

provide an additional 2 years by which to complete an adoption before a child is barred from living in the United States with his or her parents. As adoptions for foreign children are rarely completed beyond a child's 16th birthday—China, for example, allows adoptions only up to the age of 14—this bill would affect very few children; but for those few children, this bill is critical.

Second, H.R. 5532 would also harmonize immunization requirements with respect to international adoptions. Current law requires adopted children to have certain vaccinations prior to arrival, but there is an exemption for children under 10 if the adoptive parents certify that necessary vaccinations will be obtained within 30 days of entry.

□ 1830

This exemption, which was created by Congress in 1997, was designed to prevent parents from having to subject their children to numerous and often unsafe immunizations in foreign nations and to allow them to safely immunize their children in the United States.

This exception, however, applies only to children adopted from countries that are not signatories to the Hague Convention. It does not apply to children from signatory countries. This bill fixes this nonsensical discrepancy by expanding the definition to also cover children regardless of whether their home country is a signatory to the Hague Convention.

I want to thank the chairman of the Judiciary Committee, JOHN CONYERS; the ranking member, LAMAR SMITH; and Representative JEFF FORTENBERRY, for their support on this measure.

I urge my colleagues to support this important legislation.

I reserve the balance of my time.

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

Mr. Speaker, I cosponsored this legislation introduced by Congresswoman LOFGREN, chair of the Immigration Subcommittee, and I urge my colleagues to support it.

Our Nation has a wonderful tradition of welcoming newcomers. We admit more than 1 million legal immigrants a year, as many as all other nations combined. This legislation continues that generosity by ensuring that American parents who want to open their homes and hearts to children from around the world are able to do so.

The Immigration and Nationality Act provides that U.S. citizens can adopt foreign children and have the children considered immediate relatives for immigration purposes if the children are adopted while under the age of 16 years.

American families who initiated adoptions of foreign children by their 16th birthdays but were not able to complete the adoptions by that date have often sought relief from their Representatives in Congress. We have responded sympathetically.

Congress has routinely passed private bills over the years to allow these families to sponsor their adopted children for permanent resident status in the U.S. In fact, Congress has so routinely passed such private bills that it makes sense for us to simply modify the law and provide a broad remedy.

This legislation provides that for immigration purposes, adoptions by U.S. parents have to be completed by the age of 18 instead of 16. Under the bill, the parents are still obligated to finalize the adoption by the 18th birthday in order to receive immigration benefits for their child.

Of course, we expect U.S. Citizenship and Immigration Services to continue to be on guard against any possible fraud in the foreign adoption process.

This bill accomplishes one more objective by making a technical correction regarding the Hague Convention on Intercountry Adoptions.

Under current law, prospective immigrants have to be vaccinated against certain diseases. The law provides an exemption to the general immunization requirement for adopted children if, one, a child is 10 years of age or younger and, two, the adoptive parents certify that the child will receive the necessary vaccinations within 30 days of entry into the U.S.

This exemption, enacted in 1997, is designed to ensure that parents don't have to subject their children to sometimes unsafe immunizations in foreign nations. Rather, they can more safely immunize their children in the United States.

However, when the Hague Convention on Intercountry Adoptions was later adopted, this exception was not extended to the children from signatory countries. Ms. LOFGREN's bill simply extends the exemption to cover children from these countries.

I urge my colleagues to support this legislation.

I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members and staff are reminded not to traffic the well while other Members are under recognition.

The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and pass the bill, H.R. 5532, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

HELP HAITIAN ADOPTED IMMEDIATELY TO INTEGRATE ACT OF 2010

Ms. ZOE LOFGREN of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5283) to provide

for adjustment of status for certain Haitian orphans paroled into the United States after the earthquake of January 12, 2010, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5283

*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—

- (1) the “Help Haitian Adoptees Immediately to Integrate Act of 2010”; or
- (2) the “Help HAITI Act of 2010”.

#### SEC. 2. ADJUSTMENT OF STATUS FOR CERTAIN HAITIAN ORPHANS.

(a) IN GENERAL.—The Secretary of Homeland Security may adjust the status of an alien described in subsection (b) to that of an alien lawfully admitted for permanent residence if the alien—

(1) subject to subsection (c), applies for such adjustment;

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

(3) is admissible to the United States as an immigrant, except as provided in subsection (d).

(b) ALIENS ELIGIBLE FOR ADJUSTMENT OF STATUS.—An alien is described in this subsection if the alien was inspected and granted parole into the United States pursuant to the humanitarian parole policy for certain Haitian orphans announced on January 18, 2010, and suspended as to new applications on April 15, 2010.

(c) APPLICATION.—In the case of a minor, an application under this section may be submitted on behalf of the alien by—

- (1) an adoptive parent; or
- (2) a legal guardian.

(d) GROUNDS OF INADMISSIBILITY.—Paragraphs (4) and (7)(A) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) shall not apply to adjustment of status under this section.

(e) VISA AVAILABILITY.—When an alien is granted the status of having been lawfully admitted for permanent residence under this section, the Secretary of State shall not be required to reduce the number of immigrant visas authorized to be issued under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(f) ALIENS DEEMED TO MEET DEFINITION OF CHILD.—An unmarried alien described in subsection (b) who is under the age of 18 years shall be deemed to satisfy the requirements applicable to adopted children under section 101(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1)) if—

(1) the alien obtained adjustment of status under this section; and

(2) a United States citizen adopted the alien before, on, or after the date of the decision granting adjustment of status under this section.

(g) NO IMMIGRATION BENEFITS FOR BIRTH PARENTS.—No birth parent of an alien who obtains adjustment of status under this section shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under this section or the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

#### SEC. 3. COMPLIANCE WITH PAYGO.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives, provided that such statement has been submitted prior to the vote on passage.

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

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. ZOE LOFGREN of California. Mr. Speaker, I ask unanimous consent that all Members 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 gentlewoman from California?

There was no objection.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5283, the Help HAITI Act of 2010, was introduced by Representative JEFF FORTENBERRY and is an important bill to help us finish the job we undertook when we rescued just over 1,200 Haitian orphans immediately after the earthquake that devastated Haiti on January 12 of this year.

Six months after the earthquake, it is easy to forget how terrible this tragedy was. More than 220,000 people were killed and over 300,000 were injured. Over 300,000 homes were destroyed or severely damaged, and more than 1,300 schools and 50 health centers were reduced to rubble.

At least 1.5 million people were directly affected by the quake. In terms of human and economic impact, it's the worst natural disaster ever recorded in the Western Hemisphere.

In response to this disaster, I am proud that our country responded quickly and in many different ways. Many know about the search and recovery efforts, the dissemination of food and water, the private donations totaling more than \$1.3 billion, the thousands of military, civilian, and medical personnel that went to Haiti to provide critical care and save lives, but there are other ways that our country provided humanitarian assistance.

Soon after the earthquake hit, the Department of Homeland Security's U.S. Citizenship and Immigration Services, otherwise known as USCIS, took several steps to provide critical assistance to vulnerable populations in Haiti. This included creating a humanitarian parole policy for the immediate evacuation of Haitian orphans who had been adopted or were in the process of being adopted by U.S. citizens.

These children had been previously identified as being available for inter-country adoptions, so they were not at risk of being separated from their families during the chaos that followed the earthquake. Now in the United States with their adoptive or prospective adoptive American parents, these children need one more bit of assistance from us so they can live lives like Americans.

Had the earthquake not hit and disrupted the adoption processes in Haiti,

each of these children would have entered the country as U.S. citizens under current immigration law. But because of the current emergency procedures that were used to evacuate these children, they must now wait years before they can get permanent residency and years more before they can qualify for citizenship. Some are even in danger of aging out before they can get their residency, which would make them ineligible for legal status in this country.

H.R. 5283 would simply treat these children as if the earthquake had not happened and they had come to the U.S. under normal procedures.

Specifically, the bill would allow an adoptive parent or legal guardian in the United States to apply for permanent residency on behalf of one of the 1,200 Haitian orphans brought to the U.S. under the USCIS parole policy announced on January 18 and terminated on April 15 of this year. This is the least we can do to help the orphans we rescued and the U.S. citizen parents who have adopted or are seeking to adopt them.

I commend Representative JEFF FORTENBERRY for introducing this bill and committee Ranking Member LAMAR SMITH for his support on this measure.

I urge my colleagues to support this important legislation.

I reserve the balance of my time.

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

Mr. Speaker, at the beginning of this year, a devastating earthquake hit Haiti and claimed 200,000 lives. The Department of Homeland Security quickly acted in the best American humanitarian tradition.

DHS announced a humanitarian parole policy to allow orphaned Haitian children who were in the middle of adoption proceedings with American parents to quickly enter the U.S. DHS paroled about 1,200 Haitian orphans into the U.S. as a result of this policy.

Adoption proceedings had not yet been completed when these children were airlifted to the U.S. Under the Immigration and Nationality Act, the children will have to live with their U.S. adoptive parents for 2 years before their parents can apply for permanent resident status for the children. During the interim period, the children must have their temporary parole status renewed each year.

As a result, these children will wait an appreciable amount of time in parole status.

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Representative FORTENBERRY was concerned about how this delay could affect the new lives of these young children in the U.S.; for instance, what happens if the adoptive parents die during their parole period? In order to address these concerns and ensure the futures of these Haitian orphans, Representative FORTENBERRY introduced

the Help HAITI Act of 2010. The bill allows the Haitian orphans brought to the U.S. in the aftermath of the earthquake to receive permanent residence immediately. This legislation helps future American citizens who have already suffered much but who will have bright futures in the United States.

Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. FORTENBERRY), who is the sponsor of this legislation.

Mr. FORTENBERRY. I thank the gentleman from Texas for the time.

Mr. Speaker, I would also like to add that, as we heard, more than 1,000 Haitian orphans who were already in the process of being adopted by American families prior to the earthquake that struck Haiti last January stand today in legal limbo; and, as mentioned by Chairwoman LOFGREN, in the tragic aftermath, these orphans were evacuated by the U.S. Department of Homeland Security for humanitarian reasons and with the Haitian Government's permission to American soil. Catastrophic circumstances prompted the evacuation of these children to the United States before their adoptions could be finalized in Haitian courts.

Happily, in my home State of Nebraska and throughout the United States, many of these Haitian orphans were able to unite with the very American families who were seeking to adopt them and who are now working to finalize their adoptions in the courts of the United States. Due to a technicality in the law, however, these Haitian children, upon establishing a legal relationship with their adoptive U.S. parents, will have to wait 2 years before they become legal permanent residents.

As international adoption case workers can attest, much can happen to these orphans and their families in 2 years. So long as their status in the United States remains temporary, these vulnerable children will have few legal protections. They may not be eligible for critical resources, and they may face the risk of being forced to repatriate to Haiti if something were to happen to their adoptive families.

To mitigate the risks that these orphaned children from Haiti face, I introduced the Help Haitian Adoptees Immediately to Integrate Act of 2010, also known as the Help HAITI Act. This legislation is the product of continual dialogue and outreach both to the United States Department of Homeland Security's U.S. Citizenship and Immigration Service and to my Republican and Democratic colleagues in the House of Representatives and the Senate. The Help HAITI Act would provide legal certainty and protections to these evacuated Haitian orphans by enabling adoptive American families to obtain permanent residency for these children more quickly and more efficiently.

Had the earthquake not happened, these orphaned Haitian children would have gone through the normal process

for international adoptions. American families would have finalized the adoption of these orphans in Haitian courts. Then, upon entering the United States to join their adoptive families, these children would have automatically received U.S. citizenship. However, the catastrophe disrupted the normal process for international adoption for these children.

The Help HAITI Act would help to normalize the immigration procedures that these adopted orphans now face. It would allow adoptive American families to apply immediately to obtain legal, permanent residency for these vulnerable children and enable them eventually to qualify for U.S. citizenship. This legislation, I would like to point out, would also help reduce the staff, monetary and other resource demands on the Department of Homeland Security's U.S. Citizenship and Immigration Service.

As we all know, Mr. Speaker, these orphaned Haitian children have endured great hardships, and they have also endured heartbreaking tragedy to come to this country and unite with their American adoptive parents. Given the uncertainty and danger that these children have faced, we now are in a position to provide them with a measure of comfort and certainty as to their future with their adoptive families here in America.

So, with that, I would like to thank Chairwoman LOFGREN for her leadership and work on this bill, along with Ranking Member SMITH. I appreciate your input and support.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today to express my support for H.R. 5283, the Help Haitian Adoptees Immediately to Integrate Act, which provides for adjustment of status for certain Haitian orphans paroled into the United States after the earthquake of January 12, 2010. This legislation will give legal resident status to over 1,000 Haitian orphans whose adoptions by U.S. citizens had already been processed prior to the earthquake in Haiti on January 12, 2010.

When the earthquake crippled the Haitian governmental infrastructure, Haiti was no longer able to provide the paperwork necessary to give these children U.S. citizenship. As a result, their final approval of citizenship has been held up since the earthquake in January, and could continue to be delayed indefinitely. In the meantime, the U.S. has provided them with humanitarian parole visas, but it could take years for them to achieve legal resident status. The Help HAITI Act will empower the U.S. Secretary of Homeland Security to allow American parents who adopted Haitian children before the earthquake to apply for legal permanent-resident status on behalf of their children. This will finally set these orphans on the path to citizenship.

The devastating earthquake created significant trauma for all Haitians that will last for generations. While the United States assists in the rebuilding efforts, with my support and the support of this Congress, we should also act now to remove the unnecessary complications the Haitian orphans are experiencing as they try to start a new life with their American families. Under normal circumstances, these would

have been routine adoptions, and I urge Congress to pass the Help HAITI Act, which will enable the Department of Homeland Security to quickly relieve the hardships these orphans and their new families have encountered since the earthquake.

I encourage my colleagues to support this important resolution.

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

Ms. ZOE LOFGREN of California. Mr. Speaker, I am pleased to ask our colleagues to support this resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and pass the bill, H.R. 5283, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### HONORING CHIEF JUSTICE WILLIAM S. RICHARDSON

Mr. SCOTT of Virginia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1470) honoring the life, achievements, and distinguished career of Chief Justice William S. Richardson.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 1470

Whereas William S. Richardson was born on December 22, 1919, and spent most of his childhood in Palama and Kaimuki;

Whereas William S. Richardson was born to a working class family of Hawaiian, Chinese, and Caucasian ancestry;

Whereas William S. Richardson served as a platoon leader in the United States Army during World War II and was later inducted into the Infantry Officer Candidate School Hall of Fame;

Whereas William S. Richardson served as Lieutenant Governor of Hawaii from 1962–1966;

Whereas William S. Richardson led the Hawaii Democratic Party from 1956–1962;

Whereas William S. Richardson served as the Chief Justice of the Hawaii Supreme Court from 1966–1982;

Whereas the William S. Richardson School of Law honors his leadership by opening educational and professional avenues for the Islands' most disadvantaged groups;

Whereas William S. Richardson upheld traditional Hawaiian laws and expanded public rights for Native Hawaiians and all people in Hawaii;

Whereas as William S. Richardson was awarded the Spirit of Excellence Award from the American Bar Association; and

Whereas, on June 21, 2010, at the age of 90, William S. Richardson passed away in Honolulu, Hawaii: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors the life, achievements, and distinguished career of Chief Justice William S. Richardson;

(2) emphasizes that, among his judicial accomplishments, Chief Justice William S. Richardson changed the face of higher edu-

cation in Hawaii by opening avenues for the Islands' most disadvantaged groups and by building a more equitable society for the people of Hawaii; and

(3) recognizes the William S. Richardson School of Law, the educational institution that bears his name, as a significant part of the legacy of William S. Richardson.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Hawaii (Mr. DJOU) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

#### GENERAL LEAVE

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

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

There was no objection.

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

House Resolution 1470 honors the life, achievements, and distinguished career of Chief Justice William S. Richardson. Chief Justice Richardson was a leading proponent of the rights of Native Americans throughout his 16-year tenure as Hawaii State Supreme Court Chief Justice.

He was primarily known for drawing on ancestral Hawaiian customs rather than Western common law in his decisions. He has been credited with triggering a "renaissance" in pride in native identity and the language and culture of Native Hawaiians.

Born in 1919, William Richardson worked his way through the University of Hawaii, where he received his undergraduate degree. He went on to earn a law degree from the University of Cincinnati.

Upon graduating from law school in 1941, he volunteered for the Army Air Corps, and later served as a platoon leader with the 1st Filipino Infantry Regiment. After World War II ended, he returned to Hawaii, where he served in the Judge Advocate General Corps. He was later inducted into the Infantry Officer Candidate School Hall of Fame.

Fueled by a sense of patriotism, William Richardson aligned himself with the emerging Hawaii Democratic Party, eventually serving as its chairman from 1956 to 1962.

In 1963, he became the lieutenant governor under Governor John Burns. Just a few years later, he was appointed Chief Justice of the Hawaii Supreme Court, where he served for 16 years.

Under Chief Justice Richardson's guidance, the Hawaii Supreme Court oversaw judgments ensuring public beach access, expanding Native Hawaiian rights to use private property, and affirming public ownership of natural resources.

He was famously quoted as saying that "the Western concept of exclusivity is not universally applicable in Hawaii."

Education was paramount to Chief Justice Richardson. One of his proudest accomplishments was his successful effort to see a law school opened in Hawaii. In 1973 The University of Hawaii opened the only law school in