

The PRESIDING OFFICER. The Senator from Colorado.

# INTERCOUNTRY ADOPTION ACT OF 2000

Mr. CAMPBELL. Mr. President, I ask unanimous consent the Senate now proceed to the consideration of Calendar No. 692, H.R. 2909.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2909) to provide for implementation by the United States of the Hague Convention on Protection of Children and Cooperation in Respect to Intercountry Adoption, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 4023

Mr. CAMPBELL. Mr. President, Senator HELMS has a substitute amendment at the desk. I ask for its consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

The Senator from Colorado [Mr. CAMPBELL], for Mr. HELMS, for himself, Ms. LANDRIEU, Mr. ASHCROFT, Mr. CRAIG, Mr. JOHNSON, Mr. SMITH of Oregon, and Mrs. LINCOLN, proposes an amendment numbered 4023.

Mr. CAMPBELL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. HELMS. Mr. President, countless Americans will be pleased to know that the Senate has unanimously approved the Intercountry Adoption Implementation Act to implement the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption. This is a treaty that was approved by the Foreign Relations Committee about 3 months ago—in April of this year.

Senator LANDRIEU and I had offered the Intercountry Adoption Implementation Act a year ago, because when this legislation becomes law it will provide, for the first time, a rational structure for intercountry adoption.

This significant legislation is intended to build some accountability into agencies that provide intercountry adoption services in the United States while strengthening the hand of the Secretary of State in ensuring that U.S. adoption agencies engage in an ethical manner to find homes for children.

Although, the majority of intercountry adoptions are successful, it is also a process that can leave parents and children vulnerable to fraud and abuse.

For this reason, under the Intercountry Adoption Implementation Act, agencies will be accredited to provide intercountry adoption. Mandatory standards for accreditation will include

ensuring that a child's medical records be available in English to the prospective parents prior to their traveling to the foreign country to finalize an adoption. (The act also requires that agencies be transparent, especially in their rate of disrupted adoption and their fee scales.)

Moreover, under this act, the definition of orphan has been broadened so that more children can be adopted by U.S. parents. However, in no way is the power of the U.S. Attorney General (who currently has the authority to ensure that all adoptions coming into the United States are authentic) diminished.

Lastly, the Intercountry Adoption Implementation Act will provide much-needed protection for U.S. children being adopted abroad by foreigners. Under this act, it will be required that: (1) diligent efforts be made to first place a U.S. child in the United States before looking to place a U.S. child abroad; and (2) criminal background checks be conducted on foreigners wishing to adopt U.S. children.

Senator LANDRIEU and I have worked together on issues of adoption since her arrival in the Senate in 1997. I am genuinely grateful for her leadership on this issue.

In addition, I thank Senator BIDEN, the ranking minority member of the Foreign Relations Committee, for his hard work (and that of his staff) in finalizing the Intercountry Adoption Implementation Act.

I likewise extend my gratitude to Senators GORDON SMITH and JOHN ASHCROFT—both members of the Foreign Relations Committee—and Senators JOHNSON, CRAIG, and LINCOLN for their cosponsorship of this legislation.

Senator BROWNBACK has been as helpful, Mr. President, in making certain that small intercountry adoption agencies will be protected under the implementation of this act.

I also thank all Members in the House of Representatives who have worked to enable the passage of this Act; in particular, BEN GILMAN, distinguished chairman of the House International Relations Committee; Congressman SAM GEJDENSON, the ranking minority member on the House International Relations Committee; Congressmen DAVE CAMP and WILLIAM DELAHUNT; and, last but by no means least, Congressman RICHARD BURR—who introduced the original Senate companion bill in the House.

From our own family, the former legislative counsel of the Foreign Relations Committee, now counsel for Senate Intelligence, Patricia McNerney; and my righthand lady, Michele DeKonty.

Mr. President, The Intercountry Adoption Implementation Act now awaits approval by the House of Representatives. Needless to say, we hope the House will move swiftly toward final passage.

Mr. BROWNBACK. Mr. President, as the father of five children—two of

whom came into our family through international adoption—I take special interest in the Hague Convention on Intercountry Adoption. The treaty signers hope to improve the international adoption system and provide more homes for the children who need them.

Like many active adoption professionals and leaders of the American adoption community, I support the mission of the treaty to protect the rights of, and prevent abuses against, children, birth families, and adoptive parents, involved in adoptions. The treaty will not only reassure countries who send their children outside their borders, it will also improve the ability of the United States to assist its citizens who seek to adopt children from abroad.

While the treaty will provide significant benefits, I had serious concerns that the proposed method of implementation would have caused more harm than good. After study, it became clear to me that there are few nonprofit private entities in existence that have the funding, staff, and experience necessary to develop and administer standards for entities (agencies) providing child welfare services. Small community based agencies especially would have found it costly and burdensome to deal with only one or possibly two large and most likely distant accrediting entities. For the season, I have repeatedly expressed concerns that many states, especially rural and sparsely populated areas, risk being left with no adoption agencies authorized to help their residents with foreign adoptions.

As I have stated before, I believe it is important for each state to regulate adoption agencies as it deems appropriate to meet the widely varying needs of its families with the resources available in that state. Working closely with the sponsors of this bill, I proposed an amendment that allows public entities (other than a Federal entity), including an agency or instrumentality of State government having responsibility for licensing adoption agencies, to serve as an accrediting entity. (In other words, a state government may serve as an accrediting entity.)

In this way, States may continue to participate in intercountry adoption—making sure that interested parties meet the Hague requirements. Giving states the option to continue to participate in intercountry adoption would ensure that small and medium sized agencies have at least one accrediting entity choice that is local, familiar, and easily accessible.

In addition, in order to further lessen the initial burden of federal accreditation on small and medium sized agencies, I worked with the sponsors of this bill to minimally increase the temporary registration period for small and medium sized agencies. Thus, they would have more time to prepare for federal accreditation—a process that may prove to be costly and burdensome

but is considered necessary by many in the adoption community.

My initial concerns regarding certain provisions of the implementing legislation stemmed from a number of areas including my own experience of having recently adopted two children from other countries, and contact with numerous other families who would either love to adopt a child, but can't afford it, or who have adopted a child under the present system and had great success.

Like many Americans, I am firmly committed to finding permanent, safe, and loving homes for children who have been orphaned or are in foster care. I am hopeful this legislation will help secure that dream without adding a significant overlay of federal bureaucracy and red tape.

At this time, I would like to recognize and thank one of my staff members, Amanda Adkins, for help on this legislation. Amanda was truly diligent in her efforts to make this a better bill and to work for the needs of rural Kansans. I thank her for her dedication.

Many families spend their entire life savings to realize their dream of having a child. I look forward to continuing to work with the sponsors of this bill as we monitor the implementation of this important treaty.

Mr. CAMPBELL. I ask unanimous consent the amendment be agreed to, the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4023) was agreed to.

The bill (H.R. 2909), as amended, was read the third time and passed.

#### COAST GUARD AUTHORIZATION ACT OF 2000

Mr. CAMPBELL. Mr. President, I ask unanimous consent the Senate now proceed to the consideration of Calendar No. 567, S. 1089.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1089) to authorize appropriations for fiscal year 2000 and 2001 for the United States Coast Guard, and for other purposes.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the bill.

The Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation with an amendment to strike all after the enacting clause and insert the printed in italic:

S. 1089

*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 "Coast Guard Authorization Act of 2000".*

#### TITLE I—AUTHORIZATION

##### SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION FOR FISCAL YEAR 2000.—Funds are authorized to be appropriated for necessary expenses of the Coast Guard for fiscal year 2000, as follows:

(1) For the operation and maintenance of the Coast Guard, \$2,781,000,000, of which \$300,000,000 shall be available for defense-related activities and of which \$25,000,000 shall be derived from the Oil Spill Liability Trust Fund.

(2) For the acquisition, construction, rebuilding, and improvement of aids to navigation, shore and offshore facilities, vessels, and aircraft, including equipment related thereto, \$389,326,000, to remain available until expended, of which \$20,000,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990.

(3) For research, development, test, and evaluation of technologies, materials, and human factors directly relating to improving the performance of the Coast Guard's mission in support of search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, \$19,000,000, to remain available until expended, of which \$3,500,000 shall be derived from the Oil Spill Liability Trust Fund.

(4) For retired pay (including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose), payments under the Retired Serviceman's Family Protection and Survivor Benefit Plans, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, such sums as may be necessary, to remain available until expended.

(5) For environmental compliance and restoration at Coast Guard facilities (other than parts and equipment associated with operations and maintenance), \$17,000,000, to remain available until expended.

(6) For alteration or removal of bridges over navigable waters of the United States constituting obstructions to navigation, and for personnel and administrative costs associated with the Bridge Alteration Program, \$15,000,000, to remain available until expended.

(b) AUTHORIZATION FOR FISCAL YEAR 2001.—Funds are authorized to be appropriated for necessary expenses of the Coast Guard for fiscal year 2001, as follows:

(1) For the operation and maintenance of the Coast Guard, \$3,199,000,000, of which \$25,000,000 shall be derived from the Oil Spill Liability Trust Fund.

(2) For the acquisition, construction, rebuilding, and improvement of aids to navigation, shore and offshore facilities, vessels, and aircraft, including equipment related thereto, \$520,000,000, to remain available until expended, of which \$20,000,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990, and of which \$110,000,000 shall be available for the construction and acquisition of a replacement vessel for the Coast Guard Cutter MACKINAW.

(3) For research, development, test, and evaluation of technologies, materials, and human factors directly relating to improving the performance of the Coast Guard's mission in support of search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, \$21,320,000, to remain available until expended, of which \$3,500,000 shall be derived from the Oil Spill Liability Trust Fund.

(4) For retired pay (including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose), payments under the Retired Serviceman's Family Protection and Survivor Benefit Plans, and payments for med-

ical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, such sums as may be necessary, to remain available until expended.

(5) For environmental compliance and restoration at Coast Guard facilities (other than parts and equipment associated with operations and maintenance), \$16,700,000, to remain available until expended.

(6) For alteration or removal of bridges over navigable waters of the United States constituting obstructions to navigation, and for personnel and administrative costs associated with the Bridge Alteration Program, \$15,000,000, to remain available until expended.

(c) AUTHORIZATION FOR FISCAL YEAR 2002.—Funds are authorized to be appropriated for necessary expenses of the Coast Guard for fiscal year 2002 as such sums as may be necessary, of which \$8,000,000 shall be available for construction or acquisition of a replacement vessel for the Coast Guard Cutter MACKINAW.

##### SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH AND TRAINING.

(a) END-OF-YEAR STRENGTH FOR FISCAL YEAR 2000.—The Coast Guard is authorized an end-of-year strength for active duty personnel of 40,000 as of September 30, 2000.

(b) TRAINING STUDENT LOADS FOR FISCAL YEAR 2000.—For each of fiscal years 2000 and 2001, the Coast Guard is authorized average military training student loads as follows:

(1) For recruit and special training, 1,500 student years.

(2) For flight training, 100 student years.

(3) For professional training in military and civilian institutions, 300 student years.

(4) For officer acquisition, 1,000 student years.

(c) END-OF-YEAR STRENGTH FOR FISCAL YEAR 2001.—The Coast Guard is authorized an end-of-year strength for active duty personnel of 44,000 as of September 30, 2001.

(d) TRAINING STUDENT LOADS FOR FISCAL YEAR 2001.—For fiscal year 2001, the Coast Guard is authorized average military training student loads as follows:

(1) For recruit and special training, 1,500 student years.

(2) For flight training, 125 student years.

(3) For professional training in military and civilian institutions, 300 student years.

(4) For officer acquisition, 1,000 student years.

(e) END-OF-YEAR STRENGTH FOR FISCAL YEAR 2002.—The Coast Guard is authorized an end-of-year strength of active duty personnel of 45,500 as of September 30, 2002.

(f) TRAINING STUDENT LOADS FOR FISCAL YEAR 2002.—For fiscal year 2002, the Coast Guard is authorized average military training student loads as follows:

(1) For recruit and special training, 1,500 student years.

(2) For flight training, 125 student years.

(3) For professional training in military and civilian institutions, 300 student years.

(4) For officer acquisition, 1,000 student years.

##### SEC. 103. LORAN-C.

(a) FISCAL YEAR 2001.—There are authorized to be appropriated to the Department of Transportation, in addition to funds authorized for the Coast Guard for operation of the LORAN-C system, for capital expenses related to LORAN-C navigation infrastructure, \$20,000,000 for fiscal year 2001. The Secretary of Transportation may transfer from the Federal Aviation Administration and other agencies of the department funds appropriated as authorized under this section in order to reimburse the Coast Guard for related expenses.

(b) FISCAL YEAR 2002.—There are authorized to be appropriated to the Department of Transportation, in addition to funds authorized for the Coast Guard for operation of the LORAN-C system, for capital expenses related to LORAN-C navigation infrastructure, \$40,000,000 for fiscal year 2002. The Secretary of Transportation may transfer from the Federal Aviation Administration and other agencies of the department