

the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 5478.

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.

**CALIFORNIA TRAIL INTERPRETIVE ACT**

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the Senate bill, S. 2749, as amended.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the Senate bill, S. 2749, as amended.

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

The title of the Senate bill was amended so as to read: "A bill to establish the California Trail Interpretive Center in Elko, Nevada, to facilitate the interpretation of the history of development and use of trails in the settling of the western portion of the United States, and for other purposes."

A motion to reconsider was laid on the table.

**ERIE CANALWAY NATIONAL HERITAGE CORRIDOR ACT**

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 5375, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. 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. 5375, as amended.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HINCHEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

**PERSONAL EXPLANATION**

Mr. GREEN of Texas. Mr. Speaker, on Thursday, October 12, I was unavoidably detained in my district and missed rollcall votes 527 through 530. I would like the RECORD to reflect that, had I been present, I would have voted yes on rollcall vote 527, yes on rollcall vote 528, no on rollcall vote 529, and yes on rollcall vote 530.

And, Mr. Speaker, on Thursday, October 19, I was also unavoidably detained and missed rollcall vote 540. I would like the RECORD to reflect that, had I been present, I would have voted aye on rollcall vote 540.

**BRING THEM HOME ALIVE ACT OF 2000**

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 484) to provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean War POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive, 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, and I will not object, I ask the gentleman from Texas for an explanation.

Mr. SMITH of Texas. Mr. Speaker, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Texas.

Mr. SMITH of Texas. Mr. Speaker, I thank the gentlewoman for yielding, and let me explain the purpose of this bill.

It would grant refugee status to foreign nationals who personally deliver a living American POW/MIA from either the Vietnam War or the Korean War to the United States. This bill is the good work of Senator BEN NIGHTHORSE CAMPBELL and our colleague, the gentleman from Colorado (Mr. HEFLEY), and I hope that that answers the gentlewoman's question about the contents of the bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, reclaiming my time, I thank the gentleman very much. Let me add my support to the legislation. I believe that the explanation is satisfactory.

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. 484

*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 "Bring Them Home Alive Act of 2000".

**SEC. 2. AMERICAN VIETNAM WAR POW/MIA ASYLUM PROGRAM.**

(a) ASYLUM FOR ELIGIBLE ALIENS.—Notwithstanding any other provision of law, the Attorney General shall grant refugee status in the United States to any alien described in subsection (b), upon the application of that alien.

(b) ELIGIBILITY.—Refugee status shall be granted under subsection (a) to—

(1) any alien who—  
(A) is a national of Vietnam, Cambodia, Laos, China, or any of the independent states of the former Soviet Union; and

(B) personally delivers into the custody of the United States Government a living American Vietnam War POW/MIA; and

(2) any parent, spouse, or child of an alien described in paragraph (1).

(c) DEFINITIONS.—In this section:

(1) AMERICAN VIETNAM WAR POW/MIA.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term "American Vietnam War POW/MIA" means an individual—

(i) who is a member of a uniformed service (within the meaning of section 101(3) of title 37, United States Code) in a missing status (as defined in section 551(2) of such title and this subsection) as a result of the Vietnam War; or

(ii) who is an employee (as defined in section 5561(2) of title 5, United States Code) in a missing status (as defined in section 5561(5) of such title) as a result of the Vietnam War.

(B) EXCLUSION.—Such term does not include an individual with respect to whom it is officially determined under section 552(c) of title 37, United States Code, that such individual is officially absent from such individual's post of duty without authority.

(2) MISSING STATUS.—The term "missing status", with respect to the Vietnam War, means the status of an individual as a result of the Vietnam War if immediately before that status began the individual—

(A) was performing service in Vietnam; or

(B) was performing service in Southeast Asia in direct support of military operations in Vietnam.

(3) VIETNAM WAR.—The term "Vietnam War" means the conflict in Southeast Asia during the period that began on February 28, 1961, and ended on May 7, 1975.

**SEC. 3. AMERICAN KOREAN WAR POW/MIA ASYLUM PROGRAM.**

(a) ASYLUM FOR ELIGIBLE ALIENS.—Notwithstanding any other provision of law, the Attorney General shall grant refugee status in the United States to any alien described in subsection (b), upon the application of that alien.

(b) ELIGIBILITY.—Refugee status shall be granted under subsection (a) to—

(1) any alien—  
(A) who is a national of North Korea, China, or any of the independent states of the former Soviet Union; and

(B) who personally delivers into the custody of the United States Government a living American Korean War POW/MIA; and

(2) any parent, spouse, or child of an alien described in paragraph (1).

(c) DEFINITIONS.—In this section:

(1) AMERICAN KOREAN WAR POW/MIA.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term "American Korean War POW/MIA" means an individual—

(i) who is a member of a uniformed service (within the meaning of section 101(3) of title 37, United States Code) in a missing status (as defined in section 551(2) of such title and this subsection) as a result of the Korean War; or

(ii) who is an employee (as defined in section 5561(2) of title 5, United States Code) in a missing status (as defined in section 5561(5) of such title) as a result of the Korean War.

(B) EXCLUSION.—Such term does not include an individual with respect to whom it is officially determined under section 552(c) of title 37, United States Code, that such individual is officially absent from such individual's post of duty without authority.

(2) KOREAN WAR.—The term "Korean War" means the conflict on the Korean peninsula