

The Clerk read as follows:

S. 1258

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

SECTION 1. DISPLACED PERSONS NOT ELIGIBLE FOR ASSISTANCE.

Title I of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.) is amended by adding at the end the following:

"SEC. 104. DISPLACED PERSONS NOT ELIGIBLE FOR ASSISTANCE.

"(a) IN GENERAL.—Except as provided in subsection (c), a displaced person shall not be eligible to receive relocation payments or any other assistance under this Act if the displaced person is an alien not lawfully present in the United States.

"(b) DETERMINATIONS OF ELIGIBILITY.—

"(1) PROMULGATION OF REGULATIONS.—Not later than 1 year after the date of enactment of this section, after providing notice and an opportunity for public comment, the head of the lead agency shall promulgate regulations to carry out subsection (a).

"(2) CONTENTS OF REGULATIONS.—Regulations promulgated under paragraph (1) shall—

"(A) prescribe the process, procedures, and information that a displacing agency must use in determining whether a displaced person is an alien not lawfully present in the United States;

"(B) prohibit a displacing agency from discriminating, against any displaced person;

"(C) ensure that each eligibility determination is fair and based on reliable information; and

"(D) prescribe standards for a displacing agency to apply in making determinations relating to exceptional and extremely unusual hardship under subsection (c).

"(c) EXCEPTIONAL AND EXTREMELY UNUSUAL HARDSHIP.—If a displacing agency determines by clear and convincing evidence that a determination of the ineligibility of a displaced person under subsection (a) would result in exceptional and extremely unusual hardship to an individual who is the displaced person's spouse, parent, or child and who is a citizen of the United States or an alien lawfully admitted for permanent residence in the United States, the displacing agency shall provide relocation payments and other assistance to the displaced person under this Act if the displaced person would be eligible for the assistance but for subsection (a).

"(d) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section affects any right available to a displaced person under any other provision of Federal or State law."

SEC. 2. DUTIES OF LEAD AGENCY.

Section 213(a) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4633(a)) is amended—

(1) by redesignating paragraphs (2), (3), and (4) as paragraphs (4), (5), and (6), respectively; and (2) by inserting after paragraph (1) the following:

"(2) provide, in consultation with the Attorney General (acting through the Commissioner of the Immigration and Naturalization Service), through training and technical assistance activities for displacing agencies, information developed with the Attorney General (acting through the Commissioner on proper implementation of section 104;

"(3) ensure that displacing agencies implement section 104 fairly and without discrimination in accordance with section 104(b)(2)(B);"

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

California [Mr. KIM] and the gentleman from Ohio [Mr. TRAFICANT] each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. KIM].

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

□ 2230

Mr. Speaker, today we bring to the floor S. 1258, a bill to amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act to prohibit an illegal alien unlawfully present in the United States from receiving assistance under the act.

Earlier this year the House passed a virtually identical bill, H.R. 849, originally introduced by the gentleman from California [Mr. PACKARD].

When House Resolution 849 was last before this body, on the corrections calendar it passed by a vote 399 to 0, an overwhelming indication of House Resolution 849's bipartisan appeal.

S. 1258 and H.R. 849 plugs a loophole left open in last year's immigration reform bill by amending the Uniform Relocation Assistance Act to prohibit illegal aliens from receiving relocation assistance. Acting at the request of the administration, the Senate bill extends the time which the Department of Transportation will have to write the implementing regulation from 6 months to 1 year. I recommend to my colleagues we accommodate the administration on this issue.

I want to once again thank the gentleman from Minnesota [Mr. OBERSTAR] and their staff for the cooperative way in which they have worked with us to prepare this bill for final consideration today. I want to also thank the gentleman from California [Mr. PACKARD] for sponsoring his legislation and bringing this important issue to the House's attention today. This is a good simple bipartisan bill that plugs a loophole in immigration law. I urge my colleagues to support the bill.

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

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

Mr. Speaker, the only substantive difference between the Senate bill and H.R. 849 is the time period the Department of Transportation will have to develop the regulations that prescribe the processes, the procedures and the information a displacing agency must use to determine whether a displaced person is ineligible for assistance because of immigration status. The House bill provided 6 months; the Senate bill provides 1 year. These regulations will, in large part, determine whether this policy change is implemented fairly, that is all displaced persons must demonstrate the immigration status, or whether we are creating a new tool to, in fact, discriminate.

The administration believes it needs a full year, the Senate responded to those concerns, and I am satisfied with changing the time period for the rule-

making involved and also the fact I want to thank the gentleman from California [Mr. KIM], the gentleman from Pennsylvania [Mr. SHUSTER] and the gentleman from California [Mr. PACKARD] for agreeing for key safeguards the Democrats insisted must accompany the policy that illegal immigrants will not be eligible for assistance under this act.

So with that again I thank the gentleman from California [Mr. PACKARD] for his timely work on this issue. Having no other requests for time, I urge an aye vote.

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

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

The SPEAKER pro tempore (Mr. CALAHAN). All time has expired.

The question is on the motion offered by the gentleman from California [Mr. KIM] that the House suspend the rules and pass the Senate bill, S. 1258.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. KIM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on S. 1258.

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

There was no objection.

CITY OF CLEVELAND, OHIO, LAND TRANSFER

Mr. DUNCAN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1347) to permit the city of Cleveland, Ohio, to convey certain lands that the United States conveyed to the city.

The Clerk read as follows:

S. 1347

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

SECTION 1. DEFINITIONS.

For purposes of this section, the term "fair market value" shall have the meaning provided that term by the Secretary of Transportation, by regulation.

SEC. 2. AUTHORITY TO GRANT WAIVERS.

(a) IN GENERAL.—Notwithstanding any other provision of law and subject to section 47153 of title 49, United States Code, and section 3, the Secretary of Transportation may waive any of the terms contained in the deed of conveyance described in subsection (b).

(b) DEED OF CONVEYANCE.—The deed of conveyance described in this subsection is the deed of conveyance issued by the United States and dated January 10, 1967, for the conveyance of lands to the city of Cleveland, Ohio, for use by the city for airport purposes.

SEC. 3. CONDITIONS.

(a) FAIR MARKET VALUE OR EQUIVALENT BENEFIT.—As a condition to receiving a waiver under this section, the city of Cleveland, Ohio, may convey an interest in the