I commend Jay Cooper, counsel to the artists groups, and Cary Sherman, Senior Executive Vice President and General Counsel of the Recording Industry Association of America, for their resolute commitment to negotiate a mutually agreeable solution.

I would also like to extend my heartfelt congratulations to the recording artists who made Congress aware of the need to restore their rights, in particular Don Henley and Sheryl Crow, cofounders of the Recording Artists Coalition.

I also applaud the tireless efforts of the members of the Recording Academy, Adam Sandler, and in particular, the Academy's president and CEO, Michael Greene. Without their perseverance and tenacity, this resolution would not have been reached. I also want to recognize the work of Margaret Cone and Susan Riley with the American Federation of Television and Radio Artists for their help.

From the bottom of my heart, I want to thank the gentleman from North Carolina (Chairman COBLE), the gentleman from California (Mr. BERMAN), and the gentleman from Michigan (Mr. CONYERS) of the Subcommittee on Courts and Intellectual Property for their active involvement and commitment to resolving this work-for-hire issue.

Mr. Speaker, I am honored to join with members of the Committee on the Judiciary as a cosponsor of the legislation and especially with three of my colleagues on the subcommittee who also have been an integral part of this process: the gentleman from Virginia (Mr. BOUCHER), and the gentlewomen from California (Ms. LOFGREN) and (Mrs. BONO). I applaud the Committee for working together in a spirit of bipartisanship.

I urge Members of the House to vote yes on this resolution, and I urge the Senate to work together as we did for swift passage this session.

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

Mr. CONYERS. Mr. Speaker, I yield 30 seconds to the gentleman from California (Mr. BERMAN).

Mr. BERMAN. Mr. Speaker, I thank the ranking member for yielding me the time.

Mr. Speaker, I simply wanted to add, while this in some way seems like a simple and straightforward proposition, it took a huge amount of time. I think it is worth paying special note to the staff, to Debbie Rose Aaron Blain, and Sampak Garg, Alec French of the subcommittee staff, and Stacy Baird and all the other staffers who worked on this, because they did invest a great deal of time; and I think they should be commended for that.

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Mr. CONYERS. Mr. Speaker, I yield myself 10 seconds to support the observations of the gentleman from California (Mr. BERMAN) and to single out Alec French and Sampak Garg on our judiciary staff who were so excellent.

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

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

In closing, the gentleman from California (Mr. BERMAN) was very generous in his remarks to me. I want to remind my colleagues, there were two mules pulling that wagon, and the gentlewoman from California (Ms. LOFGREN) referred to the two Howards. I refer to us as the two mules because it became heavy lifting at times. As has already been mentioned, I mentioned the gentleman from Michigan (Mr. CONYERS) and the gentleman from Illinois (Mr. HYDE). They were both helpful to us. The recording industry and the artist community were both helpful.

Mr. Speaker, there was no ill intent involved with this. The Committee on the Judiciary submitted, or dispatched, six conferees, three Democrats and three Republicans. All six of us signed the conference report. It was my belief that we were merely codifying accepted practice, but that is subject to interpretation. With the passage of this bill today, I think that both parties, that is, the recording industry and the artist community, will both breathe easier, particularly the artist community. I too want to thank the staffers. Both Democrat and Republican staffers worked very diligently on this matter.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I would like to offer comment on H.R. 5107, the Work Made for Hire and Copyright Corrections Act of 2000, for consideration. Under 17 United States Code 203, authors of copyrighted works have the right to terminate assignments of their copyrights thirty-five years after an assignment. Section 203 is designed to ensure that authors, who may have received very little compensation for the initial assignment of their copyrights, get a ''second bite at the apple'' if those copyrights have value after thirty-five years.

Unfortunately, the right to termination cannot be exercised by those creators of copyrighted works that are defined as ''works made for hire,'' under 17 U.S.C. 101. Under Section 101, a work made for hire may be defined as: a work prepared by an employee within the scope of employment, or a work specially ordered or commissioned for use as one of ten, or in the case of statutorily specified categories of works. Statutorily specified work under the condition of a written agreement specifying the work shall be considered made for hire then it is considered under the conditions of section 101.

After the enactment of the new copyright law many organizations, legal scholars, and recording artists took strong issue with it, asserting that it constitutes a significant, substantive change in law. However, representatives of record companies and some legal scholars strongly disagreed with this position, and insisted that the new copyright law merely clarified prior law. The core of the disagreement between the opposing sides centers around pre-existing categories of works made for hire, and thus the extent to which sound recordings were previously eligible to be works made for hire.

This bill only attempts to return the law regarding copyrighted work that was created as ''work made for hire'' to its original state before the passage of the 1999 copyright legislation.

It is my hope that in the next Congress we will have an opportunity for hearing and full deliberation in this matter so that artists and commercial interest in copyrighted work can both be served by the copyright laws of our nation. I support this legislation and urge my colleagues to pass this.

Mr. COBLE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the motion offered by the gentleman from North Carolina (Mr. COBLE) that the House suspend the rules and pass the bill, H.R. 5107, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CHILD CITIZENSHIP ACT OF 2000

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2883) to amend the Immigration and Nationality Act to confer United States citizenship automatically and retroactively on certain foreign-born children adopted by citizens of the United States, as amended.

The Clerk read as follows:

H.R. 2883

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Child Citizenship Act of 2000''.

TITLE I—CITIZENSHIP FOR CERTAIN CHILDREN BORN OUTSIDE THE UNITED STATES

SEC. 101. AUTOMATIC ACQUISITION OF CITIZENSHIP FOR CERTAIN CHILDREN BORN OUTSIDE THE UNITED STATES.

(a) IN GENERAL.—Section 320 of the Immigration and Nationality Act (8 U.S.C. 1431) is amended to read as follows:

''CHILDREN BORN OUTSIDE THE UNITED STATES AND RESIDING PERMANENTLY IN THE UNITED STATES; CONDITIONS UNDER WHICH CITIZENSHIP AUTOMATICALLY ACQUIRED

''SEC. 320. (a) A child born outside of the United States automatically becomes a citizen of the United States when all of the following conditions have been fulfilled:

''(1) At least one parent of the child is a citizen of the United States, whether by birth or naturalization.

''(2) The child is under the age of eighteen years.

''(3) The child is residing in the United States in the legal and physical custody of the citizen parent pursuant to a lawful admission for permanent residence.

''(b) Subsection (a) shall apply to a child adopted by a United States citizen parent if the child satisfies the requirements applicable to adopted children under section 101(b)(1).''.

(b) CLERICAL AMENDMENT.—The table of sections of such Act is amended by striking the item relating to section 320 and inserting the following:

''Sec. 320. Children born outside the United States and residing permanently in the United States; conditions under which citizenship automatically acquired.''.

SEC. 102. ACQUISITION OF CERTIFICATE OF CITIZENSHIP FOR CERTAIN CHILDREN BORN OUTSIDE THE UNITED STATES.

(a) IN GENERAL.—Section 322 of the Immigration and Nationality Act (8 U.S.C. 1433) is amended to read as follows:

''CHILDREN BORN AND RESIDING OUTSIDE THE UNITED STATES; CONDITIONS FOR ACQUIRING CERTIFICATE OF CITIZENSHIP

''SEC. 322. (a) A parent who is a citizen of the United States may apply for naturalization on behalf of a child born outside of the United States who has not acquired citizenship automatically under section 320. The Attorney General shall issue a certificate of citizenship to such parent upon proof, to the satisfaction of the Attorney General, that the following conditions have been fulfilled:

''(1) At least one parent is a citizen of the United States, whether by birth or naturalization.

''(2) The United States citizen parent—

''(A) has been physically present in the United States or its outlying possessions for a period or periods totaling not less than five years, at least two of which were after attaining the age of fourteen years; or

''(B) has a citizen parent who has been physically present in the United States or its outlying possessions for a period or periods totaling not less than five years, at least two of which were after attaining the age of fourteen years.

''(3) The child is under the age of eighteen years.

''(4) The child is residing outside of the United States in the legal and physical custody of the citizen parent, is temporarily present in the United States pursuant to a lawful admission, and is maintaining such lawful status.

''(b) Upon approval of the application (which may be filed from abroad) and, except as provided in the last sentence of section 337(a), upon taking and subscribing before an officer of the Service within the United States to the oath of allegiance required by this Act of an applicant for naturalization, the child shall become a citizen of the United States and shall be furnished by the Attorney General with a certificate of citizenship.

''(c) Subsections (a) and (b) shall apply to a child adopted by a United States citizen parent if the child satisfies the requirements applicable to adopted children under section 101(b)(1).''.

(b) CLERICAL AMENDMENT.—The table of sections of such Act is amended by striking the item relating to section 322 and inserting the following:

''Sec. 322. Children born and residing outside the United States; conditions for acquiring certificate of citizenship.''.

SEC. 103. CONFORMING AMENDMENT.

(a) IN GENERAL.—Section 321 of the Immigration and Nationality Act (8 U.S.C. 1432) is repealed.

(b) CLERICAL AMENDMENT.—The table of sections of such Act is amended by striking the item relating to section 321.

SEC. 104. EFFECTIVE DATE.

The amendments made by this title shall take effect 120 days after the date of the enactment of this Act and shall apply to individuals who satisfy the requirements of section 320 or 322 of the Immigration and Nationality Act, as in effect on such effective date.

TITLE II—PROTECTIONS FOR CERTAIN ALIENS VOTING BASED ON REASONABLE BELIEF OF CITIZENSHIP

SEC. 201. PROTECTIONS FROM FINDING OF BAD MORAL CHARACTER, REMOVAL FROM THE UNITED STATES, AND CRIMINAL PENALTIES.

(a) PROTECTION FROM BEING CONSIDERED NOT OF GOOD MORAL CHARACTER.—

(1) IN GENERAL.—Section 101(f) of the Immigration and Nationality Act (8 U.S.C. 1101(f)) is amended by adding at the end the following:

''In the case of an alien who makes a false statement or claim of citizenship, or who registers to vote or votes in a Federal, State, or local election (including an initiative, recall, or referendum) in violation of a lawful restriction of such registration or voting to citizens, if each natural parent of the alien (or, in the case of an adopted alien, each adoptive parent of the alien) is or was a citizen (whether by birth or naturalization), the alien permanently resided in the United States prior to attaining the age of 16, and the alien reasonably believed at the time of such statement, claim, or violation that he or she was a citizen, no finding that the alien is, or was, not of good moral character may be made based on it.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall be effective as if included in the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 110 Stat. 3009–546) and shall apply to individuals having an application for a benefit under the Immigration and Nationality Act pending on or after September 30, 1996.

(b) PROTECTION FROM BEING CONSIDERED INADMISSIBLE.—

(1) UNLAWFUL VOTING.—Section 212(a)(10)(D) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(10)(D)) is amended to read as follows:

''(D) UNLAWFUL VOTERS.—

''(i) IN GENERAL.—Any alien who has voted in violation of any Federal, State, or local constitutional provision, statute, ordinance, or regulation is inadmissible.

''(ii) EXCEPTION.—In the case of an alien who voted in a Federal, State, or local election (including an initiative, recall, or referendum) in violation of a lawful restriction of voting to citizens, if each natural parent of the alien (or, in the case of an adopted alien, each adoptive parent of the alien) is or was a citizen (whether by birth or naturalization), the alien permanently resided in the United States prior to attaining the age of 16, and the alien reasonably believed at the time of such violation that he or she was a citizen, the alien shall not be considered to be inadmissible under any provision of this subsection based on such violation.''.

(2) FALSELY CLAIMING CITIZENSHIP.—Section 212(a)(6)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(6)(C)(ii)) is amended to read as follows:

''(ii) FALSELY CLAIMING CITIZENSHIP.—

''(I) IN GENERAL.—Any alien who falsely represents, or has falsely represented, himself or herself to be a citizen of the United States for any purpose or benefit under this Act (including section 274A) or any other Federal or State law is inadmissible.

''(II) EXCEPTION.—In the case of an alien making a representation described in subclause (I), if each natural parent of the alien (or, in the case of an adopted alien, each adoptive parent of the alien) is or was a citizen (whether by birth or naturalization), the alien permanently resided in the United States prior to attaining the age of 16, and the alien reasonably believed at the time of making such representation that he or she was a citizen, the alien shall not be considered to be inadmissible under any provision of this subsection based on such representation.''.

(3) EFFECTIVE DATES.—The amendment made by paragraph (1) shall be effective as if included in the enactment of section 347 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 110 Stat. 3009–638) and shall apply to voting occurring before, on, or after September 30, 1996. The amendment made by paragraph (2) shall be effective as if included in the enactment of section 344 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 110 Stat. 3009–637) and shall apply to representations made on or after September 30, 1996. Such amendments shall apply to individuals in proceedings under the Immigration and Nationality Act on or after September 30, 1996.

(c) PROTECTION FROM BEING CONSIDERED DEPORTABLE.—

(1) UNLAWFUL VOTING.—Section 237(a)(6) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(6)) is amended to read as follows:

''(6) UNLAWFUL VOTERS.—

''(A) IN GENERAL.—Any alien who has voted in violation of any Federal, State, or local constitutional provision, statute, ordinance, or regulation is deportable.

''(B) EXCEPTION.—In the case of an alien who voted in a Federal, State, or local election (including an initiative, recall, or referendum) in violation of a lawful restriction of voting to citizens, if each natural parent of the alien (or, in the case of an adopted alien, each adoptive parent of the alien) is or was a citizen (whether by birth or naturalization), the alien permanently resided in the United States prior to attaining the age of 16, and the alien reasonably believed at the time of such violation that he or she was a citizen, the alien shall not be considered to be deportable under any provision of this subsection based on such violation.''.

(2) FALSELY CLAIMING CITIZENSHIP.—Section 237(a)(3)(D) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(3)(D)) is amended to read as follows:

''(D) FALSELY CLAIMING CITIZENSHIP.—

''(i) IN GENERAL.—Any alien who falsely represents, or has falsely represented, himself to be a citizen of the United States for any purpose or benefit under this Act (including section 274A) or any Federal or State law is deportable.

''(ii) EXCEPTION.—In the case of an alien making a representation described in clause (i), if each natural parent of the alien (or, in the case of an adopted alien, each adoptive parent of the alien) is or was a citizen (whether by birth or naturalization), the alien permanently resided in the United States prior to attaining the age of 16, and the alien reasonably believed at the time of making such representation that he or she was a citizen, the alien shall not be considered to be deportable under any provision of this subsection based on such representation.''.

(3) EFFECTIVE DATES.—The amendment made by paragraph (1) shall be effective as if included in the enactment of section 347 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 110 Stat. 3009–638) and shall apply to voting occurring before, on, or after September 30, 1996. The amendment made by paragraph (2) shall be effective as if included in the enactment of section 344 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 110 Stat. 3009–637) and shall apply to representations made on or after September 30, 1996. Such amendments shall apply to individuals in proceedings under the Immigration and

Nationality Act on or after September 30, 1996.

(d) PROTECTION FROM CRIMINAL PENALTIES.—

(1) CRIMINAL PENALTY FOR VOTING BY ALIENS IN FEDERAL ELECTION.—Section 611 of title 18, United States Code, is amended by adding at the end the following:

''(c) Subsection (a) does not apply to an alien if—

''(1) each natural parent of the alien (or, in the case of an adopted alien, each adoptive parent of the alien) is or was a citizen (whether by birth or naturalization);

''(2) the alien permanently resided in the United States prior to attaining the age of 16; and

''(3) the alien reasonably believed at the time of voting in violation of such subsection that he or she was a citizen of the United States.''.

(2) CRIMINAL PENALTY FOR FALSE CLAIM TO CITIZENSHIP.—Section 1015 of title 18, United States Code, is amended by adding at the end the following:

''Subsection (f) does not apply to an alien if each natural parent of the alien (or, in the case of an adopted alien, each adoptive parent of the alien) is or was a citizen (whether by birth or naturalization), the alien permanently resided in the United States prior to attaining the age of 16, and the alien reasonably believed at the time of making the false statement or claim that he or she was a citizen of the United States.''.

(3) EFFECTIVE DATES.—The amendment made by paragraph (1) shall be effective as if included in the enactment of section 216 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 110 Stat. 3009–572). The amendment made by paragraph (2) shall be effective as if included in the enactment of section 215 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208; 110 Stat. 3009–572). The amendments made by paragraphs (1) and (2) shall apply to an alien prosecuted on or after September 30, 1996, except in the case of an alien whose criminal proceeding (including judicial review thereof) has been finally concluded before the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from Texas (Ms. JACKSON-LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. SMITH).

GENERAL LEAVE

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

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

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

(Mr. SMITH of Texas asked and was given permission to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, H.R. 2883, the Adopted Orphans Citizenship Act, is designed to streamline the acquisition of United States citizenship by foreign children after they are adopted by American citizens. The bill makes the Federal Government a partner with parents who, with great compassion, adopt children from overseas.

The original bill was improved by an amendment offered by the gentleman from Massachusetts (Mr. DELAHUNT). I want to thank him for suggesting the changes made in the amendment. He speaks with great credibility since he and his wife adopted a daughter from Vietnam at the end of the Vietnam War.

Under current law, when U.S. citizens adopt a child from another country, the child does not automatically become an American citizen. The parents have to apply to the Attorney General for a certificate of citizenship and the child then has to take the oath of allegiance required of naturalized citizens. This process can take years because of the naturalization backlog at the Immigration and Naturalization Service.

There is no reason to make adoptive parents and their new children to have to go through this laborious process.

After an adoption takes place and the child is brought to the United States consistent with United States immigration law, the child should automatically be considered a citizen.

This bill provides that internationally adopted children, and those children born to U.S. citizens overseas who are not considered citizens at birth, will become citizens as of the time they come to reside in the United States.

I should point out that it two U.S. citizens have a child overseas, the child is not considered a citizen at birth if neither parent has had a residence in the United States. Also, if a U.S. citizen and an alien have a child overseas, the child is not considered a citizen at birth if the citizen parent has not lived in the United States for five years, at least two of which were after the age of 14. Under current law, such individuals have to go through a petition process in order to obtain citizenship.

The adopted children covered in this bill will be considered citizens automatically when certain conditions have been met.

First, at least one parent has to be a U.S. citizen. Second, the child must be under 18. Third, the child must be residing in the United States in the legal and physical custody of the citizen parent.

H.R. 2883's grant of citizenship will also apply to qualifying children who arrived in the United States prior to its enactment and have not yet obtained citizenship pursuant to the Immigration and Nationality Act (as it existed before enactment).

The manager's amendment to the bill addresses the situation of aliens who have improperly voted in federal, state or local elections, or represented themselves as citizens for the purpose of registering to vote or to procure benefits under the Immigration and Nationality Act or any other federal or state laws. The amendment is intended to provide a limited class of aliens with exemptions from the penalties in the Immigration and Nationality Act and title 18 governing illegal voting and false claims of citizenship.

In some cases, individuals had a reasonable—if mistaken—belief that they were citizens of the United States. This can occur among foreign-born children brought to the United States at a young age if their parents did not realize that the children did not become citizens automatically. Of course, the enactment of H.R. 2883 and its expansion of automatic citizenship to more foreign-born children of U.S. citizens will greatly reduce the number of cases in which such a mistake can be made.

One such case is that of a Korean orphan adopted at the age of four months by an American Air Force Master Sergeant and his American wife while they were stationed overseas. That orphan entered the U.S. with her adoptive parents when she was two years old and has spent the rest of her life in this country. it was only after she became an adult that it became known to her that her parents had never filed the necessary papers to naturalize her prior to her eighteenth birthday. Consequently, under current law, she is subject to potential deportation and even prosecution because she mistakenly voted, thinking she already was a U.S. citizen. It simply would not be fair to subject such an individual to penalties under the immigration law for genuinely innocent acts.

The protections in the managers' amendment (title II of the bill) are granted to an alien if: (1) each natural or adoptive parent of the alien is or was a citizen of the United States; (2) the alien permanently resided in the United States prior to attaining the age of 16; and (3) the alien reasonably believed at the time of voting or falsely claiming citizenship (to obtain an immigration or other benefit under federal or state law) that he or she was a citizen of the United States.

An alien who meets this standard is protected against a finding that the alien was not of good moral character (among other things, a bar to naturalization), and is protected against being considered inadmissible or deportable. In addition, an alien who meets this standard shall not be subject to prosecution under sections 611 and 1015 of title 18.

All of these amendments are effective as if they were included in the relevant sections of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

I urge my colleagues to vote for H.R. 2883.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume. I thank the gentleman from Texas for his work. Let me as well add my support for this legislation and thank the gentleman from Massachusetts (Mr. DELAHUNT) for his leadership. This simply clearly allows an adopted child as we all believe in this country has equal status with our own birth children, this adopted child that is adopted by a citizen of the United States will now have the same rights as a child born overseas to a citizen parent. I believe this legislation clearly promotes children's interests and puts children first.

Finally, I think it is important to note that we protect those individuals who vote, who believed because of their status with a citizenship parent that they had in fact citizenship, did not intentionally vote incorrectly inasmuch as they may not have had citizenship. It protects them from criminal prosecution so that the matter can be remedied and protects the voting privileges of the United States but also protects those who are well intended.

Again, let me applaud both the chairman and the ranking member of the

full committee, again the chairman of this committee and as well indicate that I hope my colleagues will support this legislation, H.R. 2883.

Mr. Speaker, I rise in support of the Child Citizenship Act of 2000, H.R. 2883. This bill would amend section 320 of the Immigration and Nationality Act, the ''INA,'' to include adopted children within its provision for automatic acquisition of citizenship in the case of certain children born outside of the United States who have a citizen parent. It also would amend section 320 of the INA to include adopted children within its provision for citizenship through the naturalization process for children born outside of the United States to a citizen parent who cannot under current law qualify for automatic citizenship.

Including adopted children within the provision for automatic citizenship would greatly reduce the time and paperwork required for adoptive parents to procure citizenship for their children. I think it is very important to do away with unnecessary distinctions between children by birth and children by adoption, particularly with respect to such things as paperwork requirements. The United States citizens who adopt foreign born children have enough paperwork to do in the adoption process.

The Child Citizenship Act also provides protections for certain aliens who vote in a United States election on the basis of a reasonable belief that they are citizens of the United States. It would protect them from being precluded from a finding of ''good moral character,'' which is necessary for a number of important benefits under the INA, such as naturalization. It also would protect them from being considered inadmissible or deportable for voting in the election, and from certain criminal sanctions.

Voting in a United States election is one of the most precious rights of citizenship. I agree that people who vote knowing that they are not eligible for this privilege should be subjected to removal proceedings and in some cases to criminal prosecution, but I do not want this to happen in the case of a person who has a good faith belief that he is a citizen of the United States and has a right to vote. The law on automatic citizenship is difficult even for lawyers to understand. I am not at all surprised that people make mistakes when they interpret these provisions.

I urge you to support this bill.

Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. DELAHUNT), the moving person of this legislation and one with a direct and very special interest and thank him for his leadership.

Mr. DELAHUNT. I thank the gentlewoman from Texas for yielding me this time.

Mr. Speaker, I am very pleased today to join my good friend from Texas, the chairman of the Subcommittee on Immigration and Claims, in support of this amended bill. I want to express my truly profound gratitude to him for his willingness to address the concerns that were raised by the administration and others regarding the bill as originally introduced. The bill before us is a consensus effort. In this time of cynicism about government and the sometimes strident debate we hear, this kind of bipartisan effort should remind the American people that Members with different perspectives who work hard and act in good faith can accomplish an excellent and bipartisan result. Again, I thank the gentleman from Texas for his leadership.

I also want to acknowledge the critical involvement of Senator Don NICKLES, the author of the companion bill in the Senate, as well as Senators KENNEDY and LANDRIEU who worked so closely with us to get this measure, hopefully, to the President's desk.

Finally, let me express my appreciation to a number of key staff members without whom we would not be here today. I notice George Fishman, counsel to the subcommittee, and Peter Levinson of the full committee staff also played a key role. I would be remiss not to note the contribution of a Senate staffer, McLane Layton of Senator NICKLES' staff, who has not only been a major force behind this legislation but is herself the parent of children adopted from Latvia. Her concern and passion to remedy discrimination against adopted children is truly remarkable. I would also be remiss not to mention my own legislative director who has poured his heart and soul into this effort, Mark Agrast.

Mr. Speaker, today is truly a good day, a day that has been long in coming for adoptive parents like myself who feel deeply that their children who were born overseas have been treated differently, as if they were less American than are children who were born in the United States. For the law currently provides that our foreign-born sons and daughters are aliens. They do not have the benefits of citizenship when they arrive on our shores, come into our homes and fill up our lives with joy and love. No, we must petition for naturalization on their behalf, as if we, their parents, were not American citizens. That is unacceptable to Americans who have adopted and particularly for those who are considering adoption. That lengthy process of naturalization requires them to deal with a bureaucracy that is already overburdened and lacking in resources, for no valid reason. It is insulting to parents who have already overcome innumerable administrative obstacles to adopt our children and to bring them home. And more importantly, it is disrespectful to our children.

This bill would change all that. Under the bill, citizenship would be conferred automatically on all adopted children once they are in the United States. Parents will no longer be required to submit an application to have their children naturalized. Adopted children will no longer be the subject of discrimination. And parents will no longer need to worry about whether their children are citizens or not. And, of course, the INS will be relieved of the need to spend its limited resources on some 16,000 naturalization cases for the past year alone, and that number is expected to increase.

Furthermore, this bill would avoid some heartbreaking injustices that have sometimes tragically occurred. Some parents have discovered to their horror that their failure to complete the paperwork in time can result in their forced separation from their children under the summary deportation provisions Congress enacted back in 1996.

That was the experience of the Gaul family of Florida who adopted their son John at the age of 4. Though he was born in Thailand, he speaks no Thai, has no Thai relatives, knows nothing of Thai culture and has never been back to Thailand, until the U.S. Government deported him last year as a criminal alien at the age of 25 for property offenses that he had committed when he was a teenager.

One may ask how this could happen. The Gauls had obtained an American birth certificate for John shortly after adopting him and did not realize until he applied for a passport at age 17 that he had never been naturalized. They immediately filed the papers; but due to INS delays, his application was not processed before he turned 18. An immigration judge ruled that the agency had taken too long to process the application, but that did not make any difference. The 1996 law allowed him no discretion to halt the deportation. At least that is how the INS interpreted it.

In another recent incident, Joao Herbert, a 22-year-old Ohioan adopted as a young boy from Brazil, was ordered deported because as a teenager he sold several ounces of marijuana to a police informant. It was his first criminal offense, for which he was sentenced only to probation and community treatment. But under the law he was an aggravated felon subject to deportation because he had never been naturalized. He has now been in detention for a year and a half because the Brazilians consider his adoption irrevocable and refuse to accept him. And were they to do so, it is uncertain how he would get by. Like John Gaul, he knows no one in his native country and no longer understands his native tongue.

No one condones criminal acts, Mr. Speaker; but the terrible price these young people and their families have paid is out of proportion to their misdeeds. Whatever they did, they should be treated like any other American kid. They are our children, and we are responsible for them.

Finally, Mr. Speaker, the bill provides relief from deportation to one particular group of noncitizens who are subject to deportation under the 1996 law, namely, those who voted or registered to vote in U.S. elections in the reasonable mistaken belief that they were citizens at the time. This is a modest but important change that will correct a glaring injustice in our immigration laws.

The Child Citizenship Act of 2000 enjoys bipartisan and bicameral support

and the full support of the administration. Again, I want to thank the gentleman from Texas (Mr. SMITH) and his staff and our colleagues at INS for their cooperation and hard work in enabling us to reach this result. I urge all of my colleagues to join in support of this legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I urge my colleagues to support this legislation to remedy this important flaw in our immigration laws.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume. I want to thank the gentleman from Massachusetts (Mr. DELAHUNT) for his generous comments.

Mr. GEJDENSON. Mr. Speaker, I am proud to join my good friend from Massachusetts (Mr. DELAHUNT) and other members of the Judiciary Committee in support of H.R. 2883, the Child Citizenship Act of 2000, as amended. And I want to thank all Members who worked together to find common ground so that this legislation could move forward in a way that was acceptable to the Administration as well as the House and the Senate.

Over the course of the last year and more, the Committee on International Relations has been working on implementing legislation for the Hague Convention on Inter-Country Adoption, which this House took up and passed last night. This brought to my attention once again the difficult, and what must sometimes seem endless, procedures faced by U.S. citizens in adopting foreign-born children. We have all had constituents who have called our offices, desperate for help in solving last minute difficulties that have arisen in their search to build their family. After all the exhausting paperwork, extensive travel, and sometimes heart-wrenching experiences associated with so many international adoptions, it is unfortunate that U.S. families must negotiate yet another paper maze to obtain U.S. citizenship for their children. This additional hurdle is particularly difficult because upon their return many parents look forward to settling down to the joy of family life and its new challenges; they are not seeking yet more forms to fill out and move through the Immigration and Naturalization Service.

It was for this reason that I was the original co-sponsor of H.R. 3667, introduced by my good friend from Massachusetts, Mr. DELAHUNT, which has now been combined with the measure the House is taking up today. Once these children arrive in the United States, and the adoption is finalized, these children should be U.S. citizens, without going through a further naturalization process. And that is what H.R. 2883 does.

But we should remember that this is not just to avoid paperwork or ease mental discomfort. H.R. 2883 will end the occasional instance of injustice perpetrated by our immigration system. As mentioned by colleagues, there are tragic cases where children of U.S. parents, never naturalized because of inadvertence, are facing deportation because of a crime they have committed. While these children must face their punishment, to deport them to countries with which they have no contact, no ability to speak the language, and no family known to them is needlessly cruel. We must be sure that this never happens again.

I once again commend the sponsors of this legislation on both sides of the aisle and hope for its expedited consideration in the Senate.

Ms. SCHAKOWSKY. Mr. Speaker, I am pleased that my colleagues have passed H.R. 2883, the Adopted Orphans Citizenship Act, and I wish to add my strong support for this long overdue legislation. H.R. 2883 would restore fairness to our immigration law by removing the burdensome requirement that U.S. citizen parents apply for naturalization for their foreign-born adopted children.

What our current immigration policy says to parents is that adopted foreign-born children are not equal to their biological siblings and are not worthy of automatic U.S. citizenship. Requiring foreign-born adopted children to apply for naturalization is insulting and it's wrong. with the passage of H.R. 2883, we are sending a clear message to American parents that, should they choose to adopt a child from another country, U.S. citizenship will be awaiting that child once he or she sets foot on U.S. soil. As the aunt of Korean-born Jamie and Natalie, I strongly identify with this issue.

The birthright of all children of U.S. citizen parents, whether they are biological or adopted should be automatic U.S. citizenship. This bill will simplify the already complicated and complex process parents undertake when they embark on an international adoption and I applaud its passage.

Mr. SMITH of Texas. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 2883, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill to amend the Immigration and Nationality Act to modify the provisions governing acquisition of citizenship by children born outside of the United States, and for other purposes.''.

A motion to reconsider was laid on the table.

□ 1400

RELIGIOUS WORKERS ACT OF 2000

Mr. PEASE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4068) to amend the Immigration and Nationality Act to extend for an additional 3 years the special immigrant religious worker program.

The Clerk read as follows:

H.R. 4068

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Religious Workers Act of 2000''.

SEC. 2. 3-YEAR EXTENSION OF SPECIAL IMMIGRANT RELIGIOUS WORKER PROGRAM.

(a) IN GENERAL.—Section 101(a)(27)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(C)(ii)) is amended by striking ''2000,'' each place it appears and inserting ''2003,''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2000.

The SPEAKER pro tempore (Mr. ISAKSON). Pursuant to the rule, the gentleman from Indiana (Mr. PEASE) and the gentlewoman from Texas (Ms. JACKSON-LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. PEASE).

GENERAL LEAVE

Mr. PEASE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4068.

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

There was no objection.

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

Mr. Speaker, under the Immigration and Nationality Act, a program exists which authorizes religious denominations throughout the United States to sponsor nonminister workers in religious vocations and religious occupations, such as lay workers, to enter the United States as permanent residents.

This program also authorizes visas for temporary nonimmigrant religious workers who will serve for a period not exceeding 5 years. This program was created by Congress in 1990 and has been extended several times. The nonminister religious worker programs will expire September 30th of this year; therefore, an extension of the existing program is necessary and must be accomplished with expediency.

As it exists, the legislation requires that an immigrant religious worker has been carrying on such vocation continuously for at least the 2-year period immediately preceding the time of application. This requirement was thought to reduce the likelihood of fraudulent applications; however, the Department of Justice and the INS have raised concerns regarding suspected fraud existent in the program.

Because of a vague definition of religious worker and the inability to require other precise definitions of religion, there has been suggestion of fraudulent applications in both the temporary and permanent categories.

In opposition to the views of the Department of Justice and the INS, religious institutions assert that a quantity of fraudulent applications has not been verified. The religious institutions hold the view that the limited number of visas granted per year for the nonminister aliens, which is not to exceed 5,000 persons, does not demand the addition of antifraud provisions to the existing programs.

In order to accommodate the interests of both the administration and the