

though her husband—himself an immigrant—has legal status here and expects to soon be sworn in as a U.S. citizen. When a newspaper reporter asked the INS to comment on Maria's case, the reply was: "I don't know why Congress wrote it differently for people of different countries. We're not in a position to change a law given to us by Congress . . . we just enforce the law as written."

Well, the law, in this case, was written badly, and needs to be fixed. The Latino and Immigrant Fairness Act would resolve these many inequities by providing a level playing field on which all immigrants from this region with similar histories would be treated equally under the law. And it would address two other issues of great importance to the immigrant community as well.

The provision to restore Section 245(i) would restore a long-standing and sensible policy that was unfortunately allowed to lapse in 1997. Section 245(i) of the Immigration Act had allowed individuals that qualified for a green card to obtain their visa in the U.S. if they were already in the country. Without this common-sense provision, immigrants on the verge of gaining their green card must return to their home country to obtain their visa. However, the very act of making such an onerous trip can put their green-card standing in jeopardy, since other provisions of immigration law prohibit re-entry to the U.S. under certain circumstances. This has led to ludicrous situations, like the forced separation of married couples because one spouse must leave the country to obtain a visa, uncertain as to when they can be reunited. Restoring the Section 245(i) mechanism to obtain visas here in the U.S. is a good policy that will help keep families together and keep willing workers in the U.S. labor force.

Let me add, in my office in Chicago, IL, two-thirds of the casework we do relates to immigration. We understand the plight of these families on a personal basis. We meet them in our office, we meet their friends and relatives, we meet members of their churches who ask why the laws on immigration in America have to be so unfair and contradictory. That is why this bill is so important.

The Date of Registry provision is equally important. Undocumented immigrants seeking permanent residency must demonstrate that they have lived continuously in the U.S. since the date of registry cut-off. This amendment updates the date of registry from 1972—almost 30 years of continuous residency—1986. The Latino and Immigrant Fairness Act recognizes that many immigrants have been victimized by confusing and inconsistent INS policies in the past fifteen years—policies that have been overturned in numerous court decisions, but that have nonethe-

less prevented many immigrants from being granted permanent residency. Updating the date of registry to 1986 would bring long overdue justice to the affected populations.

It is worth reviewing the recent history of immigration policy to understand how we arrived at such a highly convoluted and piecemeal approach. Prior to the passage of the illegal Immigration Reform and Responsibility Act in 1996, aliens in the United States could apply for suspension of deportation and adjustment of status in order to obtain lawful permanent residence. Suspension of deportation was used to ameliorate the harsh consequences of deportation for aliens who had been present in the United States for long periods of time.

In September of 1996, Congress passed the Illegal Immigration Reform and Responsibility Act. This law retroactively made thousands of immigrants ineligible for suspension of deportation and left them with no alternate remedy. The 1996 Act eliminated suspension of deportation and established a new form of relief entitled cancellation of removal that required an applicant to accrue ten years of continuous residence as of date of the initial notice charging the applicant with being removable.

In 1997, Congress recognized that these new provisions had resulted in grave injustices to certain groups of people. So in November of 1997, the Nicaraguan Adjustment and Central American Relief Act (INACARA) granted relief to certain citizens of former Soviet block countries and several Central American countries. This select group of immigrants were allowed to apply for permanent residence under the old, pre-IIRRA standards.

Such an alteration of IIRRA made sense. After all, the U.S. had allowed Central Americans to reside and work here for over a decade, during which time many of them established families, careers and community ties. The complex history of civil wars and political persecution in parts of Central America left thousands of people in limbo without a place to call home. Many victims of severe persecution came to the United States with very strong asylum cases, but unfortunately these individuals have waited so long for a hearing they will have difficulty proving their cases because they involve incidents which occurred as early as 1980. In addition, many victims of persecution never filed for asylum out of fear of denial, and consequently these people now face claims weakened by years of delay.

Correcting the inequities in current immigration policies is not only a matter of fundamental fairness, it is good, pragmatic public policy. The funds sent back by immigrants to their home countries sources of foreign exchange, and significant stabilizing factors in

several national economies. The immigrant workforce is important to our national economy as well. Federal Reserve Chairman Alan Greenspan has frequently cited the threat to our economic well-being posed by an increasingly tight labor pool, and has gone so far as to suggest that immigration be uncapped. While these provisions will not remove or adjust any such caps, it will allow those already here to move freely in the labor market.

I come to the floor disappointed because the effort for unanimous consent to bring up the Latino and Immigrant Fairness Act was denied. This is an act which advances justice, keeps families together, and strengthens the national and international economy. It deserves unqualified support and rapid passage.

Not that many years ago, immigrants to this country faced an onslaught of criticism. There were propositions in the State of California, speeches made by politicians, charges made by groups that really caused a great deal of fear and concern among those who had immigrated to this country. It is a stark reminder that, as a nation of immigrants, we should continue to have a fair and consistent policy of immigration.

This country opened its doors to my mother, her family, to give her a chance to leave her land and come to live here. I often think about the courage involved when their family came together, her mother and three small children, to get on a boat in Germany to come to a country where they did not speak a word of the language.

But they heard they had a better opportunity here in America, as many millions before them and many millions since have heard the same thing. Should we not in this generation show we are compassionate conservatives, compassionate moderates, and compassionate liberals when it comes to immigration fairness? The way to show that, the way to prove it, is to bring to the floor this legislation as quickly as possible.

I hope on a bipartisan basis we can have Republicans and Democrats join in the enactment of this legislation.

I yield the floor.

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 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 GEJDESON, 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 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), \$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-THE-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