

(c) **CRIMINAL PENALTIES.**—Whoever knowingly and willfully violates paragraph (1) or (2) of subsection (a) shall be subject to a fine of not more than \$250,000, imprisonment for not more than 5 years, or both.

#### TITLE V—GENERAL PROVISIONS

##### SEC. 501. RECOGNITION OF CONVENTION ADOPTIONS.

Subject to Article 24 of the Convention, adoptions concluded between two other Convention countries that meet the requirements of Article 23 of the Convention and that became final before the date of entry into force of the Convention for the United States shall be recognized thereafter in the United States and given full effect. Such recognition shall include the specific effects described in Article 26 of the Convention.

##### SEC. 502. SPECIAL RULES FOR CERTAIN CASES.

(a) **AUTHORITY TO ESTABLISH ALTERNATIVE PROCEDURES FOR ADOPTION OF CHILDREN BY RELATIVES.**—To the extent consistent with the Convention, the Secretary may establish by regulation alternative procedures for the adoption of children by individuals related to them by blood, marriage, or adoption, in cases subject to the Convention.

(b) **WAIVER AUTHORITY.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of this Act, to the extent consistent with the Convention, the Secretary may, on a case-by-case basis, waive applicable requirements of this Act or regulations issued under this Act, in the interests of justice or to prevent grave physical harm to the child.

(2) **NONDELEGATION.**—The authority provided by paragraph (1) may not be delegated.

##### SEC. 503. RELATIONSHIP TO OTHER LAWS.

(a) **PREEMPTION OF INCONSISTENT STATE LAW.**—The Convention and this Act shall not be construed to preempt any provision of the law of any State or political subdivision thereof, or prevent a State or political subdivision thereof from enacting any provision of law with respect to the subject matter of the Convention or this Act, except to the extent that such provision of State law is inconsistent with the Convention or this Act, and then only to the extent of the inconsistency.

(b) **APPLICABILITY OF THE INDIAN CHILD WELFARE ACT.**—The Convention and this Act shall not be construed to affect the application of the Indian Child Welfare Act of 1978 (25 U.S.C. 1901 et seq.).

(c) **RELATIONSHIP TO OTHER LAWS.**—Sections 3506(c), 3507, and 3512 of title 44, United States Code, shall not apply to information collection for purposes of sections 104, 202(b)(4), and 303(d) of this Act or for use as a Convention record as defined in this Act.

##### SEC. 504. NO PRIVATE RIGHT OF ACTION.

The Convention and this Act shall not be construed to create a private right of action to seek administrative or judicial relief, except to the extent expressly provided in this Act.

##### SEC. 505. EFFECTIVE DATES; TRANSITION RULE.

(a) **EFFECTIVE DATES.**—

(1) **PROVISIONS EFFECTIVE UPON ENACTMENT.**—Sections 2, 3, 101 through 103, 202 through 205, 401(a), 403, 503, and 505(a) shall take effect on the date of the enactment of this Act.

(2) **PROVISIONS EFFECTIVE UPON THE ENTRY INTO FORCE OF THE CONVENTION.**—Subject to subsection (b), the provisions of this Act not specified in paragraph (1) shall take effect upon the entry into force of the Convention for the United States pursuant to Article 46(2)(a) of the Convention.

(b) **TRANSITION RULE.**—The Convention and this Act shall not apply—

(1) in the case of a child immigrating to the United States, if the application for advance processing of an orphan petition or petition to classify an orphan as an immediate relative for the child is filed before the effective date described in subsection (a)(2); or

(2) in the case of a child emigrating from the United States, if the prospective adoptive par-

ents of the child initiated the adoption process in their country of residence with the filing of an appropriate application before the effective date described in subsection (a)(2).

#### HOUSE AMENDMENT TO SENATE AMENDMENT:

Page 36, strike lines 22 and 23 and insert "and the natural parents has been terminated (and in carrying out both obligations under this subclause the Attorney General may consider whether there is a petition pending to confer immigrant status on one or both of such natural parents); and".

Mr. GILMAN (during the reading). Mr. Speaker, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from New York?

Mr. DELAHUNT. Mr. Speaker, reserving the right to object, and I shall not object, I yield to the gentleman from New York (Mr. GILMAN) to describe the amendment.

Mr. GILMAN. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. DELAHUNT) for yielding. We have reached an agreement with the Senate on H.R. 2909, the Intercountry Adoption Act. The Senate made modest amendments to this bill which the House passed on July 18, 2000, and the bill we are taking up today includes a further modification as proposed by the House Committee on the Judiciary.

This amendment has been agreed to by the relevant committees on both sides of the aisle and it is acceptable to the Senate as well. This amendment simply clarifies that the Attorney General, in carrying out obligations to satisfy herself that the purpose of a particular adoption is to form a bona fide parent/child relationship in the parent/child relationship of the child and the natural parents has been terminated, may consider whether there is a petition pending to confer immigrant status on one or both birth parents.

The pendency of such a petition may have negative evidentiary value on these issues before the Attorney General. We, therefore, think that this is a reasonable addition to the bill. Accordingly, I urge my colleagues to support this measure.

I want to thank the gentleman from Massachusetts (Mr. DELAHUNT) for his leadership on this bill.

Mr. DELAHUNT. Mr. Speaker, further reserving the right to object, I am very glad to join my good friend, the gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations, in urging support for this bill. I understand the other body has agreed to accept this amendment, and I want to express my appreciation to the chairman of the Subcommittee on Immigration and Claims, the gentleman from Texas (Mr. SMITH); the full chairman of the full Committee on the Judiciary, the gentleman from Illinois (Mr. HYDE); and

Senators ABRAHAM, KENNEDY and LANDRIEU for all of their efforts to help us resolve the impasse over these final amendments to this important legislation.

The Hague Convention on Inter-country Adoption is of enormous importance to adopted kids and their families, and this implementing legislation is absolutely critical to ensuring that both parents and adoptive families can participate in the intercountry adoption process with full confidence and a greater sense of security.

I want to thank the gentleman from New York (Mr. GILMAN), the ranking member; the gentleman from Connecticut (Mr. GEJDENSON); the gentleman from Connecticut (Mrs. JOHNSON); the gentleman from Michigan (Mr. CAMP), who has worked so hard on so many issues dealing with adoption, and the many other Members on both sides of the aisle who have worked so hard on behalf of this legislation.

Again, I want to thank Senators HELMS, BIDEN and LANDRIEU for working with us in such a bipartisan and bicameral fashion to achieve this splendid result.

Finally, Mr. Speaker, I would be remiss if I did not express my appreciation to a number of staff members without whose dedication and persistence we would not be standing here today. So let me name Kristen Gilley, who is here with us, and David Abramowitz of the Committee on International Relations; Cassie Bevan of the House Committee on Ways and Means staff; George Fishman and Peter Levinson of the Committee on the Judiciary staff; and my own legislative director, Mr. Mark Agrast.

Mr. Speaker, I am very happy to withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from New York?

There was no objection.

A motion to reconsider was laid on the table.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### WHY THE UNITED STATES DOES NOT OWE DUES TO THE UNITED NATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. BARTLETT) is recognized for 5 minutes.

Mr. BARTLETT of Maryland. Mr. Speaker, I want to talk for a few minutes this evening about U.N. dues. I am not going to talk about the proposal of the U.N. to levy taxes on the countries of the world, including ours, which frightens a number of our people. Indeed, that is frightening. I am not going to talk about the proposal that

the U.N. have its own army, and I know that there are those and some of them from our country in the past and at present who genuinely feel that the world would be a safer place if the U.N. had the largest army in the world and, therefore, could keep the peace. I am frightened by that prospect, and I know a number of our people are.

I am not going to talk about U.N. resolutions which once they are made have the effect of law, which have the effect of setting our laws aside and actually sometimes have the effect of setting our Constitution aside. Of course, that should be unthinkable but it has happened and we need to talk about that, but I am not going to talk about that because I am sure that others will this evening.

I am also not going to talk about whether the U.N. is effective or not, whether it really meets the promise that we held for the U.N. when it was established a number of years ago. I am not going to talk about whether the U.N. should be expanded or not. I understand they want 10 new floors on their building. They are already a monstrous bureaucracy. I am not sure being a bigger one would make them more effective.

I am not going to talk either about whether it is in our vital national security interests to continue to be a part of the U.N. That needs to be debated. I hope it will be debated across the countries; and others, this evening, I am sure will cover that subject. I am also not going to talk about whether 25 percent dues and 31.5 percent for peacekeeping is a fair share for the United States. I do not think we have 25 percent of the vote or 31.5 percent of the vote. As a matter of fact, when one looks at our vote, the U.N. has threatened to remove our vote because we have not paid our dues; that is, our vote in the General Assembly.

Let us just look at that vote for a moment and what it would mean if we did not have a vote in the General Assembly. We have less than 1 percent of the vote cast in the General Assembly, and there are a number of countries, we could easily name 15 or 20 countries, that if we vote yes they vote no and some of those countries have less citizens than the District of Columbia, and so they can cancel our vote in the U.N. What does our vote mean in the General Assembly?

It means very little, obviously, if it can be cancelled by a half dozen countries that have no more population than the District of Columbia.

The only vote in the U.N. that has any importance for us is our vote on the Security Council of the U.N. and they cannot remove that vote for not paying dues.

What I do want to talk about is a lonely fight that I waged here for several years to keep us from paying dues that we had already paid a number of times over. What I am talking about is the enormous cost of peacekeeping operations which we have borne. Three

agencies of the government have looked at these costs, the CRS, Congressional Research Service; GAO, the Government Accounting Office; and the Pentagon.

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They have all reached essentially the same conclusions, that we have spent about \$19 billion on peacekeeping activities since 1992. Now, we have been credited with \$1.8 billion of that against U.N. dues, so a precedent has already been made, that if we spend money on an authorized U.N. peacekeeping activity that those monies that we have spent there are in lieu of dues; that is, they could replace dues. They only did that, though, with \$1.8 billion. There is about another \$17 billion that is still out there that we have received no credit for.

All I wanted was a very simple thing, which was an accounting of the dues that we owe. I was not arguing whether 25 percent was too much or 31 percent of peacekeeping was too much; my only argument was that we needed to get credit for what we have spent on legitimate peacekeeping activities. I think that most Americans when they hear that argument say, well, of course, it makes sense, that if we are sending our military there, if we are using our resources there in the pursuit of a U.N. resolution, an authorized U.N. activity, that we should be given credit for the monies that we spend doing that. We have been given credit for \$1.8 billion, but what about the other roughly \$17 billion?

Mr. Speaker, that needs to be accounted for before we pay another dime in U.N. dues.

#### RACIAL PROFILING IN MODERN AMERICA

The SPEAKER pro tempore (Mr. HULSHOF). Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

Ms. NORTON. Mr. Speaker, the Congressional Black Caucus held its annual meeting and events this past week. I rise this evening to speak about an issue that has unusual resonance, as one can see everywhere one goes where there are significant numbers of African Americans.

Vice President GORE spoke at Howard University and again Saturday evening to the Congressional Black Caucus dinner participants. At both places he briefly mentioned racial profiling. No issue, animated the mostly African American audience more than the mention of racial profiling. At Howard University, the Vice President had a moment of silence for Prince Jones, a student at Howard University who was followed by police from Maryland into Virginia, apparently stopped; he backed his car into the police car and was shot many times in the back.

The Vice President was careful to say that it was a case still under investiga-

tion; none of us had any way to know whether there was provocation for this. The students, of course, were up in arms that this model student at Howard University, a young man whose reputation was impeccable, was shot down this way.

The point I want to make here is not that the police were wrong, but that we have come to a point in the African American community where racial profiling is so widespread that nobody believes that anyone who was shot was doing anything, because there have been so many instances of black people in every class of every kind and of every profession being followed simply because they were black.

Mr. Speaker, what this amounts to is a loss of confidence in a vital part of the criminal justice system, and this at a time when African Americans have embraced the police because of crime rates in the African American community.

But look at what they see. Wholesale of police brutality incidents reported. Sentencing rules for small time drug offenses with a disproportionate racial impact so severe that in the Federal system, sentencing guidelines have been repudiated by much of the Federal judiciary. The use of the death penalty, whose racial consequences have shaken the American public, led to a moratorium in some of the States; and now we have the Justice Department reporting that even in the Federal system on death row, there are disproportionate numbers of African Americans.

Mr. Speaker, nobody wants to see the criminal justice system held up to anything but the highest praise from us all, particularly at a time when our crime rates, though going down; there was a 10 percent reduction in crime in this country since last year, are still far too high and the highest in the western world. But if we wanted to begin somewhere to restore confidence in the criminal justice system, surely we would begin with the notion that when a black person goes out on the street and walks down the street, there ought to be more than that to have him picked up or followed. That is what we have come to. There has been so much concern about the way crime escalated in the early 1990s, that though we have brought it down, we have this terrible residue.

We recognize that there are disproportionate numbers of African Americans who, in fact, have been picked up and put in jail. All the more reason to be careful about branding folks who have abided by the rules and done what they should do. Imagine how mothers of young African Americans in their 20s, I am one who has a son, finished college in 4 years, now works at ABC Sports, is doing what he is supposed to do, I do not know in New York City where he works, when he will get stopped, because, in fact, the stops there and elsewhere have been so frequent.

Frankly, I love the cops. I love the Capitol Police, I love the D.C. police