

in the session and the importance of the visa waiver program being extended, I am willing to support the legislation before us.

The impetus for the amendment was U.S. District Court Judge Stanley Sporkin's decisive findings in the case of Olden versus Albright in December 1997 that the U.S. Consulate General in Sao Paulo, Brazil, based its non-immigrant visa determinations in large part on the applicants' race, ethnicity or national origin. For example, Korean and Chinese nationals were rarely issued visas unless they were older and had previously received a visa. According to the Consular Section Head, "Filipinos and Nigerians have high fraud rates, and their applications should be viewed with extreme suspicion, while British and Japanese citizens rarely overstay, and generally require less scrutiny." Further, identifying cities "known for fraud" (most with predominantly black populations), the Consulate's manual stated that "anyone born in these locations is suspect unless older, well-traveled, etc."

Judge Sporkin correctly stated:

The principle that government must not discriminate against particular individuals because of the color of their skin or the place of their birth means that the use of generalizations based on these factors is unfair and unjustified.

When, as in the Olsen case, that discriminatory profiling is occurring and where it occurs at the Federal level, it is particularly important that Congress act to prevent further discrimination.

Notwithstanding the Senate's revision to the bill, the final language makes it clear to the U.S. Consulates and Embassies abroad that it is a violation of U.S. law for visa refusals to occur based on generalizations that by their very nature are not applicable to the individual application. The revised language continues to ensure that Embassies and Consulates adjudicate visas based on the merits of the applications, and not on the basis of irrelevant and harmful discriminatory stereotypes. Further, the Olson decision continues to stand for the legal proposition that the use of generalizations based on race, sex, and disability (as well as sexual orientation, nationality, place of birth, and place of residence) is unfair, unjustified, and contrary to law.

The amendment added in the Senate will have no practical legal effect and I understand from my Senate colleagues that it is merely a symbolic gesture. Nonetheless, court stripping provisions, whether symbolic or not, is contrary to our democratic principles. I hesitate before supporting another bill out of this Congress that removes the ability of immigrants to have administrative determinations reviewed by a court. It seems to me ironic that our Republican friends demanded only a short while ago that Elian Gonzalez be afforded the right of judicial review. These demands must also have been only symbolic.

The bill passed by the Senate also includes a new title III to permit INTELSAT's foreign employees to maintain their nonimmigrant status notwithstanding the organization's privatization. At the present time, INTELSAT's foreign employees are in a visa status based on their employment by an international organization. After INTELSAT privatizes, its current employees will no longer be eligible to main-

tain their current visa status without this change in the law. The purpose of title III is not to give INTELSAT an unfair advantage with regard to its hiring practices as compared with its competitors. Let me just clarify my understanding of two references within Title III.

First, in sections 301(a)(1) and (a)(2), the phrase "separate entity of INTELSAT" is intended to address the situation in which, between passage of this bill and privatization, INTELSAT establishes a new separated entity as a shell company in anticipation of privatization. It is not our intent for an employee of INTELSAT who, post-privatization, becomes an employee of a separated entity that pre-dates this legislation (e.g., New Skies Satellites N.V.) to retain his or her nonimmigrant status.

Second, in sections 301(a)(1) and (a)(2), the phrase "the date of privatization" means either the date that INTELSAT privatizes or April 1, 2001, whichever is earlier. The ORBIT Act specifies April 1, 2001 as the date by which INTELSAT must privatize, without regard to whether INTELSAT is granted an extension, pursuant to Section 621(5) of the ORBIT Act, to conduct an initial public offering.

Finally, I would like to thank the Travel Industry Association, and in particular its president, Bill Norman, for their exemplary work on ensuring the final passage of this bill.

The Visa Waiver Permanent Program Act is too important to our business and tourism industries to delay it any longer. I therefore urge my colleagues to support this bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I urge my colleagues to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 3767.

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

A motion to reconsider was laid on the table.

DISABLED IMMIGRANT NATURALIZATION OATH WAIVER

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4838) to amend the Immigration and Nationality Act to provide a waiver of the oath of renunciation and allegiance for naturalization of aliens having certain disabilities, as amended.

The Clerk read as follows:

H.R. 4838

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

SECTION 1. WAIVER OF OATH OF RENUNCIATION AND ALLEGIANCE FOR NATURALIZATION OF ALIENS HAVING CERTAIN DISABILITIES.

(a) IN GENERAL.—Section 337(a) of the Immigration and Nationality Act (8 U.S.C. 1448(a)) is amended by adding at the end the following:

"The Attorney General may waive the taking of the oath by a person if in the opinion of the Attorney General the person is unable to understand, or to communicate an understanding of, its meaning because of a physical or developmental disability or mental impairment. If the Attorney General waives the taking of the oath by a person under the preceding sentence, the person shall be considered to have met the requirements of section 316(a)(3) with respect to attachment to the principles of the Constitution and well disposition to the good order and happiness of the United States."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to persons applying for naturalization before, on, or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from Texas (Ms. JACKSON-LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. SMITH).

GENERAL LEAVE

Mr. SMITH of Texas. 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 on the bill under consideration.

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

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentlewoman from Florida (Ms. ROSLEHTINEN) for introducing this bill, and I appreciate the effort she put into it to get to the point it is in today.

Mr. Speaker, H.R. 4838 permits the Attorney General to waive the taking of the oath of allegiance by a naturalization applicant if, in the opinion of the Attorney General, the applicant is unable to understand or to communicate an understanding of the oath's meaning because of a physical or developmental disability or mental impairment.

Mr. Speaker, some disabled, lawful permanent resident aliens have been unable to overcome obstructions at various stages in the naturalization process because of their disabilities. The Immigration and Nationality Act permits the Attorney General to waive the taking of the oath by a child if the child is unable to understand its meaning. Yet, some of those disabled individuals who were granted a medical

waiver for the English, history and government exams due to their physical or developmental disability or mental impairment also cannot communicate an understanding of the oath of renunciation. This bill provides the necessary waiver.

Like the preexisting oath waiver for children, this bill permits disabled applicants who cannot understand the oath or cannot communicate an understanding of the oath to overcome this last obstruction to becoming a United States citizen.

This bill will apply to persons applying for naturalization before, on, or after the date of enactment of this act.

Disabled naturalization applicants who have in the past been denied naturalization because they could not understand or communicate an understanding of the meaning of the oath may reopen their naturalization applications and continue the process of becoming American citizens.

I appreciate the willingness of the gentlewoman from Florida (Ms. ROS-LEHTINEN) to agree to the technical corrections found in this suspension version of H.R. 4838. I also appreciate her dedication to this deserving group of aspiring citizens.

Mr. Speaker, I urge my colleagues to support this bill.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before I begin my remarks, I would like to add a special note of tribute and sadness to the loss of the gentleman from Minnesota (Mr. VENTO).

In particular, I want to acknowledge the work that he did with our subcommittee on the Hmong Naturalization Act, which gave relief to Laotian veterans who fought during the Vietnam War. We have waived their citizenship requirements, and the bill passed in the House and Senate. The gentleman from Minnesota was a great leader on these issues, and we thank him very much for the service he gave. His loss will be very much experienced by all of us.

Mr. Speaker, I rise in support of the bill of the gentlewoman from Florida (Ms. ROS-LEHTINEN), H.R. 4838. This bill would provide a waiver of the oath of renunciation and allegiance for naturalization in the case of certain people who are incapable of understanding such an oath. The oath of allegiance is the last step in the naturalization process. I thank the chairman for seeing this bill through the process and working in a bipartisan manner.

Mr. Speaker, this bill signifies the fact that the person is renouncing allegiance to the country he or she is already a citizen of and declaring allegiance to the United States. It is a meaningless requirement in the case of a person who cannot understand such an oath, and it is causing great harm to many people.

Naturalization applicants are required to demonstrate their ability to take a meaningful oath of allegiance to the United States. Perhaps the potential unfairness of this requirement can be seen most clearly in the case of Alzheimer's victims. Remember, many of these individuals are elderly, and may have waited a long period of time to receive this precious right of citizenship in the United States.

As a country, we have decided to provide medical benefits to our citizens. Alzheimer's victims who have been lawful, permanent residents for decades are in desperate need of these benefits, and they would be entitled to them as U.S. citizens, but for the fact that the Alzheimer's disease is preventing them to take an oath of allegiance. This truly is a catch-22 situation. The very disease that creates the need for medical services is preventing them from receiving the services.

This does not just apply to victims of Alzheimer's disease, it applies to many elderly people in our society who have lived in the United States as lawful, productive members of our society for many years and now desperately need medical assistance.

I have three constituents I want to tell Members about, a man and a woman and their 17-year-old child who has a mental impairment. The man and woman have applied for naturalization, and we have every reason to expect their applications to be granted. The problem is that their child will age out of eligibility for derivative citizenship when she turns 18 at the end of the year. She would then have to apply for naturalization on her own, which would require an oath of allegiance.

The child will lose derivative citizenship because INS cannot process a naturalization application for her parents in a reasonable amount of time. The average processing time for a naturalization application is more than 20 months. Because she is not competent to take an oath of allegiance, she will not be able to pursue a naturalization application on her own when she is 18 years old and has aged out of eligibility for derivative status.

This is terribly unfair. This is dividing and destroying a family. I enthusiastically urge members to support H.R. 4838, and thank my colleague, the gentlewoman from Florida (Ms. ROS-LEHTINEN), enthusiastically for her work.

Mr. Speaker, I rise in support of Representative ROS-LEHTINEN's bill, H.R. 4838. This bill would provide a waiver of the oath of renunciation and allegiance for naturalization in the case of certain people who are incapable of understanding such an oath. The oath of allegiance is the last step in the naturalization process.

It signifies the fact that the person is renouncing allegiance to the country he or she is already a citizen of and declaring allegiance to the United States. It is a meaningless requirement in the case of a person who cannot understand such an oath, and it is causing great harm to many people.

Naturalization applications are required to demonstrate their ability to take a "meaningful oath" of allegiance to the United States. Perhaps the potential unfairness of this requirement can be seen most clearly in the case of Alzheimer's victims. As a country, we have decided to provide medical benefits to our citizens. Alzheimer victims who have been lawful permanent residents for decades are in desperate need of these medical benefits, and they would be entitled to them as U.S. citizens but for the fact that Alzheimer's disease is preventing them from taking an oath of allegiance. This is truly a "catch 22" situation. The very disease that creates the need for medical services is preventing them from receiving the services.

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The child will lose derivative citizenship because INS cannot process the naturalization applications of her parents in a reasonable amount of time.

The average processing time for a naturalization application is more than 20 months. And, because she is not competent to take an oath of allegiance, she won't be able to pursue a naturalization application on her own when she is 18 years old and has aged out of eligibility for derivative status. This is terribly unfair.

I urge Members to support H.R. 4838.

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

Mr. SMITH of Texas. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Florida (Ms. ROS-LEHTINEN), the author of the bill.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the chairman for yielding time to me.

Mr. Speaker, the United States is the world's greatest economic power. We sustain one of the world's highest standards of living that is more diversified than any other on Earth.

As a naturalized citizen, I know that the United States is the greatest country in the world, which is why it is not surprising that every year thousands of people from all over the world wish to be part of our great Nation.

But it is not necessarily the economic prosperity found here in our country that brings people here, because what naturalized Americans cherish most are the basic freedoms of life, liberty, and the pursuit of happiness.

As with many of my constituents, I know firsthand what it means and what it takes to become an American citizen. It is an emotional moment

when one declares to the world that this is their new land and this is indeed where they belong. So many people struggle with distance, language, and culture to come to a moment where they pledge the oath of allegiance, that this is their new countries, the United States of America.

At each naturalization ceremony, new Americans amplify a commitment that they have made in their hearts. As I was, they are reminded not only of America's promise, but of the responsibilities that they will proudly bear.

The U.S. has historically offered opportunities to all people, regardless of race, ethnicity, or religion. However, immigration law has not yet considered a small group of individuals with cognitive disabilities. In fact, a small fraction, only .1 percent, of soon-to-be Americans cannot complete the naturalization process because of a handicap that renders them ineffective in communicating an understanding of the naturalization oath.

These individuals are not exempt from fulfilling requirements of naturalization such as being of good moral character and of residency here in the United States. They must still fulfill those responsibilities. But these severely disabled individuals pose no threat to American society. Yet, they should be entitled to the same responsibilities and opportunities that we as Americans all share.

My legislation will enable individuals suffering from advanced Alzheimer's, from Downs syndrome, and from autism to waive the oath of allegiance in order to become United States citizens.

The United States is the greatest success story of the modern world. So in a Nation such as ours, disability should not hinder a person from achieving one of the loftiest goals, that of becoming a United States citizen.

In our country, persons with disabilities who are given opportunities have never let us down. Waiving the oath for .1 percent of neurologically-impaired persons will help fulfill the American dream for many new American families.

1630

It will affirm the generous nature of the American spirit, and it will boast of America's compassionate character. I urge my colleagues to vote for passage of my legislation. It will ensure that equality is meant for all persons regardless of their disabilities. And I thank the gentleman from Texas (Mr. SMITH) again for his time.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. COX), the chairman of the Committee on House Policy.

Mr. COX. Mr. Speaker, I thank the gentleman from Texas (Chairman SMITH) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) for their leadership on this legislation, which is

so strongly needed in the interests of justice. Everyone is moved by stories of people who work hard and play by the rules. That is certainly the case for one of my constituents who, for 6 years, has been working hard to become legally a citizen of the United States.

Mr. Speaker, unfortunately, when the system of justice does not work, it is heartbreaking for those involved. In the case of Vijai Rajan, who is 25 years old, she has lived in this country her entire life, since she was 4 months old. Both of her parents are naturalized U.S. citizens. Her sister was born in Cincinnati. The Rajan family wanted Vijai also to become a citizen, but you see, Vijai is in a wheelchair. She requires 24-hour-a-day care. She has cerebral palsy, muscular dystrophy, Crohn's disease, and suffers from seizures.

She communicates by sounds and by signs that she understands, and the only expressions are those that she feels. Of course, Vijai could not raise her hand and take the oath of citizenship. But the INS, the Immigration and Naturalization Service, where her family applied for her some 6 years ago has run them through the bureaucratic mill for years.

They contacted my office after having twice filed for citizenship, after having had her in her wheelchair even down to the INS office. She had been working for 4 years with the INS at that point; and not until later, not until the very end, did the INS tell them, even though they had met the other requirements, that she could not become a citizen in any event, because she could not raise her hand and say the oath.

The INS regs already allow an exemption from the English language for people who wish to become citizens. They allow for people with disabilities an exemption from the American history requirement. And a recent court case recently held that a man with Down's Syndrome who could not recite the oath could still be granted citizenship.

But in the case of Vijai Rajan, the INS pressed on, litigated, tried to do everything possible to prevent this woman and her family from letting her become a citizen.

Today with the passage of H.R. 4838, Congress will clearly state that the Attorney General has the authority to waive the oath requirement for people with disabilities. This legislation also sends a strong signal that long delays in bureaucratic impediments are not the greeting that this great Nation will extend to its new citizens. I thank the Rajan family for never losing hope.

It sometimes takes an act of Congress to write a wrong. Vijai may not be able to comprehend the full extent of her legacy, but I know that passing this legislation will bring great comfort to all of her family and friends and all other immigrants who dream of becoming United States citizens. I thank

my colleagues for their leadership in bringing this important legislation to the floor.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield 2 minutes to the gentlewoman from Maryland (Mrs. MORELLA), my colleague and classmate.

Mrs. MORELLA. Mr. Speaker, I thank the gentleman from Texas (Mr. SMITH), my classmate, for yielding the time to me, for his leadership on this committee and on this subcommittee.

I very much appreciate having this bill come on the floor. I want to certainly thank the author of the bill, the gentlewoman from Florida (Ms. ROS-LEHTINEN), because this is something that is so humane and does help so many people who are so deserving of citizenship.

It will allow the Attorney General to waive the oath requirements for naturalization, if the applicant is an individual with a physical or mental disability or mental impairment, who because of such disability is unable to understand or communicate an understanding of the meaning of the oath.

We all have examples. Let me just try one out. Gustavo Galvez-Letona, a 27-year-old native Guatemalan with Down's Syndrome, arrived in the United States when he was 10 years old. INS waived the English and civics tests for him but refused to waive the oath; thus he is the only member of his family who is not yet naturalized.

A Federal district court granted his petition for naturalization, recognizing that since INS has statutory authority to waive the oath for children, the oath is not an essential eligibility requirement. The court ordered INS to naturalize Mr. Galvez-Letona, stating that because of his severe mental disability, he is no different than a child who is unable to understand the oath and attachment requirements.

The Department of Justice has appealed the court's decision.

By passing this bill, which will waive the oath of renunciation and allegiance for naturalization for individuals with cognitive disabilities, or children who are unable to understand the meaning of the oath, we will enable thousands of families across our country who are living with autism, Down's Syndrome, Alzheimer's and other neurological disorders to realize American citizenship.

It is historically a part of our great country to be an inclusive Nation and provide opportunities for all, so I salute all who are involved in this legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge my colleagues to support this humanitarian bill.

Mr. Speaker, not knowing whether I will appear as a manager of a bill again, let me thank the Committee on the Judiciary staff for their leadership and outstanding service, and particularly those of the subcommittee that

are here: George Fishman, Lora Reis, Kelly Dixon, Leon Buck, and Nolan Rappaport.

Mr. DIAZ-BALART. Mr. Speaker, I rise today in strong support for the critically-needed legislation introduced by my colleague, Ms. ROS-LEHTINEN (H.R. 4838).

This legislation would remove an onerous obstacle for those persons with disabilities who are legal permanent residents, but because of their disabilities, are foreclosed from obtaining citizenship because they cannot recite the naturalization oath.

This legislation gives the Attorney General the authority to waive the oath of renunciation and allegiance for naturalization for individuals with cognitive disabilities, or children who are unable to understand the meaning of the oath. Accordingly, this legislation will enable thousands of families in our nation who have loved ones with autism, down syndrome, Alzheimer's and other neurological disorders to realize American citizenship for their loved ones. It will also give them peace of mind in that their loved ones will be able to attain citizenship and thereby secure the benefits and security accorded to United States citizens. This legislation will also enable disabled people the opportunity, as citizens, to develop their abilities so that they can be the most productive citizens they possibly can be.

Mr. Speaker, I am proud to be a cosponsor of this worthwhile legislation and I applaud my colleagues ILEANA ROS-LEHTINEN and Subcommittee Chairman LAMAR SMITH for advancing it to the House suspension calendar for a vote today.

Mr. SHAYS. Mr. Speaker, I rise in strong support of H.R. 4838, which would permit the Attorney General to waive the oath of renunciation and allegiance in instances when the applicant for naturalization is an individual with a severe disability who is unable to understand or communicate an understanding of the meaning of the oath. This legislation is important to families in Connecticut and across this country.

I want to thank Congresswoman ILEANA ROS-LEHTINEN for introducing this legislation and Chairman LAMAR SMITH for working with our offices to bring it to the floor. I also want to thank Connecticut's senior senator, CHRISTOPHER DODD, for his work on this legislation in the Senate.

Under current law, the Attorney General has the authority to waive for disabled applicants the English and civics tests required for naturalization. It makes little sense that the Attorney General has the discretion to waive these tests but is prohibited from waiving the oath of renunciation and allegiance required of these same disabled applicants.

The result is that despite the fulfillment of all other requirements for naturalization, certain disabled individuals are unable to ever become citizens. These instances are rare, but they have terrible implications for the affected families. For example, it is possible under current law for an entire family to be naturalized with the exception of one disabled family member—who then could face possible deportation.

The main purpose of the oath requirement is to prevent the naturalization of people who are hostile to the United States Government or the principles of the Constitution. Waiving this requirement for people with severe disabilities does nothing to defeat this purpose or threat-

en our national security because these individuals lack the capacity to understand the oath and, therefore, cannot form the intent to act against our government.

Furthermore, individuals with disabilities who receive a waiver would still have to fulfill other requirements of naturalization, including good moral character and residency.

The legislation we are considering today poses no danger and manifests our nation's compassion—a characteristic too often missing from our immigration policy. I urge my colleagues to support its passage.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. GIBBONS). The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 4838, as amended.

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

A motion to reconsider was laid on the table.

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from the further consideration of the Senate bill (S. 2812) to amend the Immigration and Nationality Act to provide a waiver of the oath of renunciation and allegiance for naturalization of aliens having certain disabilities, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, reserving the right to object, I yield to the gentleman from Texas (Mr. SMITH) for an explanation.

Mr. SMITH of Texas. Mr. Speaker, let me explain that the purpose of the request is to amend the companion Senate bill and send it back to the Senate with the text of H.R. 4838 which the House has just passed.

Ms. JACKSON-LEE of Texas. Reclaiming my time, I thank the gentleman for his response.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2812

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

SECTION 1. WAIVER OF OATH OF RENUNCIATION AND ALLEGIANCE FOR NATURALIZATION OF ALIENS HAVING CERTAIN DISABILITIES.

(a) IN GENERAL.—The last sentence of section 337(a) of the Immigration and Nationality Act (8 U.S.C. 1448(a)) is amended to read as follows: "The Attorney General may

waive the taking of the oath if in the opinion of the Attorney General the applicant for naturalization is an individual with a disability, or a child, who is unable to understand or communicate an understanding of the meaning of the oath. If the Attorney General waives the oath for such an individual, the individual shall be considered to have met the requirements of section 316(a)(3) as to attachment to the Constitution and well disposition to the United States."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to individuals who applied for naturalization before, on, or after the date of enactment of this Act.

MOTION OFFERED BY MR. SMITH OF TEXAS

Mr. SMITH of Texas. Mr. Speaker, I offer a motion.

The Clerk read, as follows:

Mr. SMITH of Texas moves to strike out all after the enacting clause of S. 2812 and in lieu thereof insert the text of H.R. 4838 as passed by the House.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 4838) was laid on the table.

PIPELINE SAFETY IMPROVEMENT ACT OF 2000

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2438) to provide for enhanced safety, public awareness, and environmental protection in pipeline transportation, and for other purposes.

The Clerk read as follows:

S. 2438

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

SECTION 1. SHORT TITLE; AMENDMENT OF TITLE 49, UNITED STATES CODE.

(a) SHORT TITLE.—This Act may be cited as the "Pipeline Safety Improvement Act of 2000".

(b) AMENDMENT OF TITLE 49, UNITED STATES CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 2. IMPLEMENTATION OF INSPECTOR GENERAL RECOMMENDATIONS.

(a) IN GENERAL.—Except as otherwise required by this Act, the Secretary shall implement the safety improvement recommendations provided for in the Department of Transportation Inspector General's Report (RT-2000-069).

(b) REPORTS BY THE SECRETARY.—Not later than 90 days after the date of enactment of this Act, and every 90 days thereafter until each of the recommendations referred to in subsection (a) has been implemented, the Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the specific actions taken to implement such recommendations.

(c) REPORTS BY THE INSPECTOR GENERAL.—The Inspector General shall periodically transmit to the Committees referred to in