

championship, the Hail Mary pass into the end zone for an unbelievable catch by Darwin Adams, then you have seen why Cam is such a driving force for the Auburn Tigers and why he won the Heisman Trophy.

The one statistic that counts most to Cam and most of the fans at Auburn is the undefeated record of 13-0, and in a few short weeks he will play for the BCS championship. And, by the way, if the gentleman from Eugene, Oregon, is here, watch out.

Madam Speaker, in Alabama, we live and breathe SEC football. Saturdays in the fall are spent with family and friends watching your favorite team. Regardless of who your team is, you can't deny that Cam Newton is the best college football player in America in 2010.

To Cam and the entire Auburn University football team, I say congratulations and you deserve it. And to everyone else, I say War Eagle!

With that, I yield to my friend and colleague from Alabama, Spencer Bachus, such time as he may consume.

Mr. BACHUS. I thank the gentleman from Alabama for yielding to me, and I thank he and Mr. LEWIS for bringing this resolution.

On the way over to the floor, I was on the elevator with two of my colleagues, JOHN CULBERSON and JO ANN EMERSON, the gentleman from Texas and the gentlelady from Missouri, and they both had the same comment when I told them I was coming to speak about Cam Newton. They said: He is a phenomenal athlete, but he gave glory to God and he persevered.

I think that Cam Newton is a reflection of each and every one of us. Hardship and difficulty is a part of life; either we have experienced it or we will experience it.

□ 1100

We have seen Cam Newton and his family go through a challenging time; and, in doing so, he was not distracted. He persevered. He maintained a positive attitude. I think we have all seen his winning smile, a wonderful smile, and that smile sustained him and I think encouraged a lot of us through some pretty difficult times. In fact, I think he used some of the criticism and some of the difficulty and some of the challenges as a motivation. He appeared to even play better on the field.

He is a phenomenal athlete. In many respects, he is almost superhuman in what he does; but in another respect, he is very human. And the one thing that I think is a story for each and every one of us, and I think Cam Newton is a great example, is that throughout it all, he expressed his faith—his faith in God and his faith that God would see him through.

You know, our God is a God of second chances, a God of redemption; and I think it is important for us, when we think about Cam Newton, to think about a young man that improved himself, that did better, that resolved to learn from the experiences he had.

To me, Cam is an inspiration, and he ought to be an inspiration to each and every one of us, any of us that, for whatever reason, find ourselves in a difficult or challenging situation, not to strike back at our critics, but simply to use it as a motivation.

In such times that we do face difficulty, it is important to surround ourselves with good people, people that can be mentors and encouragers. He found that in the Auburn team. He expressed that in his Heisman speech, that his teammates were a big part of his success and had encouraged him. They had not lost faith in him.

I believe the coaching staff and the atmosphere at Auburn University provided a loving environment, an encouraging environment. I commend coach Gene Chizik for believing in Cam, for giving Cam an opportunity to better himself and to prove himself. As a graduate of that school, I am proud of Auburn University for providing support and encouragement to Cam.

Last year, I introduced a resolution congratulating Mark Ingram, another fine young man who preceded Cam Newton in winning the Heisman Trophy. Mark Ingram and the University of Alabama played for and won the national championship. Auburn University will try to attain that same goal.

Mark Ingram from Alabama and Cam Newton from Auburn highlight a very special relationship in our State of Alabama between our two finest universities. They compete on the field. They compete intensely. The fans come together, both wanting to win, but they take pride in the fact that our State and our universities do have a competitive spirit, but also a spirit of friendship.

I can tell you that the people of Alabama take great pride in our State in the fact that two of our finest universities have won consecutive Heisman Trophies and are competing for consecutive national championships. It once again highlights what is a wonderful, intense, and enjoyable competition that our two schools in Alabama have. It is another reason why I am proud to call Alabama my home.

In closing, again I thank the gentleman from Anniston, Alabama (Mr. ROGERS) who represents Auburn University well, and I say that to you as an alumnus of Auburn University. You are a credit to our university.

Mr. ROGERS of Alabama. With that, Madam Speaker, I would just urge a favorable vote by my colleagues and yield back the balance of my time.

Mr. ALTMIRE. Madam Speaker, I would recognize also the other three finalists for the Heisman Trophy and the schools, Oregon, Boise State, and Stanford. Congratulations on great seasons. But without question, Cam Newton deserved the award. He is the best player in college football. We wish him continued success and congratulations.

Mr. ADERHOLT. Madam Speaker, I would like to take this opportunity to voice my support for H. Res. 1761 and commend a young

man on an outstanding season of college football.

Cameron Newton came to Auburn in January as a transfer student from Blinn Junior College. After going through a spirited competition to decide the starting quarterback position in spring training he was awarded the job.

Fans were wowed, including my 11-year-old daughter Mary Elliott, with his three passing touchdowns and two rushing touchdowns in Auburn's first game this season. From that point on Mr. Newton continued to lead Auburn through a magical, undefeated regular season and a victory in the SEC championship game over the University of South Carolina. Just as he had started the season Cam concluded it with six touchdowns, two rushing and four passing.

By winning the 2010 Heisman Trophy, Newton joins other Heisman winners from the State of Alabama—Mark Ingram of Alabama and Pat Sullivan and Bo Jackson from Auburn.

The State of Alabama has been blessed with great college football tradition and Cam Newton and Auburn University have continued that legacy with all of their accomplishments this season.

Mr. DeFAZIO. Madam Speaker, as a matter of principal, I do not support sports-related hortatory resolutions. My constituents have insisted that chronic unemployment and the lagging economy be addressed by Congress; and yet sporting accomplishments have foolishly taken precedence on Capitol Hill. My "present" vote on H. Res. 1761 does not connote any ill feelings toward Heisman Trophy winner Cameron Newton or the Auburn University athletic program. I appreciate the hard work and dedication exhibited by student athletes like Cameron Newton. However, I do not think that airing such appreciation on the House floor is the wisest use of time.

Mr. ALTMIRE. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. ALTMIRE) that the House suspend the rules and agree to the resolution, H. Res. 1761.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ALTMIRE. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### FOR THE RELIEF OF SHIGERU YAMADA

Ms. CHU. Madam Speaker, I move to suspend the rules and pass the bill (S. 4010) for the relief of Shigeru Yamada.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 4010

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

# SECTION 1. PERMANENT RESIDENT STATUS FOR SHIGERU YAMADA.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Shigeru Yamada shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of that Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Shigeru Yamada enters the United States before the filing deadline specified in subsection (c), Shigeru Yamada shall be considered to have entered and remained lawfully and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of an immigrant visa or permanent residence to Shigeru Yamada, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Shigeru Yamada under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Shigeru Yamada under section 202(e) of that Act (8 U.S.C. 1152(e)).

(e) 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 Senate Budget Committee, 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. CHU) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

## GENERAL LEAVE

Ms. CHU. 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. CHU. I yield myself such time as I may consume.

S. 4010 is an immigration relief bill for Shigeru Yamada. The House passed a substantially identical version of this bill by voice vote in the 110th Congress, but the Senate was unable to take up the measure. I am pleased to see that the House will have an opportunity to vote on final passage today.

Shigeru was brought to the United States from Japan when he was 10 years old. Together with his mother

and his two sisters, Shigeru entered the country on a non-immigrant visa and remained in the United States for over 3 years on his mother's student visa. During this period, Shigeru's mother became engaged to a U.S. citizen. Had she married her fiancé, she and her children would have been able to obtain lawful permanent residence in the country. However, in September 1995, when Shigeru was only 13 years old, his mother was killed in a car accident.

After his mother's death, Shigeru and his sisters were raised by their maternal aunt and uncle in Chula Vista, California. Shigeru's natural father was an alcoholic who was physically abusive to Shigeru, his sisters, and their mother. There was no other viable caretaker in Japan.

Shigeru's aunt attempted to formally adopt him, but was unable to complete the adoption before his 16th birthday. Under current immigration law, virtually all adoptions of foreign children by U.S. citizens must be completed before the child's 16th birthday in order for the child to qualify for legal status in the United States. Although Shigeru's sisters obtained legal status through adoption and marriage, Shigeru continued to reside here without such status.

In the meantime, Shigeru became a model student, graduating from Eastlake High School with honors in 2010. At Eastlake, he served on student government, participated in numerous community service activities, and excelled at football and wrestling. He was an All-American Scholar and was named Outstanding English Student his freshman year. He was also voted the Most Inspirational Player of the Year in various sports, both at the junior varsity and varsity level. He served as vice president of the associated student body his senior year.

Shigeru also volunteered to coach the Eastlake High School softball team and obtained an associate's degree from Southwestern Community College.

□ 1110

It is through no fault of his own that Shigeru was raised in the United States without legal immigration status. Shigeru's mother died before she could regularize his status, and adoption proceedings by his aunt were completed too late to affect his immigration status. S. 4010 presents the only option for Shigeru to remain in the United States.

I commend Representative BOB FILNER and Senator DIANNE FEINSTEIN, who each introduced their first private immigration bill on Shigeru's behalf back in the 108th Congress. I would also like to recognize Judiciary Committee Chairman John Conyers, Immigration Subcommittee Chairwoman Zoe Lofgren and Judiciary Committee Ranking Member Lamar Smith for their help in moving this bill to the floor today.

I urge my colleagues to support this important legislation.

U.S. DEPARTMENT OF HOMELAND SECURITY, IMMIGRATION AND CUSTOMS ENFORCEMENT,

Washington, DC, Aug. 27, 2009.

Hon. ZOE LOFGREN,  
Chairwoman, Subcommittee on Immigration, Citizenship, Refugees, Border Security, & International Law, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR MADAM CHAIRWOMAN: In response to your request for a report relative to H.R. 698, private legislation for the relief of Shigeru Yamada, enclosed is a memorandum of information concerning the beneficiary.

The bill provides that the beneficiary shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of the Immigration and Nationality Act or for adjustment of status to lawful permanent resident.

We hope the information provided is useful. Please do not hesitate to call me if you have additional questions.

Sincerely,

ELLIOT WILLIAMS,  
Director.

DEPARTMENT OF HOMELAND SECURITY IMMIGRATION AND CUSTOMS ENFORCEMENT MEMORANDUM OF INFORMATION FOR H.R. 698 111TH CONGRESS

Shigeru YAMADA (A 97 476 166) is the beneficiary of H.R. 698, private legislation introduced by Congressman Filner on January 26, 2009. Sen. Diane Feinstein introduced a companion bill in the Senate, S. 124, on January 6, 2009. Sen. Feinstein previously introduced S. 418, in the 110th Congress, S. 111 in the 109th Congress and S. 2548 in the 108th Congress, identical bills to benefit Mr. Yamada. Congressman Filner introduced an identical bill, H.R. 2760 in the 110th Congress, which was passed by the House of Representatives, but not acted upon by the Senate.

On May 7, 2009, an ICE Special Agent interviewed YAMADA for the purpose of updating information contained in previous reports to the Senate Judiciary Committee, Subcommittee on Immigration, Refugees, and Border Security. The beneficiary, Shigeru YAMADA, a native and citizen of Japan, was born on March 26, 1982, in Japan. On March 27, 1992, YAMADA entered the United States as a non-immigrant visitor along with his mother and two sisters. Shortly after their entry, YAMADA's mother changed her non-immigrant status from a visitor to that of a student. YAMADA resided with his mother and two sisters until his mother passed away in an automobile accident on September 15, 1995. YAMADA then went on to live with his maternal aunt, Kumsook Jae in the San Diego area until January, 2003.

YAMADA graduated from Eastlake High School in June, 2000, and then went on to earn an Associates degree from Southwestern College in June, 2005. YAMADA is currently employed at the San Diego Lasik Institute as a Lasik Coordinator and earns approximately \$50,000.00 per year. YAMADA has been employed at his current location since January, 2008. Prior to this employment, YAMADA worked as a sales associate at Nordstrom Department Store in San Diego, CA from September, 2004, until October, 2007.

On May 8, 2009, the National Crime Identification Center (NCIC) and Central Index Identifier were queried for criminal histories on beneficiary Shigeru YAMADA. NCIC revealed YAMADA had been issued

FBI#386666EC7 on May 10, 2004 after his arrest on April 26, 2004, by the U.S. Border Patrol in San Diego, CA. YAMADA was issued a Notice to Appear for Removal Proceedings by the U.S. Border Patrol for having violated the terms of his entry into the United States. These proceedings were terminated without prejudice on June 15, 2004. Mr. YAMADA was granted deferred action on July 8, 2004, as a matter of prosecutorial discretion.

I reserve the balance of my time.

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

Madam Speaker, I am pleased to support this legislation. Shigeru Yamada was born in Japan in 1992. When Shigeru was 10 years old, his mother brought him to the United States as a dependent on her student visa. In 1995 when Shigeru was 13 years old, his mother was killed in a car accident.

At the time of her death, Shigeru's mother was engaged to be married to an American citizen. If his mother had survived and in fact married the U.S. citizen, Shigeru would have obtained legal permanent resident status through her. Shigeru's natural father was an alcoholic and physically abusive to Shigeru's mother and the siblings. After the mother's death, Shigeru and the siblings were raised by an aunt in Chula Vista, California.

Although Shigeru's aunt attempted to formally adopt Shigeru, the adoption was not completed before the 18th birthday. Under current immigration law, Shigeru would have had to have been adopted before the age of 16 to obtain legal immigration status in the United States. Shigeru's younger sibling was adopted by another family while another sibling was married to an American citizen. Shigeru attended Eastlake High School and graduated with honors in 2000.

This bill easily fits within the modern-era private immigration bill precedent. Private immigration bills have been enacted where the foreigners, the aliens, have been abandoned by their parents or the parents had died. As this bill is consistent with private immigration bill precedent, and the Department of Homeland Security report revealed no adverse information about the beneficiary, I urge my colleagues to support it.

Ms. ZOE LOFGREN of California. Madam Speaker, Shigeru Yamada was brought to the United States from Japan when he was 10 years old. He entered the country on a non-immigrant visa with his mother and his two sisters, and remained here on his mother's student visa for over 3 years. Although his mother became engaged to a U.S. citizen, which would have resulted in lawful permanent resident status for Shigeru and his sisters, tragedy prevented this from coming to pass. When Shigeru was 13 years old, his mother was killed in a car accident, and he and his siblings were taken to live with their maternal aunt and uncle in Chula Vista, California.

When Shigeru's aunt attempted to formally adopt him, she was unable to complete the process before he turned 16 years old. Under current immigration law, virtually all adoptions

of foreign children by U.S. citizens must be completed before the child's 16th birthday in order for the child to qualify for legal status in the United States. Although Shigeru's sisters obtained legal status through adoption and marriage, Shigeru continued to reside here without such status.

Despite these difficulties, Shigeru shined. He graduated with honors in 2000 from Eastlake High School, where he served on student government, participated in numerous community service activities, and excelled at football and wrestling. He was an All-American Scholar and was named "Outstanding English Student" his freshman year. He was also voted the "Most Inspirational Player of the Year" in various sports, both at the junior-varsity and varsity level. He served as vice president of the associated student body his senior year. Shigeru later obtained an associate's degree from Southwestern Community College.

Shigeru's story highlights so many things that are wrong with our current immigration system. First, Shigeru is just the type of young person who would benefit from the DREAM Act, which passed the House with bipartisan support 1 week ago today. More importantly, America is just the country that would benefit from providing Shigeru a path to lawful status, so that he could continue to excel and serve as a model to all those around him.

Second, Shigeru's story highlights the nonsensical inflexibility of our international adoption rules. Earlier this summer, the House passed H.R. 5532, the International Adoption Harmonization Act of 2010. H.R. 5532 would harmonize our international adoption rules by setting the uniform deadline by which all adoptions must be finalized at a child's 18th birthday. One purpose of H.R. 5532 is to ensure that when a child is legally adopted by U.S. citizen parents between the child's 16th and 18th birthdays, the child is permitted to remain with his or her parents in the United States. The need for this commonsense piece of legislation was demonstrated by the many private immigration laws enacted by previous Congresses to provide exactly this form of relief to just those individual children who came to our attention—bills just like the one before us today. H.R. 5532 remains stalled in the Senate, which represents a real failure to protect American families and adopted children.

I remain hopeful that our Senate colleagues on both sides of the aisle will recognize that passage of the DREAM Act and H.R. 5532 are both in America's best interest. But under current law, S. 4010 represents the only option for Shigeru Yamada to remain in the United States, the country that he rightly calls home.

Mr. FILNER. Madam Speaker, I'd like to thank Senator FEINSTEIN, the Senate and House Judiciary Committees, Chairman CONYERS, and Chairwoman LOFGREN for their leadership in the passage of S. 4010, a bill for the relief of Shigeru Yamada, an extraordinary young man who is in danger of being deported back to Japan, despite living here for most of his life. Shigeru came to the U.S. legally in 1992 at the age of 10 with his mother and two younger sisters. In 1995, when Yamada was 13 years old, his mother was tragically killed in a car accident. Yamada and his sisters were suddenly orphaned, and due to a change in immigration laws, were stripped of their legal status. Notwithstanding personal adversities, Yamada excelled in high school where he

was active in sports, student government, and the community, while maintaining almost a 4.00 GPA. Yamada has attended Southwestern College and is a model member of the Chula Vista, California community. His two younger sisters were able to become citizens. One married a U.S. citizen and the other one was adopted by family members. The family tried to adopt Shigeru, but they were not successful. Yamada does not have any family or home in Japan. His mother's side of the family is Korean which makes it extremely difficult for him to integrate into Japanese society. He would be virtually unemployable in Japan because he does not speak, read, or write Japanese. His situation shows that he would suffer extreme hardship if forced to return to Japan. The passage of this bill brings justice one step closer to Yamada. We want and need more people like Shigeru in our country and he deserves the opportunity to become a permanent U.S. citizen. Once again, I'd like to thank the leadership for passage of this critical bill.

Mr. POE of Texas. I yield back the balance of my time.

Ms. CHU. Madam Speaker, 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. CHU) that the House suspend the rules and pass the bill, S. 4010.

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

A motion to reconsider was laid on the table.

#### FOR THE RELIEF OF HOTARU NAKAMA FERSCHKE

Ms. CHU. Madam Speaker, I move to suspend the rules and pass the bill (S. 1774) for the relief of Hotaru Nakama Ferschke.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1774

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

#### SECTION 1. PERMANENT RESIDENT STATUS FOR HOTARU NAKAMA FERSCHKE.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act, Hotaru Nakama Ferschke shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Hotaru Nakama Ferschke enters the United States before the filing deadline specified in subsection (c), she shall be considered to have entered and remained lawfully and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees within 2 years after the date of the enactment of this Act.