

INTERNATIONAL ADOPTION SIMPLIFICATION ACT

Mr. REID. I ask unanimous consent that we proceed to Calendar No. 330.

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

The legislative clerk read as follows:

A bill (S. 1376) to restore immunization and sibling age exemptions for children adopted by United States citizens under the Hague Convention on Intercountry Adoption to allow their admission to the United States.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as “International Adoption Simplification Act”.

SEC. 2. EXEMPTION FROM VACCINATION DOCUMENTATION REQUIREMENT.

Section 212(a)(1)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(1)(C)(ii)) is amended by striking “section 101(b)(1)(F),” and inserting “subparagraph (F) or (G) of section 101(b)(1);”.

SEC. 3. SIBLING ADOPTIONS.

Section 101(b)(1)(G) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1)(G)) is amended to read as follows:

“(G)(i) a child, younger than 16 years of age at the time a petition is filed on the child’s behalf to accord a classification as an immediate relative under section 201(b), who has been adopted in a foreign state that is a party to the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption done at The Hague on May 29, 1993, or who is emigrating from such a foreign state to be adopted in the United States by a United States citizen and spouse jointly or by an unmarried United States citizen who is at least 25 years of age, Provided, That—

“(I) the Attorney General is satisfied that proper care will be furnished the child if admitted to the United States;

“(II) the child’s natural parents (or parent, in the case of a child who has one sole or surviving parent because of the death or disappearance of, abandonment or desertion by, the other parent), or other persons or institutions that retain legal custody of the child, have freely given their written irrevocable consent to the termination of their legal relationship with the child, and to the child’s emigration and adoption;

“(III) in the case of a child having two living natural parents, the natural parents are incapable of providing proper care for the child;

“(IV) the Attorney General is satisfied that the purpose of the adoption is to form a bona fide parent-child relationship, and the parent-child relationship of the child 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

“(V) in the case of a child who has not been adopted—

“(aa) the competent authority of the foreign state has approved the child’s emigration to the United States for the purpose of adoption by the prospective adoptive parent or parents; and

“(bb) the prospective adoptive parent or parents has or have complied with any pre-adoption requirements of the child’s proposed residence; and

“(ii) except that no natural parent or prior adoptive parent of any such child shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under this chapter; or

“(iii) subject to the same provisos as in clauses (i) and (ii), a child who—

“(I) is a natural sibling of a child described in clause (i), subparagraph (E)(i), or subparagraph (F)(i);

“(II) was adopted abroad, or is coming to the United States for adoption, by the adoptive parent (or prospective adoptive parent) or parents of the sibling described in clause (i), subparagraph (E)(i), or subparagraph (F)(i); and

“(III) is otherwise described in clause (i), except that the child is younger than 18 years of age at the time a petition is filed on his or her behalf for classification as an immediate relative under section 201(b).”.

SEC. 4. EFFECTIVE DATE.

The amendments made by this Act shall take effect as if enacted on April 1, 2008.

Mr. REID. I ask unanimous consent that the committee-reported substitute be considered; that a Klobuchar amendment which is at the desk be agreed to; the substitute amendment, as amended, be agreed to; the bill, as amended, be read a third time and passed; the motions to reconsider be laid upon the table, with no intervening action or debate; and any statements relating to this matter be printed in the RECORD.

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

The amendment (No. 4498) was agreed to, as follows:

(Purpose: In the nature of a substitute)

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as “International Adoption Simplification Act”.

SEC. 2. EXEMPTION FROM VACCINATION DOCUMENTATION REQUIREMENT.

Section 212(a)(1)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(1)(C)(ii)) is amended by striking “section 101(b)(1)(F),” and inserting “subparagraph (F) or (G) of section 101(b)(1);”.

SEC. 3. SIBLING ADOPTIONS.

Section 101(b)(1)(G) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1)(G)) is amended to read as follows:

“(G)(i) a child, younger than 16 years of age at the time a petition is filed on the child’s behalf to accord a classification as an immediate relative under section 201(b), who has been adopted in a foreign state that is a party to the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, done at The Hague on May 29, 1993, or who is emigrating from such a foreign state to be adopted in the United States by a United States citizen and spouse jointly or by an unmarried United States citizen who is at least 25 years of age, Provided, That—

“(I) the Secretary of Homeland Security is satisfied that proper care will be furnished the child if admitted to the United States;

“(II) the child’s natural parents (or parent, in the case of a child who has one sole or surviving parent because of the death or disappearance of, abandonment or desertion by, the other parent), or other persons or institutions that retain legal custody of the child, have freely given their written irrevocable consent to the termination of their legal relationship with the child, and to the child’s emigration and adoption;

“(III) in the case of a child having two living natural parents, the natural parents are incapable of providing proper care for the child;

“(IV) the Secretary of Homeland Security is satisfied that the purpose of the adoption is to form a bona fide parent-child relationship, and the parent-child relationship of the child and the natural parents has been ter-

minated (and in carrying out both obligations under this subclause the Secretary of Homeland Security may consider whether there is a petition pending to confer immigrant status on one or both of such natural parents); and

“(V) in the case of a child who has not been adopted—

“(aa) the competent authority of the foreign state has approved the child’s emigration to the United States for the purpose of adoption by the prospective adoptive parent or parents; and

“(bb) the prospective adoptive parent or parents has or have complied with any pre-adoption requirements of the child’s proposed residence; and

“(ii) except that no natural parent or prior adoptive parent of any such child shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under this chapter; or

“(iii) subject to the same provisos as in clauses (i) and (ii), a child who—

“(I) is a natural sibling of a child described in clause (i), subparagraph (E)(i), or subparagraph (F)(i);

“(II) was adopted abroad, or is coming to the United States for adoption, by the adoptive parent (or prospective adoptive parent) or parents of the sibling described in clause (i), subparagraph (E)(i), or subparagraph (F)(i); and

“(III) is otherwise described in clause (i), except that the child is younger than 18 years of age at the time a petition is filed on his or her behalf for classification as an immediate relative under section 201(b).”.

SEC. 4. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this Act shall take effect on the date of the enactment of this Act.

(b) EXCEPTION.—An alien who is described in section 101(b)(1)(G)(iii) of the Immigration and Nationality Act, as added by section 3, and attained 18 years of age on or after April 1, 2008, shall be deemed to meet the age requirement specified in subclause (III) of such section if a petition for classification of the alien as an immediate relative under section 201(b) of the Immigration and Nationality Act (8 U.S.C. 1151(b)) is filed not later than 2 years after the date of the enactment of this Act.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill, as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

AUTHORIZING PRINTING OF REVISED EDITION OF NOMINATION AND ELECTION OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of S. Res. 589.

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

The legislative clerk read as follows:

A resolution (S. Res. 589) to authorize the printing of a revised edition of the Nomination and Election of the President and Vice President of the United States.

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

Mr. REID. I ask unanimous consent that the resolution be agreed to, the

motion to reconsider be laid upon the table, and that any statements relating to this matter be printed in the RECORD.

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

The resolution (S. Res. 589) was agreed to, as follows:

S. RES. 589

Resolved, That—

(1) the Committee on Rules and Administration shall prepare a revised edition of the document entitled Nomination and Election of the President and Vice President of the United States (Senate Document 106-16);

(2) the revised document described in paragraph (1) shall be printed as a Senate document; and

(3) there shall be printed, beyond the usual number, 600 additional copies of the revised document described in paragraph (1) for the use of the Committee on Rules and Administration.

DESIGNATING SEPTEMBER 2010 AS GOSPEL MUSIC HERITAGE MONTH

Mr. REID. Mr. President, I ask unanimous consent to proceed to S. Res. 590.

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

The legislative clerk read as follows:

A resolution (S. Res. 590) designating September 2010 as "Gospel Music Heritage Month" and honoring gospel music for its valuable contributions to the culture of the United States.

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

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to this matter be printed in the RECORD.

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

The resolution (S. Res. 590) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 590

Whereas gospel music is a beloved art form of the United States;

Whereas gospel music is a cornerstone of the musical traditions of the United States and has spread beyond origins in African-American spirituals to achieve popular cultural and historical relevance;

Whereas gospel music has spread beyond geographic origins in the United States to touch audiences around the world; and

Whereas gospel music is a testament to the universal appeal of a historical art form of the United States that both inspires and entertains across racial, ethnic, religious, and geographical boundaries: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2010 as "Gospel Music Heritage Month"; and

(2) recognizes the valuable contributions to the culture of the United States derived from the rich heritage of gospel music and gospel music artists.

MEASURE READ THE FIRST TIME—S. 3628

Mr. REID. Mr. President, I understand that S. 3628, introduced earlier today by Senator SCHUMER, is at the desk and is now due for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 3628) to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

Mr. REID. I now ask for a second reading and object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

ORDERS FOR THURSDAY, JULY 22, 2010

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 on Thursday, July 22; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to S. Res. 591, a resolution recognizing and honoring the 20th anniversary of the enactment of the Americans With Disabilities Act, as provided for under the previous order.

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

PROGRAM

Mr. REID. Mr. President, there will be up to 2 hours for debate on the Americans With Disabilities resolution to be followed by up to 20 minutes for debate on the Burmese Freedom and Democracy Act.

Upon the use or yielding back of time, at approximately 12 noon tomorrow, the Senate will proceed to a series of two stacked rollcall votes on adoption of S. Res. 591, to be followed by a vote on passage of H.J. Res. 83, the Burmese Freedom and Democracy Act.

Upon disposition of those matters, the Senate will resume consideration of H.R. 5297.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate adjourn under the previous order.

There being no objection, the Senate, at 8:56 p.m., adjourned until Thursday, July 22, 2010, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

MARK M. BOWLWAKE, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CHAD.

CHRISTOPHER J. MCMULLEN, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ANGOLA.

JOSEPH A. MUSSOMELI, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SLOVENIA.

WANDA L. NESBITT, OF PENNSYLVANIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NAMIBIA.

KAREN BREVARD STEWART, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE LAO PEOPLE'S DEMOCRATIC REPUBLIC.

THE JUDICIARY

CHARLES BERNARD DAY, OF MARYLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MARYLAND, VICE PETER J. MESSITTE, RETIRED.

KATHLEEN M. WILLIAMS, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE DANIEL T. K. HURLEY, RETIRED.

DEPARTMENT OF JUSTICE

ALBERT NAJERA, OF CALIFORNIA, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF CALIFORNIA FOR THE TERM OF FOUR YEARS, VICE ANTONIO CANDIA AMADOR, TERM EXPIRED.

WILLIAM CLAUD SIBERT, OF MISSOURI, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF MISSOURI FOR THE TERM OF FOUR YEARS, VICE RONALD HENDERSON, TERM EXPIRED.

MYRON MARTIN SUTTON, OF INDIANA, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF INDIANA FOR THE TERM OF FOUR YEARS, VICE DAVID REID MURTAUGH.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SUBJECT TO QUALIFICATIONS PROVIDED BY LAW, THE FOLLOWING FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.

To be rear admiral (lower half)

MICHAEL S. DEVANY

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. ALFRED J. STEWART

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. HUGO E. SALAZAR

To be brigadier general

COL. WILLIAM L. GLASGOW

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. STEVEN W. DUFF

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. JAMES A. HOYER

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. JOHN M. BIRD

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDANT OF THE MARINE CORPS, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A