ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on the remaining motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record vote on the postponed question will be taken tomorrow.

CLEAR CREEK COUNTY, COLORADO, PUBLIC LANDS TRANSFER ACT AMENDMENTS

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2799) to amend the Clear Creek County, Colorado, Public Lands Transfer Act of 1993 to provide additional time for Clear Creek County to dispose of certain lands transferred to the county under the act.

The Clerk read as follows:

H.R. 2799

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MODIFICATION OF LAND CONVEYANCE, CLEAR CREEK COUNTY, COLORADO.

Section 5(c)(2) of the Clear Creek County, Colorado, Public Lands Transfer Act of 1993 (Public Law 103–253; 108 Stat. 677) is amended by striking ''the date 10 years after the date of enactment of this Act'' and by inserting ''May 19, 2014''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from Colorado (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2799 is a simple measure that would amend the Clear Creek County, Colorado, Public Lands Transfer Act of 1993. This act transferred approximately 7,300 acres of BLM managed land to Clear Creek County.

The 7,300 acres consisted of unmanageable and scattered tracks of land held by the BLM. Clear Creek County was given the option to retain or dispose of this land and was given a deadline to complete this by May 19, 2004. All lands that had not been disposed of at that time were to be retained by the county. Since the passage of the 1993 act, Clear Creek County has had difficulty in disposing of some of the transferred land that would be impossible for the county to manage.

Instead of forcing Clear Creek County to retain lands they are incapable of properly managing, H.R. 2799 would provide 10 years additional time for the county to dispose of these lands.

Mr. Speaker, I urge my colleagues to support H.R. 2799.

Mr. Speaker, I reserve the balance of my time.

Mr. UDALL of Colorado. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UDALL of Colorado asked and was given permission to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Speaker, as its author, I obviously support passage of this bill. I want to thank the gentleman from Alaska (Mr. YOUNG), the chairman of the Committee on Resources, and our ranking member, the gentleman from California (Mr. GEORGE MILLER), for making it possible for the House to consider it today.

Mr. Speaker, I also want to thank the gentleman from Utah (Mr. HANSEN), my colleague, for his assistance with this legislation.

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I introduced the bill last year at the request of the commissioners of Clear Creek County. The bill amends section 5 of the Clear Creek Land Transfer Act of 1993. The effect of the amendment would be to allow Clear Creek County additional time to determine the future disposition of some former Federal land that was transferred to the county under that section of the 1993 act.

The 1993 act was originally proposed by my predecessor, Representative David Skaggs. Its purpose was to clarify Federal land ownership questions in Clear Creek County while helping to complete consolidation of the Bureau of Land Management administration in eastern Colorado and assisting with protecting open space and preserving historic sites. As part of its plan to merge its eastern Colorado operations into one administrative office, the BLM has determined that it would be best to dispose of most of its surface lands in northeastern Colorado. The 1993 act helped achieve that goal by transferring some 14,000 acres of land from the Bureau of Land Management to the U.S. Forest Service to the State of Colorado to Clear Creek County and to the towns of Georgetown and Silver Plume.

Of course, the BLM could have sold all of these lands and the local governments could have applied for parcels under the Recreation and Public Purposes Act. Under current law, however, the BLM would first have had to complete detailed boundary surveys. Since lands in question included many small, d-shaped parcels, some measured literally in inches, the BLM estimated that boundary surveys would have taken at least another 15 years to complete and could have cost as much as $18 million.

The estimated market value of these lands was only $3 million, and because the administrative costs were expected to be so much higher than the value of these lands, their disposal under existing law probably could never have been completed. And this would have been the worst of all outcomes because, after reaching the conclusion that the land should be transferred, the BLM in effect stopped managing them to the extent that they could have been managed at all.

Until some means could be found to enable their transfer, these 14,000 acres were effectively abandoned property, potentially attracting all the problems which befall property left uncared for and ignored.

The 1993 act responded to that situation. Under it, about 3,500 acres of BLM land in Clear Creek County were transferred to the Arapaho National Forest. About 3,200 acres of land transferred to the State of Colorado, the county and the towns of Georgetown and Silver Plume.

Finally, about 7,300 acres were transferred to the county. The bill before us today deals only with those lands transferred to the county. The 1993 act provides that after it prepares a comprehensive land use plan, the county may resale some of the land. Other parcels will be transferred to local governments, including the county, to be retained for recreation and public purposes.

With regard to the lands that the county has authority to sell, the 1993 act in effect authorizes the county to act as the BLM sales agent. It provides the Federal Government will receive any of the net receipts from the sale of these lands by the county. Under the 1993 act, the county has 10 years within which to resolve questions related to the rights of way, mining claims and trespass situations on the lands covered by that section of the act, and then to decide which parcels to transfer and which to retain.

Among other things, the county is working with the Colorado Division of Wildlife on a proposal that will result in some 2,000 acres being transferred to the division of wildlife and management as big horn sheep habitat. While the county has completed the conveyance of some of these lands, they still have about 6,000 acres to dispose of. The county commissioners have informed me that the process is taking longer than they anticipated and that a 10-year extension of time would be helpful to them to complete the process.

The bill that the House is considering today responds to that request by providing that extension. I urge its adoption, and I attach a letter from the commissioners of Clear Creek County explaining the request for this legislation.

COUNTY OF CLEAR CREEK,
Georgetown, CO, August 3, 1999.

Re County of Clear Creek, Colorado Public Lands Transfer Act of 1993.

Congressman MARK UDALL,
Westminister, CO.

DEAR CONGRESSMAN UDALL: I have been asked to provide information regarding the status of this project. As of this date, we have conveyed 118 parcels, consisting of 464 acres, of the former BLM land. This means we still have over 1,100 parcels, or 6,000 acres, to dispose of.

A considerable amount of the time on this project has involved analysis and policy development to deal with broad issues that affect most of the parcels, such as rights of way and unpatented mining claims. We have developed suitable solutions for most of these issues. As for trespass situations on specific parcels, we have resolved six of them, and there are four more that we are aware of.

It has also taken a great deal of time to develop policies and procedures for land conveyance that are equitable and cost effective. As you are aware, much of this land consists of hundreds of small fragments that are most appropriately conveyed to owners of contiguous properties, since they are too costly to manage in this configuration. Each parcel must go through the zoning process, and in many cases, the subdivision exemption process to divide them, before they be conveyed. Getting these fragments into private ownership is the biggest challenge of this project.

There are some large tracts of consolidated acreage for which we need to determine disposition. If we retain any of the land (for Recreation (and Public Purpose, as stipulated by the Transfer Act), it would be these tracts, since they would be affordable to manage. However, this has not been decided yet, because we are also looking into conveyance of these tracts to land trusts or conservation groups.

The Colorado Division of Wildlife has asked to purchase approximately 2,000 acres for Bighorn Sheep habitat. They are currently trying to put together funding for this purchase, and we are told that this could take several years.

If you need more information or have any questions, please call me at (303) 679–2434.

Sincerely,

MARK SPARGUE,
Project Manager, County Lands Department.

Mr. Speaker, I yield back the balance of my time.

Mr. HANSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HULSHOF). The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 2799.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include extraneous material therein on H.R. 2799.

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

There was no objection.

INTERCOUNTRY ADOPTION ACT OF 2000

Mr. GILMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2909), to provide for implementation by the United States of the Hague Convention on Protection of Children and Cooperation and Respect of Intercountry Adoption, and for other purposes, with a Senate amendment thereto and concur in the Senate amendment, with an amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment and the House amendment to the Senate amendment as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Intercountry Adoption Act of 2000''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings and purposes.
Sec. 3. Definitions.

TITLE I—UNITED STATES CENTRAL AUTHORITY

Sec. 101. Designation of central authority.
Sec. 102. Responsibilities of the Secretary of State.
Sec. 103. Responsibilities of the Attorney General.
Sec. 104. Annual report on intercountry adoptions.

TITLE II—PROVISIONS RELATING TO ACCREDITATION AND APPROVAL

Sec. 201. Accreditation or approval required in order to provide adoption services in cases subject to the Convention.
Sec. 202. Process for accreditation and approval; role of accrediting entities.
Sec. 203. Standards and procedures for providing accreditation or approval.
Sec. 204. Secretarial oversight of accreditation and approval.
Sec. 205. State plan requirement.

TITLE III—RECOGNITION OF CONVENTION ADOPTIONS IN THE UNITED STATES

Sec. 301. Adoptions of children immigrating to the United States.
Sec. 302. Immigration and Nationality Act amendments relating to children adopted from Convention countries.
Sec. 303. Adoptions of children emigrating from the United States.

TITLE IV—ADMINISTRATION AND ENFORCEMENT

Sec. 401. Access to Convention records.
Sec. 402. Documents of other Convention countries.
Sec. 403. Authorization of appropriations; collection of fees.
Sec. 404. Enforcement.

TITLE V—GENERAL PROVISIONS

Sec. 501. Recognition of Convention adoptions.
Sec. 502. Special rules for certain cases.
Sec. 503. Relationship to other laws.
Sec. 504. No private right of action.
Sec. 505. Effective dates; transition rule.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress recognizes—

(1) the international character of the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (done at The Hague on May 29, 1993), and

(2) the need for uniform interpretation and implementation of the Convention in the United States and abroad,

and therefore finds that enactment of a Federal law governing adoptions and prospective adoptions subject to the Convention involving United States residents is essential.

(b) PURPOSES.—The purposes of this Act are—

(1) to provide for implementation by the United States of the Convention;

(2) to protect the rights of, and prevent abuses against, children, birth families, and adoptive parents involved in adoptions (or prospective adoptions) subject to the Convention, and to ensure that such adoptions are in the children's best interests; and

(3) to improve the ability of the Federal Government to assist United States citizens seeking to adopt children from abroad and residents of other countries party to the Convention seeking to adopt children from the United States.

SEC. 3. DEFINITIONS.

As used in this Act:

(1) ACCREDITED AGENCY.—The term ''accredited agency'' means an agency accredited under title II to provide adoption services in the United States in cases subject to the Convention.

(2) ACCREDITING ENTITY.—The term ''accrediting entity'' means an entity designated under section 202(a) to accredit agencies and approve persons under title II.

(3) ADOPTION SERVICE.—The term ''adoption service'' means—

(A) identifying a child for adoption and arranging an adoption;

(B) securing necessary consent to termination of parental rights and to adoption;

(C) performing a background study on a child or a home study on a prospective adoptive parent, and reporting on such a study;

(D) making determinations of the best interests of a child and the appropriateness of adoptive placement for the child;

(E) post-placement monitoring of a case until final adoption; and

(F) where made necessary by disruption before final adoption, assuming custody and providing child care or any other social service pending an alternative placement.

The term ''providing'', with respect to an adoption service, includes facilitating the provision of the service.

(4) AGENCY.—The term ''agency'' means any person other than an individual.

(5) APPROVED PERSON.—The term ''approved person'' means a person approved under title II to provide adoption services in the United States in cases subject to the Convention.

(6) ATTORNEY GENERAL.—Except as used in section 404, the term ''Attorney General'' means the Attorney General, acting through the Commissioner of Immigration and Naturalization.

(7) CENTRAL AUTHORITY.—The term ''central authority'' means the entity designated as such by any Convention country under Article 6(1) of the Convention.

(8) CENTRAL AUTHORITY FUNCTION.—The term ''central authority function'' means any duty required to be carried out by a central authority under the Convention.

(9) CONVENTION.—The term ''Convention'' means the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, done at The Hague on May 29, 1993.

(10) CONVENTION ADOPTION.—The term ''Convention adoption'' means an adoption of a child resident in a foreign country party to the Convention by a United States citizen, or an adoption of a child resident in the United States by an individual residing in another Convention country.

(11) CONVENTION RECORD.—The term ''Convention record'' means any item, collection, or grouping of information contained in an electronic or physical document, an electronic collection of data, a photograph, an audio or video tape, or any other information storage medium of any type whatever that contains information about a specific past, current, or prospective Convention adoption (regardless of whether the adoption was made final) that has been preserved in accordance with section 401(a) by the Secretary of State or the Attorney General.

(12) CONVENTION COUNTRY.—The term ''Convention country'' means a country party to the Convention.