numerical limitation, the U.S. citizen's sons or daughters are placed in the back of the line for one of the INS's backlogged family preference categories of immigrants. This can be particularly difficult when there are just over 23,000 family-first preference visas available each year to the adult, unmarried sons and daughters of citizens and a waiting list which at times has been in excess of over 90,000 people. It is not uncommon for people to wait on this waiting list for years.

The Senate expanded the bill to cover other situations where alien children lose immigration benefits by ''aging-out'' as a result of INS processing delays. The Senate amendment expands age-out protection to cover:

CHILDREN OF PERMANENT RESIDENTS

Under current law, when a child of a permanent resident turns 21, he or she goes from the second preference ''A'' waiting list to the second preference ''B'' waiting list, which is much longer.

CHILDREN OF FAMILY AND EMPLOYER-SPONSORED IMMIGRANTS AND DIVERSITY LOTTERY WINNERS

Under current law, when an alien receives permanent residence as a preference-visa recipient or a winner of the diversity lottery, a minor child receives permanent residence at the same time. After the child turns 21, the parent would have to apply for him or her to be put on the second preference ''B'' waiting list.

CHILDREN OF ASYLEES AND REFUGEES

Under current law, when an alien receives asylum or is granted refugee status, a minor child receives permanent residence at the same time as the parent. After the child turns 21, the parent would have to apply for him or her to be put on the second preference ''B'' waiting list.

The Senate amendment also fixes an anomaly in our immigration laws. Under current law, when a permanent resident naturalizes who has sponsored adult sons and daughters for preference visas, they move from the second preference ''B'' category (for the adult sons and daughters of permanent residents) to the first preference category (for the adult sons and daughters of citizens).

Normally, the wait for a first preference visa is much shorter than the wait for a second preference ''B'' visa. However, currently this is not the case for the sons and daughters of immigrants from the Philippines. The line actually gets longer for the sons and daughters when the parent naturalizes. This outcome is caused by two factors: (1) no one country can receive more than a certain percentage of visas in family-preference categories, and (2) there is a relatively higher demand among naturalized citizens from the Philippines for preference visas for their adult sons and daughters than there is among permanent residents from the Philippines. In any event, it is certainly unfortunate that immigrants are in effect being penalized for becoming citizens. The Senate amendment provides relief by allowing an adult son or daughter of a naturalized citizen who has already been sponsored for permanent residence to choose not to be transferred from the second preference ''B'' category to the first preference category.

This bill will solve the ''age out'' problem without displacing others who have been waiting patiently in other visa categories by allowing the child to use the date at the time the date of the parent's application. I would like to thank our Subcommittee Chairman, Congressman GEORGE GEKAS and Chairman SENSENBRENNER for moving this matter through the Congress. I look forward to further bi-partisan agreements in the future.

Mr. GEKAS. Mr. Speaker, I introduced H.R. 1209, the ''Child Status Protection Act'', in March of 2001 along with SHEILA JACKSON LEE. I was moved by stories of the children of U.S. citizens, constituents of my own and of other members, who were being punished because of the inability of the INS to process applications for adjustment of status to permanent residency in a timely manner.

I am gratified to see us today on the verge of passing this bill for a second time and sending it to President Bush for his signature. I want to thank Senator DIANNE FEINSTEIN for all her help in getting this bill passed by the Senate and for her efforts to make it even better.

Aliens who are eligible to receive an immigrant visa and who are in the United States are eligible to adjust to permanent resident status with the INS. However, the adjustment of status process has become a black hole. Almost a million adjustment of status applications are pending and the consequent processing delay can last up to three years. For the children of U.S. citizens, such delay can have major consequences.

An unlimited number of visas are available each year for the minor children of U.S. citizens, who are considered immediate relatives. However, a finite number of visas are available for the adult children of U.S. citizens.

The date at which the age of a child is measured is the date their adjustment of status application is processed—not the date that an immigrant visa petition was filed on their behalf. Thus, with the INS taking up to three years to process applications, children who were under 21 when their petitions were filed may find themselves over 21 by the time their applications are processed. When a child of a U.S. citizen ''ages out'' by turning 21, the child automatically shifts from the immediate relative category to the family first preference category. This puts him or her at the end of long waiting list for a visa.

Because demand for first preference visas far exceeds the number of visas available each year, petitions are processed in the order they were filed. For applicants from most countries, the wait for a family first preference visa is about seven years, but for applicants from Mexico or the Philippines, the wait can be much longer. This is in addition to the time it takes INS to process he adjustment of status application.

H.R. 1209, ''the Child Status Protection Act'', allows the children of U.S. citizens whose visa petitions were filed before they reached 21, but turn 21 before their adjustment of status applications are processed, to adjust status without having to wait for years. Pursuant to the bill, they will still be considered minor children of U.S. citizens, thus avoiding the first preference backlog.

This bill protects the children of American citizens whose opportunity to receive a visa quickly has been lost because of INS delays. It will also apply to those rare cases where a child ''ages out'' overseas during the usually more expeditious State Department visa processing.

The bill was modified in the Senate to provide relief to other children who lose out when the INS takes too long to process their adjustment of status applications—such as the children of permanent residents and of asylees and refugees. I want to commend Senator FEINSTEIN for these changes.

The bill will also benefit Philippine immigrants who become naturalized citizens. For some of them, naturalization now means that they will have to wait longer to reunite with their adult children. Our complex immigration laws and the law of supply and demand currently lead to the odd result that the waiting list is longer for the adult child of a naturalized citizen from the Philippines than for the adult child of a permanent resident from the Philippines. As a result, Filipino permanent residents with adult children are being punished for becoming citizens of the United States. H.R. 1209 sets things right by simply allowing the adult children to choose to stay in the shorter line.

I urge my colleagues to support H.R. 1209.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 1209.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CONFERRING HONORARY CITIZENSHIP ON THE MARQUIS DE LAFAYETTE

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 13) conferring honorary citizenship of the United States on Paul Yves Roch Gilbert du Motier, also known as Marquis de Lafayette, as amended.

The Clerk read as follows:

S.J. RES. 13

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Marie Joseph Paul Yves Roche Gilbert du Motier, the Marquis de Lafayette, is proclaimed posthumously to be an honorary citizen of the United States of America.

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

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. 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 S.J. Res. 13.

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

There was no objection.

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

Mr. Speaker, Senate Joint Resolution 13 confers honorary U.S. citizenship on the Marquis de Lafayette in recognition of his many contributions to and sacrifices for the cause of American independence and his lifelong crusade for the principles of representative government.

American citizenship is the highest honor that we as a country can confer upon the citizen of another country. The granting of honorary citizenship is the admission and welcoming of that person into our national family.

□ 1430

The granting of honorary U.S. citizenship has only been given to individuals four times in our history.

The Marquis de Lafayette's role in the fight for this country's freedom justifies adding the Marquis to this select group of individuals.

This resolution acknowledges the many efforts made by the Marquis de Lafayette that are the basis for granting him honorary United States citizenship.

Although the Marquis de Lafayette was granted citizenship by Maryland and Virginia before the Constitution was adopted, it has been determined that citizenship conferred by those States did not confer U.S. citizenship on the Marquis.

Because of the many ways in which the Marquis played a major role in the creation of our great Nation, it is appropriate to bestow the rare distinction of honorary U.S. citizenship upon the Marquis de Lafayette.

No other foreign national involved in this country's independence contributed so much to the cause. The Marquis de Lafayette certainly deserves this tribute for his role in creating a free America.

Unfortunately, the resolution passed by the Senate states the Marquis's name incorrectly. This motion that I have made amends the joint resolution to grant honorary citizenship to the real Marquis de Lafayette and, thus, the resolution must go back to the other body for its consideration. I hope that the other body will move quickly and not cause any further delay in granting this much overdue honor to the Marquis de Lafayette. I urge the House to pass this resolution.

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.

Mr. Speaker, just under a month ago, we celebrated our Independence Day, when many Americans begin to turn their attention to, again, the values of this country and the privileges of this country. I took the opportunity again to reflect upon the Declaration of Independence and to read about the original signers of that document. It was interesting to note that most of those who signed, or many of those who signed, ultimately lost their status and wealth, their land, some of whom lost their life or their freedom by being incarcerated in prison, some never to see their family members again. So S.J. Resolution 13 is worthy of the support of my colleagues in honor of the Marquis de Lafayette.

So I rise today to support this measure conferring honorary citizenship of the United States on this important historic figure. Known as Marquis de Lafayette or General Lafayette, he was a soldier for America's freedom. He gave up a lot: his comfort in France, his royal birthplace, to help young America battle for independence. He did something he did not have to do as the original signers of the Declaration of Independence did as well. So he made a great sacrifice for this Nation.

In 1777, Lafayette, with a crew of adventurers, set sail for America to fight in the revolution against the British. Lafayette joined the ranks as a major general and was assigned to the staff of George Washington. He served with distinction, leading American forces to several victories. On a return visit to France in 1779, Lafayette persuaded the French government to send aid to the Americans. After the British surrender at Yorktown, Lafayette returned to his home in Paris. He had become a hero to the new Nation. At home, he cooperated closely with Ambassadors Benjamin Franklin and then Thomas Jefferson on behalf of American interests.

The United States has conferred honorary citizenship on four other occasions in more than 200 years of its independence, and honorary citizenship is and should remain an extraordinary honor not lightly conferred, not frequently granted. Whereas the Marquis de Lafayette voluntarily put forth his own money, gave aid to the United States, and risked his life for the freedom of Americans, I believe this distinction is warranted. Particularly in this time, we all realize how grateful we are for being born in a country that values freedom so greatly, and for those who fought for that freedom, to make this Nation an ongoing process in greater freedom for all of its diverse members is a tribute.

The sentiment that Marquis de Lafayette had toward America is one Americans should have. Humanity has won its battle. Liberty now has a country.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. GOODE).

Mr. GOODE. Mr. Speaker, I wish to thank the chairman and the ranking member and all of the members of the Committee on the Judiciary for their effort on behalf of S.J. Resolution 13.

Inspired by our cause for independence, the Marquis de Lafayette left his aristocratic life in France to come to revolutionary America. He landed in Charleston, South Carolina, and he was only 20 years old. One month later in Philadelphia, he volunteered to serve in the continental Army at his own expense. Congress gave him the rank of major general.

Two months after his commission, Lafayette was wounded at the Battle of Brandywine. He spent the winter with George Washington at Valley Forge. The following summer, he served with distinction at the Battle of Monmouth, and then at the battle of Newport in Rhode Island.

After going to France for 2 years, he returned to America in 1780 and was an invaluable aide-de-camp as General Washington and the French Commander-in-Chief planned a joint campaign. In 1781, Lafayette served in Virginia, concluding with our victory at Yorktown. He went back to France.

Then in 1824, Lafayette returned to America and received a hero's welcome wherever he went. He spent over a year touring all 24 States of the Union.

Many of my colleagues have noticed the portrait on the wall here in the House. It commemorates Lafayette's speech to an 1824 Joint Session of Congress, the first such address by a foreigner. In November of that year, Lafayette stayed with President Thomas Jefferson at Monticello in the fifth district of Virginia. At a banquet at the University of Virginia held in the Dome Room of UVA's Rotunda, the Marquis was seated between former presidents Jefferson and James Madison. There proclaimed Jefferson, referring to the American revolution, ''I merely held the nail; Lafayette drove it.''

I take these comments to mean that while Jefferson was a crucial figure in defining the ideals of representative democracy, Lafayette was a crucial figure in making our democracy politically possible through securing France's help and winning our independence from Great Britain.

Let us now return Lafayette's inestimable favor. Let us concur on the Marquis de Lafayette honorary citizenship of the United States of America.

Mr. Speaker, I urge my colleagues to vote in favor of S.J. Resolution 13.

Ms. JACKSON-LEE of Texas. Mr. Speaker, it gives me great pleasure to yield such time as he might consume to the gentleman from American Samoa (Mr. FALEOMAVEAGA). We appreciate his friendship and that of the independent islands which he is representing.

Mr. FALEOMAVAEGA. Mr. Speaker, I thank the gentlewoman for yielding me this time. I certainly want to commend our distinguished chairman of the Committee on the Judiciary, as well as the gentlewoman from Texas, for their management of this legislation. I support the proposed resolution.

How ironic, Mr. Speaker, that we find here in this hallowed Chamber only two paintings of two distinguished individuals that have had some bearing in terms of what we are discussing, the

revolution and the leadership of George Washington. If I am correct, Mr. Speaker, I believe the other painting that we see here in the gallery is the Marquis de Lafayette, and I think it bears an understanding of how distinguished this Frenchman was by demonstrating his leadership, his courage, and his commitment to our freedoms as a former colony of the British empire.

I think we have to have a sense of perspective too in terms of the fact that the French and the British were fighting over the colonial abilities of themselves in terms of what we were to do, and I wonder, sometimes, if maybe the French government really had a love or a greater hatred for the British than they did for the colonialists.

But I do want to honor the Marquis de Lafayette and all that my good friend, the gentleman from Virginia (Mr. GOODE) had spoken about in terms of his history and his commitment to democracy. I just wish that perhaps in these days, the Marquis de Lafayette would come and help me with the fact that the French government had conducted 200 nuclear testings in the South Pacific that has drastically affected the environment in this region of the world. I wonder that despite the fact that 60 percent of the French people were even against nuclear testing, for which President Chirac has simply broken the moratorium and given greater pain and feelings of misunderstanding of the people of the Pacific.

Yes, I do honor the Marquis de Lafayette for what he has done for our Nation, and for that I want to again thank the gentlewoman from Texas for giving me this opportunity to pay tribute to this gentleman, and I support the resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Let me thank the distinguished gentleman from American Samoa. I think his tribute to the Marquis de Lafayette is to be appreciated, as well as his concerns that have been expressed.

Let me say to the distinguished chairman of the Committee on the Judiciary, as I mentioned last week when we were on the floor together, let me make it very clear that I support enthusiastically this resolution, and distinguished gentleman from Virginia for putting it forward. I think it is important that as this bill deals with citizenship, just to indicate to this House as we begin to finish our work before a work recess, that there is unfinished business, and I hope that we can attend to it perspectively, without disrespect to the present legislation as I rise to support it.

I believe it is important, however, that we find a way to move 245(i) on, because we have come to this floor and we have modified the status of children waiting to access citizenship through their parents. We need to continue moving forward on family reunification and not use the tragedies of September 11 and the terrorism that we have experienced to deal with real immigration issues.

I would also hope that one of the groups that we have looked at and maybe looked over that we can try to address their concerns, and that is the Haitians, that we can provide legislation to address their status. Also, I believe that if we did a cultural bill similar to that done in Ireland, that it would be extremely helpful. We need peace in Haiti, one of the countries that has the greatest turmoil that is right outside of our border here in the Western Hemisphere.

So I hope that we will have the opportunity to do that as we move forward on the Homeland Security Department. I also hope that we will have an opportunity to focus on making sure that the resources of the immigration services and enforcement are all kept intact so that we do not lose sight of diminishing the role that they play in this country, the good role that they play in this country.

With that, I would ask my colleagues to support S.J. Resolution 13.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, I am really sorry that the gentlewoman from Texas and the gentleman from American Samoa have brought extraneous issues into the debate on whether or not we should give honorary citizenship to the Marquis de Lafayette.

This is really something that is very unique. It probably came about as a result of an anomaly in our citizenship laws that have been overlooked for over 200 years, because both Virginia and Maryland, prior to the adoption of the Constitution, granted the Marquis honorary citizenship. I think many people had assumed that that grant before the Constitution was adopted would have sufficed to make sure that his honorary citizenship was valid in the newly United States of America. Unfortunately, it was not, and that is why we are here today.

One of the reasons why we have 50 stars in the upper left-hand corner of our flag rather than the union jack was because of the efforts that the Marquis made not only militarily during the Revolutionary War, but in securing the France of Louis the 16th to be on the side of the American colonists in their fight against Great Britain. Without his efforts, both on the ground on this side of the Atlantic and diplomatically in Paris, the revolution may very well have not succeeded.

So today should be the Marquis de Lafayette's day. I think that we should have an overwhelming vote in favor of this resolution.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today in support of S.J. Res. 13 conferring honorary U.S. citizenship on Paul Yves Roch Gilbert du Motier.

Paul Yves Roch Gilbert du Motier, also known as the Marquis de Lafayette, risked his life and financial security for the freedom of Americans. By an Act of Congress, the Marquis de Lafayette was voted to the rank of Major General, and during the Revolutionary War, General Lafayette was wounded at the Battle of Brandywine, demonstrating bravery that forever endeared him to American soldiers. General Lafayette then provided his devotion to our country further by securing the help of France in the United States' colonists' fight against Great Britain, a turning point in the war of independence.

For his unmatched dedication, General Lafayette was the first foreign dignitary to address Congress, an honor accorded to him upon his return to the United States in 1824. A portrait of our honored friend hangs in front of us today in the House Chamber—the only portrait of a non-American citizen in the Capitol. Mr. Speaker, I rise today to ask my colleagues to join me in supporting the Honorable Senator from Virginia's effort to confer honorary citizenship on a great friend of America, General Lafayette.

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

The SPEAKER pro tempore (Mr. STEARNS). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the Senate joint resolution, S.J. Res. 13, as amended.

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

The title of the Senate joint resolution was amended so as to read: ''Joint Resolution conferring honorary citizenship of the United States posthumously on Marie Joseph Paul Yves Roche Gilbert du Motier, the Marquis de Lafayette.''.

A motion to reconsider was laid on the table.

□ 1445

JUDICIAL IMPROVEMENTS ACT OF 2002

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3892) to amend title 28, United States Code, to make certain modifications in the judicial discipline procedures, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3892

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 ''Judicial Improvements Act of 2002''.

SEC. 2. JUDICIAL DISCIPLINE PROCEDURES.

(a) IN GENERAL.—Part I of title 28, United States Code, is amended by inserting after chapter 15 the following new chapter:

''CHAPTER 16—COMPLAINTS AGAINST JUDGES AND JUDICIAL DISCIPLINE

''Sec.
''351. Complaints; judge defined.
''352. Review of complaint by chief judge.
''353. Special committees.
''354. Action by judicial council.