote colleagues this week informing them that reorganization will occur Nov. 14-15 for House Republicans, and Nov. 15-17 for Democrats. Observers said there would be little time for opposition to mount against any GOP leaders, as long as Republicans retain their majority.

The combination of a relatively late election and an early Thanksgiving this

year have pushed up the organizational meeting.

Republican members said they have grown more confident that their party will retain the majority, and if it does — even if Republicans were to lose a few seats — the leadership team is likely to stay intact. "I have seen no indication that there's going to be any upheaval," said Roukema.

Nevertheless, a poor performance in the elections could have ramifications across the board. And with a slim majority, a single false move in deciding a plum committee chairmanship could have wide implications.

Rep. Ralph Regula, R-Ohio, who currently chairs the Appropriations Interior Subcommittee — but who could end up running another panel in the next Congress — said Hastert told members that once the full committee chairmen are named, committees will decide in December or January who will chair their various subpanels.

"There needs to be a little time to sort out what they want to recommend to the members," Regula said of newly named chairmen.

Sources said Hastert spoke somewhat vaguely when describing the organization process, leaving conflicting impressions among different members.

The role of the GOP Steering Committee also was less than clear. Hastert has said the Steering Committee will select panel leaders. But the Steering Committee, which includes members of the elected leadership, regional representatives, and members of various congressional classes, is widely known to reflect the wishes of the speaker.

Hastert controls four votes himself and also can name a designee. The majority leader controls two votes, and various regional representatives each control one vote.

Once a new Steering Committee is formed, it is expected to produce a slate of chairmanship recommendations which must be ratified by the entire GOP Conference, although various contested races could be split off and put to separate votes.

Meanwhile, some members are pushing to make minor changes to the

Steering Committee's makeup. For example, sources said there likely would be a push to remove the vote given to members of the 104th Congress on the panel.

That vote was extended to reflect the large freshman class that came in during the 104th, but is viewed by some as an anachronism now that three different classes — the 104th, 105th, and 106th — all get a vote on the committee.

All of the jockeying over procedure reflects a remarkably fluid chairmanship scene, with several top committee jobs up for grabs. One senior GOP member said that Hastert and **Majority Whip DeLay** were leaning toward **Rep. Philip Crane**, R-Ill., the senior member on Ways and Means, as the best choice to lead the panel, because he is more likely to work cooperatively with GOP leaders.

"They would rather have somebody you can control that somebody you can't control," said the member.

Nevertheless, another member noted that Hastert and **Rep. Bill Thomas**, R-Calif., who is expected to challenge Crane for the Ways and Means job, have forged close ties on healthcare issues over the years.

Republicans also are predicting a tough fight to chair the Armed Services Committee, while some Commerce Committee members said **Rep. W.J. (Billy) Tauzin**, R-La., has an edge over **Rep. Michael Oxley**, R-Ohio, for that panel.

Roukema, a moderate who hopes her seniority will allow her to chair the Banking Committee but who has rankled conservatives at times, may be challenged by **Rep. Richard Baker**, R-La. Roukema said she thinks leaders are "going to have to certainly get behind those people who have certain qualities that include sound legislative history ... rather than divisiveness and having [engaged in] internecine partisan bickering."

In a reference to members who have tried to boost their prospects through heavy fundraising, she said, "I certainly hope we're not going to be known as the Republican Conference that put chairmanships up for sale."

— BY GEOFF EARLE

Appropriations

Continued from page 1

tice-state language and House leaders were keeping the House in session so the conference report could be filed.

GOP leaders appeared willing to gamble that President Clinton would sign a conference report that does not include provisions to grant amnesty to Hispanics living in the United States illegal, although it does provide for family reunification and other immigration reforms the White House wants.

Lott said of the administration's position, "They don't object to what we have in the compromise. I assume they want more," namely the amnesty provisions vehemently opposed by most Republicans. Lott said GOP leaders are betting that Clinton will accept the immigration language in Commerce-Justice-state, and they could continue to pursue the amnesty issue elsewhere.

"We can keep talking. If there's something else that can be added in the next bill, it'll be there," Lott said. But he added, "If they insist on granting total amnesty to a million, two million illegal aliens — we can't do that. Period."

Senate Banking Chairman Gramm, a leading Senate opponent of the amnesty language, said earlier Wednesday, "The question is, are we going to have broad-based amnesty for illegal aliens. The president says yes, and I say no. We'll see who wins. It's going to be a big battle."

One Democrat who is not supporting Clinton on amnesty is **Senate Appropriations ranking member Robert Byrd**, D-W.Va. Byrd appeared frustrated with the White House's negotiating tactics on Commerce-Justice-state, saying, "There's a thing or two they're asking for that they ought not to get."

Notwithstanding the veto threats, Republicans appeared intent on attaching their version of immigration reform legislation to the Commerce-Justice-State bill.

Sources emphasized the issue remained fluid late Wednesday. Many Republicans, including **Senate Judiciary Chairman Hatch**, remained en-

trenched in their positions, sources said. A Hatch spokeswoman did not comment.

Sources said Democratic leaders were appealing to their GOP counterparts for a more viable offer. — one that takes into account the full scope of the White House-backed Latino and Immigrant Fairness Act. "Good faith negotiations" would be a good starting point for Republicans "to get themselves out of the box they are in," one source said.

White House deputy chief of staff Maria Echaveste said the president's veto threats are serious. In an interview late Wednesday, Echaveste said she had yet to hear from GOP leaders seeking further negotiations.

"These [immigration] issues are not new," she said. "We raised them from way back when, and we said we're not going to let Congress go away without doing this. There's no reason for [Republicans] to be in this bind."

Senate Minority Leader Daschle likewise said he did not believe Democrats would make significant concessions.

House Judiciary Immigration Subcommittee Chairman Lamar Smith, R-Texas, said, "We feel pretty good about our proposal and believe [President Clinton] will take half a loaf."

Merger In; Tobacco Controversial

Meanwhile, sources said it was their understanding that Republican leaders had agreed to include in the Commerce-Justice-State spending bill, a "merger review" measure raising the dollar threshold triggering a federal anti-trust review of proposed mergers.

And members of the Congressional Privacy Caucus are holding a news conference today to discuss what they said are "dangerous loopholes" that have appeared in the "Amy Boyer" social security language in the Commerce-Justice-State appropriations bill.

On the controversial tobacco provisions, any agreement among Republicans on the controversial tobacco provisions would remain unacceptable, administration officials said.

The proposed GOP compromise

would be silent on funding the Justice Department's lawsuit against the tobacco industry but would remove earlier objectionable language requiring DOJ to notify appropriators before obtaining funds from other agencies, Democratic sources said.

CARA Spending Left Out

The Commerce-Justice-State spending bill also includes \$400 million for environment programs called for in an agreement reached last month by congressional appropriators and the White House.

However, **Senate Appropriations Chairman Stevens** and **Senate Energy and Natural Resources Chairman Murkowski** failed in a last minute attempt to dramatically expand the scope and duration of the spending by adding key provisions of the now-defunct Conservation and Reinvestment Act.

Instead, House leaders and appropriators included just a fraction of the amount requested by the Alaskans — and limited the appropriation to one year.

Said one CARA supporter: "We can hold our nose and its better than nothing, but its not much."

The Commerce-Justice-State spending bill also dumps a number of telecommunications provisions pushed by a wide range of special interests.

The measure does not include AT&T-backed language to change the FCC's cable ownership cap nor a Bell company measure to end Internet reciprocal compensation payments.

Similarly, language backed by **Senate Commerce ranking member Ernest (Fritz) Hollings**, D-S.C., to prevent foreign government-owned companies from buying U.S. telecommunications firms was removed.

However, a GOP-backed provision to block the FCC's low power radio program appeared to remain in the bill at presstime.

Senate Commerce Chairman McCain has vowed to "do everything I can" to remove that provision.

— BY LISA CARUSO AND PAMELA BARNETT,
WITH APRIL FULTON, GEOFF EARLE AND BRODY
MULLINS CONTRIBUTING

Congress This Week

Today

Senate Committees

None

House Committees

International Relations

Russia/Iran

Full committee hearing on Russian Proliferation to Iran. 2172 RHOB. 10 a.m. (Canceled.)

Hill Events Today

Biotech

Senate Biotech Caucus meeting on genetically altered food. 430 DSOB. 9:30 a.m. (New.)

Off the Hill Today

Agriculture

Washington International Trade Assn. news briefing on WTO agriculture negotiations. National Press Club. 4 p.m. **Contact:** 202-312-1600. (New.)

Budget

American Academy of Actuaries news briefing on Social Security, Medicare and the budget surplus. National Press Club. 9 a.m. **Contact:** 202-785-7870.

Defense

Preventive Defense Project news briefing on managing defense for the future. National Press Club. 8:30 a.m. **Contact:** Shane Smith, 617-496-0964. (New.)

Environment

District of Columbia Building Industry Assn.; U.S. Green Building Council, DC Chapter; and Washington Chapter American Institute of Architects meeting on responsible development. National Press Club. 7 p.m. **Contact:** 202-966-8665. (New.)

United Nations Environment Programme reception for the opening of its North America Regional Office in Washington. 1707 H St., NW. 2 p.m. **Contact:** 202-785-0465. (Revised.)

Politics

Hamilton College NY2K Team news conference on a poll. National Press Club. 9 a.m. **Contact:** 315-859-4680. (New.)

Social Issues

Urban Institute forum on the decline in crime. National Press Club. 8:30 a.m. **Contact:** 202-261-5709.

Friday

Senate Committees

None.

House Committees

None.

Hill Events Friday

Social Issues

American Youth Policy Forum news conference on causes and prevention of violence. Call for location. 11:45 a.m. **Contact:** 202-775-9731.

Monday

Senate Committees

None.

House Committees

None.

Tuesday

Senate Committees

None.

House Committees

None.

Wed.

Senate Committees

None.

House Committees

None.

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 **UNITED
AIRLINES**

Latino and Immigrant Fairness Act and the Republican Legislation

October 25, 2000

The Democratic plan, the *Latino and Immigrant Fairness Act* keeps families together, rewards immigrants who work hard and pay taxes, and make our immigration policies simple and fair. This legislation is based on the simple premise that people in similar situations should be treated equitably. *Most of those who benefit would already be U.S. citizens had they been treated fairly by Congress in the past.*

The Republican proposal would perpetuate the current patchwork of contradictory and discriminatory policies enacted by the Republican Congress itself. Even under the most generous interpretation, the Republican's legislation ignores the vast majority of the *Latino and Immigrant Fairness Act*.

- **The Republican proposal is piecemeal correction of the flawed implementation of the 1986 legalization program.** Only individuals who sought the counsel of a specific lawyer and filed a lawsuit with him are protected under this proposal, while almost 40 percent of others who are deserving of protection are left out. If the GOP acknowledges that the 1986 law was not implemented correctly, they should try to right the wrong entirely, not pick some winners and losers based on what law firm they signed up to represent them.
- **The Republican proposal would keep some families separated.** The Republican proposal to create "V" visas are only for some waiting in the family backlogs, but not all, including US citizens. The Republican proposal treats the family members of some legal permanent residents better than United States citizens. The GOP proposal leaves out US citizens applying for their children over the age of 21. *Ironically, the GOP fails to help even United States citizens seeking to reunite with their spouses and children if the spouse of child fell out of status for six months or more.* In contrast, LIFA's 245(i) proposal would cover all people in the pipeline to becoming legal equally.
- **The Republican proposal rewards people who broke the rules.** Despite their claims, the GOP would not only forgive some for breaking our immigration laws, they protect them from deportation and even give them work permits. The GOP plan offers visas and work permits to people in the US *illegally* who are awaiting their visas. Moreover, this proposal creates even more complexities in an already incomprehensible statute. In contrast, 245(i) levies a stiff fine on all who apply for it and offers no protection from deportation and does not give work permits.
- **The Republicans are failing to correct their flawed legislation of 1997 and 1998.** It was the Republicans who passed piecemeal programs in 1997 and 1998 for some refugees. These laws failed to correct years of uneven treatment to legitimate refugees from Central America and Haiti. It is baffling why today the Republicans are now turning their back on a proposal for long time refugees, that have been in the US for years, worked hard and pay taxes when a few short years ago they advanced these same proposals.

Immigration Measures Face Standoff

AP Online
10/25/00, 4:24p
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By BART JANSEN

Associated Press Writer

WASHINGTON (AP) - The cat-and-mouse game between the White House and Congress over **immigration** measures intensified on Wednesday with President Clinton repeating a veto threat and Republicans refusing to budge from their proposal.

Clinton wants his **immigration** plan included in a budget bill for the Commerce, State and Justice departments that must be passed before Congress can adjourn. Republicans say his provisions are too broad and will lead to a surge in illegal immigrants.

The president issued a statement criticizing Republicans as intransigent and threatening the veto.

"We're not close to resolving the issue," said John Podesta, White House chief of staff. "So far, we have found no common ground on that."

Republican Sen. Orrin Hatch, who heads the Judiciary Committee overseeing **immigration**, said the GOP leadership will not accept Clinton's proposals, though he offered to hold hearings in January. Clinton leaves office that month.

Hatch said he doesn't believe Clinton will veto the spending bill because it could shut down agencies including the FBI, which is investigating the attack on the USS Cole.

"How is he going to explain that," Hatch said. "If he vetoes this bill, he is putting public safety at risk so he can play wedge politics. ... I don't believe he'll do that."

A Clinton veto wouldn't automatically shut down any agencies. Congress could pass a continuing resolution that, if signed by Clinton, would keep the agencies open until a spending plan is passed. Several such resolutions already have been approved since the fiscal year began Oct. 1.

Podesta said talks continue and Hatch called them cordial, but said significant compromises are needed to get the two sides together.

Clinton favors:

- amnesty for all illegal immigrants who have lived in the United States since before 1986.
- allowing immigrants with work permits who are close to achieving permanent residency status to pay a \$1,000 fine and stay in the country while their application is considered, rather than be forced to return to their home country for up to 10 years.
- offering permanent residence to political refugees from El Salvador, Guatemala, Honduras and Haiti.

Supporters estimate the moves would allow 1 million to 2 million immigrants to stay in the country.

Republican opponents say amnesty encourages illegal **immigration**. They cite **Immigration** and Naturalization Service statistics showing illegal **immigration** surged in

the years immediately after the last federal amnesty, in 1986.

Hatch and the Republicans favor:

- giving about 400,000 immigrants, who arrived from 1982 to 1986 and have a dispute with the INS over permanent residency, a day in court that was denied them in a 1996 law that prohibited appeals.

- offering guest visas to about 600,000 close relatives of U.S. residents to reunite spouses and children with permanent residents as they await their own green cards.

Senate Majority Leader Trent Lott, R-Miss., said a vote could come on the Hatch language as early as Thursday.

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On the Net:

The White House: <http://www.whitehouse.gov>

Senate Judiciary Committee: [http://www.senate.gov/\(tilde\)judiciary](http://www.senate.gov/(tilde)judiciary)

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- The demands of Democrats are simple and reasonable. As opposed to Republicans, Democrats want to simplify the immigration code and provide bright line rules.
 1. we want to establish legal parity between Central American, Liberian and Caribbean refugees -- so that all refugees that fled political turmoil in the early 1990s are treated the same;
 2. we want to update the “registry” date so that all long-time resident, deeply-rooted immigrants who have been in this country since before 1986 will qualify to remain here permanently; and
 3. we want to restore Section 245(i) of the Immigration Act, so that all persons who have a legal right to adjust their immigration status may remain in the U.S. while they complete the process.
- The Republicans want to pick and choose among immigrants – just like they have in the past.
- Parity --- In 1996, the Republican played the same cynical game they are trying to play now and innocent people were hurt. That time, they decided to help refugees fleeing left-wing dictatorships and not those fleeing right-wing dictatorships. Republicans have a history of helping the “right” refugees, Democrats want to help all similarly situated refugees and that is what our parity proposal will do.
- Registry Date --- Now, Republicans say they might want to help some immigrants who came to the U.S. before 1982 and who should have benefitted from an amnesty program that Congress passed in 1986. The problem is that once again, they want to pick and choose. They want to help immigrants that filled out the “right” forms or stood in the “right” line. Democrats want a bright line rule to help all long-time resident immigrants who are part of the fabric of our society.
- 245(i) — And because they just can’t resist the temptation and because they think no one will scratch the surface, they say they want to help unite families by providing a new visitor visa for spouses and children who are separated from a family member with a legal right to be in the U.S. What they don’t say is that they only want to help some families -- families that live in a certain country, families that have waited a certain number of years, or families that filled out the right paper work. This proposal is no more workable than any of their past preferential programs. Democrats support reuniting all families that are separated by unworkable immigration rules. Democrats want a bright line rule, if you have a right to adjust your status, we will help you do so in a way that doesn’t separate mothers from children and husbands from wives.
- Democrats support an immigration agenda that is fair and pro-family. Republicans want to pick and choose.

Gilbert S. Gonzalez

10/25/2000 10:34:35 AM

Record Type: Record

To: Rochelle G. Thompson/WHO/EOP@EOP

cc:

Subject: Telemundo

Sharon Catillo will meet with Maria after the statement at approx 11:15am. She said that she did feel a need for me to be there since she knows Maria pretty well.

- USC & LRA Sm & LRA + age out ~~by~~ V. 1 yr.
- § 245 (i) mirror for son - clear
- Parity other - giving even super - EDR / Cadra -
- Librarian - take it out
~~Proximity~~ only service Carden not
alter. interview.
- 1982 Class - change on class

Irene Bueno

10/24/2000 09:21:43 PM

Record Type: Record

To: Maria Echaveste/WHO/EOP, Patricia.A.First@usdoj.gov @ inet

cc: esther.aguilera@hq.doe.gov

Subject: Reinstatement of suspension idea

Esther and Lee discussed this idea and develop the following. Esther was clear that this is not an idea endorsed by anyone. Lee will speak to Manus about this idea. Also, Lee indicated that they were told they need language by noon tomorrow but we need don't why they are saying this. Here's my understanding of the proposal (Esther -please clarify if I misunderstood anything).

Reinstatement of suspension of old rules (requires (1) good moral character and (2) hardship to yourself or LPR or USC spouse or child and there is no stop time or cap) for three groups -

- persons in proceedings before 4/1/97; or
- persons who applied for asylum before 4/1/97; or
- persons who have accrued 5 years of continuous presence before 4/1/97

This proposal would cover Salvadorans, Guatemalans but would not give them provide them with parity. However this proposal would help more people like Hondurans, Mexicans, Colombians, Peruvians.

Also, it would help Liberians who applied for asylum before 1997 or who arrived before or 4/1/92. (Patty do you know how many people this would help?).