

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S.** \_\_\_\_\_

To bar aliens from admission to the United States to give birth on United States soil or remaining in the United States to undermine the sovereignty of the United States through birth tourism.

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IN THE SENATE OF THE UNITED STATES

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Mr. CORNYN introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To bar aliens from admission to the United States to give birth on United States soil or remaining in the United States to undermine the sovereignty of the United States through birth tourism.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLES.**

4       This Act may be cited as the “Barring American Citi-  
5       zenship by Keeping Out Foreign Fraudsters” or the  
6       “BACK OFF Act”.

1 **SEC. 2. GROUNDS FOR INADMISSIBILITY TO, AND REMOVAL**  
2 **FROM THE UNITED STATES FOR ENGAGING**  
3 **IN BIRTH TOURISM.**

4 (a) GROUNDS OF INADMISSIBILITY.—Section  
5 212(a)(2)(F) of the Immigration and Nationality Act (8  
6 U.S.C. 1182(a)(2)(F)) is amended to read as follows:

7 “(F) ALIENS UNDERMINING THE SOV-  
8 EREIGNTY OF UNITED STATES THROUGH BIRTH  
9 TOURISM.—

10 “(i) IN GENERAL.—Any alien con-  
11 victed of, who admits to having committed,  
12 or who admits committing acts which con-  
13 stitute the essential elements of, an offense  
14 described in section 274E, 274F, or 275(e)  
15 or an offense described in section 1546A of  
16 title 18, United States Code, is inadmis-  
17 sible.

18 “(ii) BIRTH TOURISM.—An alien is in-  
19 admissible if such alien—

20 “(I)(aa) is not lawfully admitted  
21 to the United States as a permanent  
22 resident; or

23 “(bb) has not lawfully main-  
24 tained lawful permanent resident sta-  
25 tus (such status not having been

1 abandoned, rescinded, or terminated);  
2 and

3 “(II) based on the reasonable  
4 judgment of the Secretary of Home-  
5 land Security, the Secretary of State,  
6 or a consular officer—

7 “(aa) is seeking to enter or  
8 reenter the United States to en-  
9 gage in birth tourism and under-  
10 mine the sovereignty of the  
11 United States or its territories or  
12 outlying possessions by giving  
13 birth to a child on United States  
14 soil; or

15 “(bb) is likely to give birth  
16 to a child within 10 months of  
17 entry if such alien is admitted to,  
18 or while in the United States or  
19 its territories or outlying posses-  
20 sions and, as a result, obtain  
21 United States citizenship for  
22 such child based on the child’s  
23 birth on United States soil; or

1                   “(III) as determined by the Sec-  
2                   retary of Homeland Security or the  
3                   Attorney General—

4                   “(aa) has engaged in birth  
5                   tourism; or

6                   “(bb) while physically  
7                   present in the United States or  
8                   its territories or outlying posses-  
9                   sions, is likely to give birth to a  
10                  child and, as a result, obtain  
11                  United States citizenship for  
12                  such child based on the child’s  
13                  birth on United States soil.

14                  “(iii) WAIVER NOT AUTHORIZED.—  
15                  The grounds of inadmissibility specified in  
16                  this subparagraph may not be waived.

17                  “(iv) INELIGIBILITY FOR PAROLE.—  
18                  An alien who is inadmissible under this  
19                  subparagraph is not be eligible for parole  
20                  into the United States under section  
21                  212(d)(5) or for conditional parole under  
22                  section 236.”.

23                  (b) GROUNDS OF DEPORTABILITY.—Section  
24                  237(a)(2) of the Immigration and Nationality Act (8  
25                  U.S.C. 1227(a)(2)) is amended—

1           (1) by redesignating subparagraph (F) as sub-  
2           paragraph (G); and

3           (2) by inserting after subparagraph (E) the fol-  
4           lowing:

5                       “(F) ALIENS UNDERMINING THE SOV-  
6                       EREIGNTY OF UNITED STATES THROUGH BIRTH  
7                       TOURISM.—

8                       “(i) IN GENERAL.—An alien is deport-  
9                       able if such alien—

10                      “(I)(aa) is not lawfully admitted  
11                      to the United States as a permanent  
12                      resident; or

13                      “(bb) has not lawfully maintain-  
14                      ing lawful permanent resident status  
15                      (such status not having been aban-  
16                      doned, rescinded, or terminated); and

17                      “(II) has been convicted of an of-  
18                      fense under section 274E, 274F, or  
19                      275(e) or under section 1546A of title  
20                      18, United States Code; or

21                      “(III) is described in section  
22                      212(a)(2)(F).

23                      “(ii) WAIVER NOT AUTHORIZED.—The  
24                      grounds of deportability specified in clause  
25                      (i) may not be waived.

1                   “(iii) INELIGIBILITY FOR PAROLE.—  
2                   An alien who is deportable under clause (i)  
3                   is not be eligible for parole into the United  
4                   States under section 212(d)(5) or for con-  
5                   ditional parole under section 236.”.

6 **SEC. 3. MANDATORY DETENTION FOR CRIMINAL ALIENS IN-**  
7                   **ADMISSIBLE OR SUBJECT TO DEPORTATION**  
8                   **FOR BIRTH TOURISM.**

9                   Section 236(c)(1) of the Immigration and Nationality  
10 Act (8 U.S.C. 1226(c)(1)) is amended—

11                   (1) at the end of each of subparagraphs (A),  
12                   (B), and (C), by striking the comma at the end;

13                   (2) in subparagraph (D), by striking “, or” at  
14                   the end and inserting a semicolon;

15                   (3) in subparagraph (E)(ii), by striking the  
16                   comma at the end and inserting “; or”; and

17                   (4) by inserting after subparagraph (E)(ii) the  
18                   following:

19                   “(F) is inadmissible under section  
20                   212(a)(2)(F) or deportable under section  
21                   237(a)(2)(F) by reason of having been con-  
22                   victed of, admitting to having committed, or ad-  
23                   mitting committing acts that are the essential  
24                   elements of, an offense under sections 274E,

1           274F, or 275(e), or of section 1546A of title  
2           18, United States Code,”.

3 **SEC. 4. EXPEDITED REMOVAL FOR ALIENS ENGAGED IN**  
4           **BIRTH TOURISM.**

5           Section 235 of the Immigration and Nationality Act  
6 (8 U.S.C. 1225) is amended by adding at the end the fol-  
7 lowing:

8           “(e) REMOVAL OF ALIENS BASED ON BIRTH TOUR-  
9 ISM.—

10           “(1) REMOVAL WITHOUT FURTHER HEARING.—

11           An immigration officer who determines an alien is  
12 inadmissible under section 212(a)(2)(F) or deport-  
13 able under section 237(a)(2)(F)—

14           “(A) shall order the alien removed, subject  
15 to review in accordance with paragraph (2);

16           “(B) shall report the order of removal to  
17 the immigration court as expeditiously as pos-  
18 sible, but in no case later than 7 days after the  
19 date of such determination; and

20           “(C) may not conduct any further inquiry  
21 or hearing or execute the order of removal until  
22 ordered by the immigration judge pursuant to  
23 paragraph (2).

24           “(2) REVIEW OF ORDER BY IMMIGRATION  
25 JUDGE.—

1           “(A) IN GENERAL.—An immigration judge  
2 shall review each administrative removal order  
3 issued pursuant to paragraph (1) not later than  
4 7 days after such order is referred to the court  
5 by the immigration officer.

6           “(B) REMOVAL ORDER.—If an immigra-  
7 tion judge determines that an alien referred to  
8 the immigration court is inadmissible under sec-  
9 tion 212(a)(2)(F) or deportable under  
10 237(a)(2)(F), the immigration judge shall order  
11 the alien removed without further inquiry or  
12 hearing.

13           “(3) BURDEN OF PROOF.—The alien shall bear  
14 the burden of proof to establish that he or she—

15           “(A) is a lawful permanent resident (such  
16 status not having been abandoned, rescinded, or  
17 terminated); or

18           “(B) is not described in section  
19 212(a)(2)(F) or section 237(a)(4)(F).

20           “(4) CONDUCT OF PROCEEDINGS.—In pro-  
21 ceedings before the immigration judge under this  
22 section, the Attorney General shall provide the  
23 alien—

1           “(A) reasonable notice of the proceeding  
2           and of the opportunity described in subpara-  
3           graph (C);

4           “(B) the privilege of being represented (at  
5           no expense to the Government) by a licensed at-  
6           torney at law or an accredited representative of  
7           the alien’s choice who is authorized to practice  
8           before the immigration court in accordance with  
9           section 292; and

10           “(C) an opportunity to inspect the evidence  
11           and submit any additional evidence to support  
12           the alien’s case prior to the review of the order  
13           by the immigration judge.

14           “(5) TREATMENT OF ALIENS ARRIVING FROM  
15           CONTIGUOUS TERRITORY.—If an alien who is arriv-  
16           ing on land (whether or not at a designated port of  
17           entry) from a foreign contiguous territory to the  
18           United States is determined by an immigration offi-  
19           cer to be inadmissible under section 212(a)(2)(F) or  
20           deportable under section 237(a)(2)(F), the Secretary  
21           of Homeland Security shall return such alien to such  
22           territory pending a final decision under this sub-  
23           section.

24           “(6) TREATMENT OF ALIENS ARRIVING IN THE  
25           COMMONWEALTH OF THE NORTHERN MARIANA IS-

1       LANDS OR GUAM.—If an alien who is arriving in the  
2       Commonwealth of the Northern Marianas or Guam  
3       from any foreign port of embarkation or foreign  
4       country (whether or not at a designated port of  
5       entry) is determined by an immigration officer to be  
6       inadmissible under section 212(a)(2)(F) or deport-  
7       able under section 237(a)(2)(F), the Secretary of  
8       Homeland Security shall immediately return such  
9       alien to such foreign port of embarkation or foreign  
10      country pending a final decision under this sub-  
11      section.

12      “(f) PROHIBITION ON JUDICIAL REVIEW.—Notwith-  
13      standing section 242 of this title, any other provision of  
14      law (statutory or nonstatutory), including section 2241 of  
15      the title 28, United States Code, or any other habeas cor-  
16      pus provision, and sections 1361 and 1651 of such title,  
17      there shall be no judicial review of any findings (factual  
18      or legal), decisions, or actions taken by the Secretary, im-  
19      migration officer, or immigration judge, pursuant to the  
20      proceedings under subsection (e).

21      “(g) RECALCITRANT COUNTRIES.—

22              “(1) AUTOMATIC SUSPENSION OF VISA  
23      ISSUANCE AND BAR TO ADMISSION.—Notwith-  
24      standing section 243(d) or any other provision of  
25      law, if the country of birth, nationality, citizenship,

1 or last habitual residence of an alien subject to re-  
2 moval under subsection (e) refuses to accept such  
3 alien within 14 days of receiving notification from  
4 the Secretary of Homeland Security of such removal  
5 order, the Secretary shall—

6 “(A) direct the Secretary of State to imme-  
7 diately pause the issuance of visas for all citi-  
8 zens, nationals, subjects, and habitual residents  
9 of such country for the following 180 days; and

10 “(B) immediately suspend admission of all  
11 citizens, nationals, subjects, and habitual resi-  
12 dents of such country until the country accepts  
13 the return of the removed alien.

14 “(2) EXCEPTION FOR NATIONAL SECURITY OR  
15 FOREIGN POLICY.—

16 “(A) IN GENERAL.—The Secretary of  
17 State and the Secretary of Homeland Security  
18 may jointly determine, based on the specific cir-  
19 cumstances of an individual alien’s case, that it  
20 is in the national security or foreign policy in-  
21 terests of the United States to issue a visa or  
22 other travel document to an individual alien be-  
23 fore the expiration of the 180-day period of sus-  
24 pension referred to in paragraph (1)(A).

1           “(B) LIMITATIONS.—The authority under  
2 this subsection—

3           “(i) is not subject to delegation below  
4 the Deputy Secretary of Homeland Secu-  
5 rity or the Deputy Secretary of State;

6           “(ii) may not be used to allow cat-  
7 egories or groups of aliens of any nation-  
8 ality or citizenship into the United States;  
9 and

10           “(iii) may be exercised for not more  
11 than 50 aliens in any fiscal year.”.

12 **SEC. 5. MANDATORY MEDICAL EXAMINATIONS FOR ALIENS**  
13 **SEEKING VISAS, ADMISSION TO THE UNITED**  
14 **STATES, AND PHYSICALLY PRESENT IN THE**  
15 **UNITED STATES.**

16       (a) IN GENERAL.—Section 221(d) of the Immigra-  
17 tion and Nationality Act (8 U.S.C. 1201(d)) is amended—

18           (1) by inserting after “(d)” the following:

19       “PHYSICAL AND MENTAL EXAMINATIONS.—

20           “(1) IMMIGRANT VISAS.—”;

21           (2) in the second sentence, by striking “Prior  
22 to” and inserting the following:

23       “(2) NONIMMIGRANT VISAS.—

24           “(A) IN GENERAL.—Except as provided in  
25 subparagraph (B), prior to”; and

1 (3) by adding at the end the following:

2 “(B) MANDATORY EXAMINATIONS.—

3 “(i) MEDICAL EXAMINATION.—Prior  
4 to the issuance of a nonimmigrant visa for  
5 business or pleasure pursuant to section  
6 101(a)(15)(B), the Secretary of State or  
7 consular officer shall require an alien who  
8 is a biological female of childbearing age to  
9 submit to a medical examination by a med-  
10 ical officer of the United States Public  
11 Health Service to determine if the alien is  
12 likely to give birth in the United States or  
13 its territories or outlying possessions dur-  
14 ing the alien’s stay, which will make such  
15 alien inadmissible under section  
16 212(a)(2)(F).

17 “(ii) MEDICAL CERTIFICATION.—A  
18 medical officer of the United States Public  
19 Health Service shall conduct the examina-  
20 tion of an alien described in clause (i) and  
21 submit a certification to the Secretary of  
22 State or consular officer on whether the  
23 alien is likely to give birth during the  
24 alien’s stay in the United States or its ter-  
25 ritories or outlying possessions.

1           “(C) BIRTH TOURISM ASSESSMENT AND  
2           NONIMMIGRANT VISA DECISIONS.—If, based on  
3           the medical certification under subparagraph  
4           (B), the Secretary of State or consular officer  
5           suspects the alien is likely to give birth within  
6           10 months in the United States, its territories  
7           or outlying possessions, the Secretary of State  
8           or consular officer may—

9                   “(i) deny the nonimmigrant visa; or  
10                   “(ii) withhold visa issuance until such  
11                   date as the consular officer determines the  
12                   alien is no longer inadmissible under sec-  
13                   tion 212(a)(2)(F)(ii).”.

14           (b) DETENTION FOR PHYSICAL AND MENTAL EXAMI-  
15           NATIONS.—Section 232 of the Immigration and Nation-  
16           ality Act (8 U.S.C. 1222) is amended by adding at the  
17           end the following:

18           “(d) DETENTION AND MEDICAL CERTIFICATIONS  
19           FOR ALIENS SUBJECT TO INADMISSIBILITY OR DEPORT-  
20           ABILITY DUE TO BIRTH TOURISM.—

21                   “(1) DETENTION.—If an immigration officer  
22                   suspects an alien who is a biological female of child  
23                   bearing age is inadmissible under section  
24                   212(a)(2)(F) or deportable under section  
25                   237(a)(2)(F), the Secretary of Homeland Security

1 shall temporarily detain such alien for a sufficient  
2 period to enable a medical officer of the United  
3 States Public Health Service to determine if the  
4 alien is likely to give birth in the United States or  
5 its territories or outlying possessions during the  
6 alien's stay.

7 “(2) **MEDICAL EXAMINATION AND CERTIFI-**  
8 **CATION.**—A medical officer of the United States  
9 Public Health Service shall conduct a physical exam-  
10 ination, administer necessary medical tests, and cer-  
11 tify the resulting findings for the immigration officer  
12 or immigration judge regarding whether an alien de-  
13 scribed in paragraph (1) is likely to give birth in the  
14 United States or its territories or outlying posses-  
15 sions during the alien's stay.”.

16 **SEC. 6. CRIMINAL PENALTIES FOR FACILITATING BIRTH**  
17 **TOURISM.**

18 (a) **IN GENERAL.**—Chapter 8 of title II of the Immi-  
19 gration and Nationality Act (8 U.S.C. 1321 et seq.) is  
20 amended by adding at the end the following:

21 **“SEC. 274E. CRIMINAL PENALTIES FOR FACILITATING**  
22 **BIRTH TOURISM.**

23 “(a) **ACTIVITIES PROHIBITED.**—It shall be unlawful  
24 for any person to knowingly—

1           “(1) forge, counterfeit, alter, falsely make, or  
2 attempt to forge, counterfeit, alter, falsely make any  
3 document;

4           “(2) provide an alien any forged, counterfeit,  
5 altered, or falsely made document; or

6           “(3) prepare, file, or assist an alien with an ap-  
7 plication for a visa, travel document or other immi-  
8 gration benefit under this title; or

9           “(b) **CRIMINAL PENALTIES.**—Any individual de-  
10 scribed in subsection (a), shall be fined under title 18,  
11 United States Code, imprisoned for not less than 10 years,  
12 or both.

13 **“SEC. 274F. CRIMINAL PENALTIES FOR HEALTH CARE MAT-**  
14 **TERS RELATED TO BIRTH TOURISM.**

15           “(a) **HEALTHCARE THEFT OR EMBEZZLEMENT**  
16 **THROUGH BIRTH TOURISM.**—Any person, who know-  
17 ingly—

18           “(1) embezzles, steals, or otherwise without au-  
19 thority converts to the use of any person other than  
20 the rightful owner; or

21           “(2) misapplies any of the moneys, funds, secu-  
22 rities, premiums, credits, property, or other assets of  
23 a Federal health care program, to facilitate, engage  
24 in, encourage, solicit, or advertise to an alien any  
25 services related to birth tourism (regardless of

1       whether such services, or a portion of such services,  
2       were initiated inside or outside the United States),  
3       to allow such alien to enter or remain in the United  
4       States, its territories or outlying possessions, solely  
5       to give birth to a child on United States soil in order  
6       to obtain United States citizenship for a child, shall  
7       be fined under title 18, United States Code, and im-  
8       prisoned for not less than 10 years, or both.

9       “(b) HEALTHCARE FRAUD THROUGH BIRTH TOUR-  
10      ISM.—Whoever knowingly executes, or attempts to exe-  
11      cute, a scheme or artifice to—

12               “(1) to defraud any Federal healthcare pro-  
13      gram; or

14               “(2) to obtain, by means of false or fraudulent  
15      pretenses, representations, or promises, any of the  
16      money or property owned by, or under the custody  
17      or control of, any Federal healthcare program, in  
18      connection with the delivery of or payment for health  
19      care benefits, items, or services, for the purpose of  
20      allowing an alien to give birth to a child on United  
21      States soil in order to obtain United States citizen-  
22      ship for such child, shall be fined under this title or  
23      imprisoned not more than 10 years, or both.

24       “(c) DEFINITION.—As used in this section, the term  
25      ‘Federal healthcare program’ has the meaning given such

1 term in section 1302a-7b(f) of title 42, United States  
2 Code.”.

3 (b) Section 275 of the Immigration and Nationality  
4 Act, 8 U.S.C. 1325, is amended by—

5 (1) revising the title of the section to read:

6 **“IMPROPER ENTRY BY ALIEN; FRAUD AND**  
7 **EVASION OF IMMIGRATION LAWS”.**

8 (2) adding a new subsection (e) to read as fol-  
9 lows:

10 **“(e) BIRTH TOURISM FRAUD.—**Any individual  
11 who—

12 **“(1) commits any act that the individual knows**  
13 **or reasonably should have known provides an alien**  
14 **with housing, transportation, food, medical care, or**  
15 **travel via any mode to the United States, its terri-**  
16 **ories or outlying possessions;**

17 **“(2) commits any act that the individual knows**  
18 **or reasonably should have known allows an alien to**  
19 **receive any financial support, including expenses as-**  
20 **sociated with food, medical care, housing, and trans-**  
21 **portation, that will allow the alien to enter the**  
22 **United States, its territories or outlying possessions,**  
23 **or attempt to enter the United States, its territories**  
24 **or outlying possessions; or**



1           “(3) conspires or connives, or attempts to con-  
2           spire or connive with any other person or persons to  
3           aid or assist any alien to enter the United States,  
4           its territories or outlying possessions, or remain in  
5           the United States, its territories or outlying posses-  
6           sions, for the purpose of giving birth to a child in  
7           the United States, its territories or outlying posses-  
8           sions, so that such child can obtain United States  
9           citizenship at birth, shall be imprisoned for a min-  
10          imum of 10 years and fined \$100,000 for each alien  
11          such person aided or assisted.”.

12 **SEC. 7. BIRTH TOURISM TASKFORCE.**

13          Title II, Chapter 9 of the Immigration and Nation-  
14          ality Act is amended to add a new section 295 to read  
15          as follows:

16 **“SEC. 295. TASKFORCE ON BIRTH TOURISM.**

17          “(a) ESTABLISHMENT.—There is established a  
18          Taskforce (hereinafter referred to as the ‘Taskforce’)  
19          within the Department of Homeland Security, that shall  
20          include U.S. Citizenship and Immigration Services, U.S.  
21          Immigration and Customs Enforcement, Homeland Secu-  
22          rity Investigations, and U.S. Customs and Border Protec-  
23          tion, that shall:

24                 “(1) investigate individuals, organizations and  
25                 entities that create schemes and run operations to

1 facilitate in and enforce laws to prevent an alien  
2 from seeking to undermine the sovereignty of the  
3 United States by attempting to enter, entering, or  
4 remaining physically in the United States, its terri-  
5 tories or outlying possessions, for the purpose of giv-  
6 ing birth to a child on United States soil; and

7 “(2) refer cases to the Department of Justice  
8 for criminal prosecutions.

9 “(b) TRAINING MATERIALS.—The Taskforce shall  
10 produce training materials for local law enforcement on  
11 the investigation and detection of criminal offenses de-  
12 scribed in subsection (a).

13 “(c) COORDINATION.—The Taskforce shall coordi-  
14 nate with the Department of Agriculture, the Office of In-  
15 spector General of the Department of Agriculture, the  
16 Federal Bureau of Investigation, the United States Mar-  
17 shals Service, U.S. Customs and Border Protection, and  
18 other agencies, as appropriate.

19 “(d) REPORT.—On the date that is one year after  
20 the date of enactment of this Act, and annually thereafter,  
21 the Taskforce shall submit to the appropriate committees  
22 of Congress, a report on, for the previous year—

23 “(1) the number of charges that were filed for  
24 violations of laws described in subsection (a),  
25 disaggregated by the law alleged to have been vio-

1 lated, the State in which the violation was alleged to  
2 have occurred, and the number of convictions; and

3 “(2) the number of investigations of violations  
4 of laws described in subsection (a) for which charges  
5 were not filed.

6 “(e) APPROPRIATE COMMITTEES DEFINED.—For  
7 purposes of this section, the term ‘appropriate committees’  
8 includes—

9 “(1) the Senate Committee on the Judiciary;

10 “(2) the House Committee on the Judiciary;

11 “(3) the Senate Homeland Security and Gov-  
12 ernmental Affairs Committee;

13 “(4) the House Committee on Homeland Secu-  
14 rity;

15 “(5) the House Foreign Affairs Committee;

16 “(6) the Senate Foreign Relations Committee;

17 and

18 “(7) the House Oversight and Government Re-  
19 form Committee.”.

20 **SEC. 8. EXEMPTION FROM PAPERWORK REDUCTION ACT**  
21 **AND THE ADMINISTRATIVE PROCEDURE ACT.**

22 (a) PAPERWORK REDUCTION ACT.—Nothing in this  
23 Act may be construed to require the Secretary of Home-  
24 land Security, the Secretary of Health and Human Serv-  
25 ices, the Secretary of State, or the Attorney General to

1 comply with the requirements of chapter 35 of title 44,  
2 United States Code (commonly referred to as the “Paper-  
3 work Reduction Act”) if the department head involved de-  
4 termines that compliance would impede the immediate im-  
5 plementation of this Act or the amendments made by this  
6 Act.

7 (b) ADMINISTRATIVE PROCEDURE ACT.—Nothing in  
8 this Act may be construed to require the Secretary of  
9 Homeland Security, the Secretary of Health and Human  
10 Services, the Secretary of State, or the Attorney General  
11 to promulgate regulations under subchapter II of chapter  
12 5 of title 5, United States Code (commonly referred to  
13 as the “Administrative Procedure Act”) if the department  
14 head involved determines that compliance would impede  
15 the immediate implementation of this Act or the amend-  
16 ments made by this Act.

17 **SEC. 9. EFFECTIVE DATE.**

18 This Act and the amendments made by this Act shall  
19 take effect on the date of enactment of this Act.