

By Mrs. FEINSTEIN (for herself, Mr. JOHNSON, Mr. GRASSLEY, Ms. KLOBUCHAR, Mr. MCCONNELL, Mrs. BOXER, and Mr. CORKER):

S. 1300. A bill to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa fees in certain situations; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise to introduce the Adoptive Family Relief Act, which would provide support and relief to American families seeking to bring their adoptive children from the Democratic Republic of Congo home to the U.S. It would also provide relief to similarly situated adoptive families should barriers arise in other countries in the future. I thank my colleagues, Senators RON JOHNSON, CHUCK GRASSLEY, MITCH MCCONNELL, AMY KLOBUCHAR, BARBARA BOXER, and BOB CORKER for joining me as original cosponsors.

Within the past few years, over 350 American families have successfully adopted children from the Democratic Republic of Congo. However, since September 25, 2013, they have not been able to bring their adoptive children home to the United States because the Democratic Republic of Congo suspended the issuance of "exit permits" for these children until its parliament passes new laws regarding international adoption. These exit permits are necessary for adopted children to leave the Democratic Republic of Congo and be united with their American families in the U.S. As the permit suspension drags on, however, American families are repeatedly paying visa renewal and related fees, while also continuing to be separated from their adopted kids.

The Adoptive Families Relief Act would grant flexibility to the United States Department of State to waive immigrant visa renewal fees for adoptive American parents in extraordinary circumstances like this, where the cause of delay is due to factors not in the control of the child or parents. The Department of State is fully supportive of this legislation and is eager to provide some relief to the many families who are affected.

Under current law, adopted children from abroad must secure U.S. immigrant visas in order to travel to the United States to unite with their adoptive parents. However, these visas expire after 6 months. Ordinarily, such visas are used within the allotted 6 months. However, in rare circumstances, such as the suspension of exit permits in the Democratic Republic of Congo, adopted children are prohibited from leaving their country of birth and cannot use their U.S.-issued visas within the prescribed timeframe.

Adoptive parents consequently pay \$325 in visa renewal fees every 6 months if they want to preserve the validity of their adopted child's visa to travel to the U.S. To renew the visa,

the child must also complete another medical exam, which costs the child's adoptive family approximately \$200. Many families from across the country have already paid for at least three visas, which amounts to \$975 per child, plus costs for medical exams. Additionally, many families are also paying monthly childcare or foster care fees, and some families have adopted more than one child. So, in addition to the emotional stress of being separated from their adoptive children, American parents face a financial burden while the situation goes unresolved.

This bill would not change any of the substantive requirements for issuance of a renewed visa, such as necessary medical exams and background checks. It simply allows the Department of State to waive the visa renewal fee to alleviate the financial burden imposed on American families to renew their child's visa, and reimburses those who have already renewed their child's visa since the exit permit suspension.

The Department of State does not anticipate this waiver authority to be used broadly based on its past experiences and its other adoption programs abroad. The bill would not be a financial burden on the United States. According to the State Department, once the initial visa, which the parents must pay for, is issued, the subsequent work for consular officers involved with renewing a visa is relatively quick and simple. The work involved to renew the visa therefore does not amount to the full cost of the visa renewal fee, so the State Department maintains it would not impact its consular resources.

This legislation builds on the efforts of other members who have tried to resolve the Democratic Republic of Congo's exit permit suspension in various ways. Last April, 171 Members of Congress sent a letter to Democratic Republic of Congo President Joseph Kabila asking for his intervention. In June of 2014, 167 Members of Congress also sent a letter to President Obama requesting his outreach to President Kabila to resolve this situation. Members of Congress sent a letter to the Democratic Republic of Congo Parliament offering technical assistance on October 28, 2014, and the Senate passed S. Res. 502 in the 113th Congress, concerning the Democratic Republic of Congo's suspension of exit permits for Congolese adopted children. This year, the Senate passed an amendment to promote the return of legally adopted children from the Democratic Republic of Congo. My Senate colleagues and our staff have met with our constituents directly affected by the Democratic Republic of Congo's exit permit suspension, and heard their call for help. Furthermore, I, and other Senators, have also had individual meetings with Congolese Ambassador to the U.S., Faïda Mitifu.

However, since the exit permit suspension continues despite these efforts, it is imperative to bring some relief to

our American adoptive parents. While we continue to urge the Democratic Republic of Congo to lift its exit permit suspension, I urge my colleagues to pass the Adoptive Family Relief Act to provide some relief to American families caught powerless in this difficult situation. Should other adoptive parents face similar obstacles in the future with their adoption process in other countries, this bill will also serve as a source of relief to them.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 178—SUPPORTING THE GOALS AND IDEALS OF NATIONAL NURSES WEEK FROM MAY 6, 2015, THROUGH MAY 12, 2015

Mr. MERKLEY submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 178

Whereas, since 1991, National Nurses Week is celebrated annually from May 6, also known as National Recognition Day for Nurses, through May 12, the birthday of Florence Nightingale, the founder of modern nursing;

Whereas National Nurses Week is a time of year to reflect on the important contributions that nurses make to provide safe, high-quality health care;

Whereas nurses are known to be patient advocates, acting fearlessly to protect the lives of those under the care of nurses;

Whereas nurses represent the largest single component of the health care profession, with an estimated population of 3,100,000 registered nurses in the United States;

Whereas nurses are leading in the delivery of quality care in a transformed health care system that improves patient outcomes and safety;

Whereas the Future of Nursing report of the Institute of Medicine has called for the nursing profession to meet the call for leadership in a team-based delivery model;

Whereas, when nurse staffing levels increase, the risk of patient complications and lengthy hospital stays decreases, resulting in cost savings;

Whereas nurses are experienced researchers, and the work of nurses encompasses a wide scope of scientific inquiry, including clinical research, health systems and outcomes research, and nursing education research;

Whereas nurses provide culturally and ethnically competent care and are educated to be sensitive to the regional and community customs of persons needing care;

Whereas nurses are well-positioned to provide leadership to eliminate health care disparities that exist in the United States;

Whereas nurses are the cornerstone of the public health infrastructure, promoting healthy lifestyles and educating communities on disease prevention and health promotion;

Whereas nurses are strong allies to Congress as they help inform, educate, and work closely with legislators to improve the education, retention, recruitment, and practice of all nurses and, more importantly, the health and safety of the patients for whom they care;

Whereas increased Federal and State investment is needed to support programs such as the Nursing Workforce Development Programs (authorized under title VIII of the

Public Health Service Act (42 U.S.C. 296 et seq.), which bolster the nursing workforce at all levels, to increase the number of doctorally prepared faculty members, and to educate more nurse research scientists who can discover new nursing care models to improve the health status of the diverse population of the United States;

Whereas nurses touch the lives of the people of the United States from birth to the end of life; and

Whereas nursing has been voted as the most honest and ethical profession in the United States for the past 13 years: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of National Nurses Week, as founded by the American Nurses Association;

(2) recognizes the significant contributions of nurses to the health care system of the United States; and

(3) encourages the people of the United States to observe National Nurses Week with appropriate recognition, ceremonies, activities, and programs to demonstrate the importance of nurses to the everyday lives of patients.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 1221. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table.

**TEXT OF AMENDMENTS**

SA 1221. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 1314, to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Trade Act of 2015”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—TRADE PROMOTION AUTHORITY**

- Sec. 101. Short title.
- Sec. 102. Trade negotiating objectives.
- Sec. 103. Trade agreements authority.
- Sec. 104. Congressional oversight, consultations, and access to information.
- Sec. 105. Notice, consultations, and reports.
- Sec. 106. Implementation of trade agreements.
- Sec. 107. Treatment of certain trade agreements for which negotiations have already begun.
- Sec. 108. Sovereignty.
- Sec. 109. Interests of small businesses.
- Sec. 110. Conforming amendments; application of certain provisions.
- Sec. 111. Definitions.

**TITLE II—EXTENSION OF TRADE ADJUSTMENT ASSISTANCE**

Sec. 202. Application of provisions relating to trade adjustment assistance.

- Sec. 203. Extension of trade adjustment assistance program.
- Sec. 204. Performance measurement and reporting.
- Sec. 205. Applicability of trade adjustment assistance provisions.
- Sec. 206. Sunset provisions.
- Sec. 207. Extension and modification of Health Coverage Tax Credit.
- Sec. 208. Customs user fees.
- Sec. 209. Child tax credit not refundable for taxpayers electing to exclude foreign earned income from tax.
- Sec. 210. Time for payment of corporate estimated taxes.
- Sec. 211. Coverage and payment for renal dialysis services for individuals with acute kidney injury.
- Sec. 212. Modification of the Medicare sequester for fiscal year 2024.

**TITLE I—TRADE PROMOTION AUTHORITY**

**SEC. 101. SHORT TITLE.**

This title may be cited as the “Bipartisan Congressional Trade Priorities and Accountability Act of 2015”.

**SEC. 102. TRADE NEGOTIATING OBJECTIVES.**

(a) **OVERALL TRADE NEGOTIATING OBJECTIVES.**—The overall trade negotiating objectives of the United States for agreements subject to the provisions of section 103 are—

- (1) to obtain more open, equitable, and reciprocal market access;
- (2) to obtain the reduction or elimination of barriers and distortions that are directly related to trade and investment and that decrease market opportunities for United States exports or otherwise distort United States trade;
- (3) to further strengthen the system of international trade and investment disciplines and procedures, including dispute settlement;
- (4) to foster economic growth, raise living standards, enhance the competitiveness of the United States, promote full employment in the United States, and enhance the global economy;
- (5) to ensure that trade and environmental policies are mutually supportive and to seek to protect and preserve the environment and enhance the international means of doing so, while optimizing the use of the world’s resources;
- (6) to promote respect for worker rights and the rights of children consistent with core labor standards of the ILO (as set out in section 111(7)) and an understanding of the relationship between trade and worker rights;
- (7) to seek provisions in trade agreements under which parties to those agreements ensure that they do not weaken or reduce the protections afforded in domestic environmental and labor laws as an encouragement for trade;
- (8) to ensure that trade agreements afford small businesses equal access to international markets, equitable trade benefits, and expanded export market opportunities, and provide for the reduction or elimination of trade and investment barriers that disproportionately impact small businesses;
- (9) to promote universal ratification and full compliance with ILO Convention No. 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor;
- (10) to ensure that trade agreements reflect and facilitate the increasingly interrelated, multi-sectoral nature of trade and investment activity;
- (11) to recognize the growing significance of the Internet as a trading platform in international commerce; and
- (12) to take into account other legitimate United States domestic objectives, including, but not limited to, the protection of le-

gitimate health or safety, essential security, and consumer interests and the law and regulations related thereto.

(b) **PRINCIPAL TRADE NEGOTIATING OBJECTIVES.**—

(1) **TRADE IN GOODS.**—The principal negotiating objectives of the United States regarding trade in goods are—

(A) to expand competitive market opportunities for exports of goods from the United States and to obtain fairer and more open conditions of trade, including through the utilization of global value chains, by reducing or eliminating tariff and nontariff barriers and policies and practices of foreign governments directly related to trade that decrease market opportunities for United States exports or otherwise distort United States trade; and

(B) to obtain reciprocal tariff and nontariff barrier elimination agreements, including with respect to those tariff categories covered in section 111(b) of the Uruguay Round Agreements Act (19 U.S.C. 3521(b)).

(2) **TRADE IN SERVICES.**—(A) The principal negotiating objective of the United States regarding trade in services is to expand competitive market opportunities for United States services and to obtain fairer and more open conditions of trade, including through utilization of global value chains, by reducing or eliminating barriers to international trade in services, such as regulatory and other barriers that deny national treatment and market access or unreasonably restrict the establishment or operations of service suppliers.

(B) Recognizing that expansion of trade in services generates benefits for all sectors of the economy and facilitates trade, the objective described in subparagraph (A) should be pursued through all means, including through a plurilateral agreement with those countries willing and able to undertake high standard services commitments for both existing and new services.

(3) **TRADE IN AGRICULTURE.**—The principal negotiating objective of the United States with respect to agriculture is to obtain competitive opportunities for United States exports of agricultural commodities in foreign markets substantially equivalent to the competitive opportunities afforded foreign exports in United States markets and to achieve fairer and more open conditions of trade in bulk, specialty crop, and value added commodities by—

(A) securing more open and equitable market access through robust rules on sanitary and phytosanitary measures that—

(i) encourage the adoption of international standards and require a science-based justification be provided for a sanitary or phytosanitary measure if the measure is more restrictive than the applicable international standard;

(ii) improve regulatory coherence, promote the use of systems-based approaches, and appropriately recognize the equivalence of health and safety protection systems of exporting countries;

(iii) require that measures are transparently developed and implemented, are based on risk assessments that take into account relevant international guidelines and scientific data, and are not more restrictive on trade than necessary to meet the intended purpose; and

(iv) improve import check processes, including testing methodologies and procedures, and certification requirements,

while recognizing that countries may put in place measures to protect human, animal, or plant life or health in a manner consistent with their international obligations, including the WTO Agreement on the Application