

111TH CONGRESS
2D SESSION

H. R. 5283

IN THE SENATE OF THE UNITED STATES

JULY 21, 2010

Received

AN ACT

To provide for adjustment of status for certain Haitian orphans paroled into the United States after the earthquake of January 12, 2010.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as—

3 (1) the “Help Haitian Adoptees Immediately to
4 Integrate Act of 2010”; or

5 (2) the “Help HAITI Act of 2010”.

6 **SEC. 2. ADJUSTMENT OF STATUS FOR CERTAIN HAITIAN**
7 **ORPHANS.**

8 (a) IN GENERAL.—The Secretary of Homeland Secu-
9 rity may adjust the status of an alien described in sub-
10 section (b) to that of an alien lawfully admitted for perma-
11 nent residence if the alien—

12 (1) subject to subsection (c), applies for such
13 adjustment;

14 (2) is physically present in the United States on
15 the date the application for such adjustment is filed;
16 and

17 (3) is admissible to the United States as an im-
18 migrant, except as provided in subsection (d).

19 (b) ALIENS ELIGIBLE FOR ADJUSTMENT OF STA-
20 TUS.—An alien is described in this subsection if the alien
21 was inspected and granted parole into the United States
22 pursuant to the humanitarian parole policy for certain
23 Haitian orphans announced on January 18, 2010, and
24 suspended as to new applications on April 15, 2010.

1 (c) APPLICATION.—In the case of a minor, an appli-
2 cation under this section may be submitted on behalf of
3 the alien by—

- 4 (1) an adoptive parent; or
5 (2) a legal guardian.

6 (d) GROUNDS OF INADMISSIBILITY.—Paragraphs (4)
7 and (7)(A) of section 212(a) of the Immigration and Na-
8 tionality Act (8 U.S.C. 1182(a)) shall not apply to adjust-
9 ment of status under this section.

10 (e) VISA AVAILABILITY.—When an alien is granted
11 the status of having been lawfully admitted for permanent
12 residence under this section, the Secretary of State shall
13 not be required to reduce the number of immigrant visas
14 authorized to be issued under the Immigration and Na-
15 tionality Act (8 U.S.C. 1101 et seq.).

16 (f) ALIENS DEEMED TO MEET DEFINITION OF
17 CHILD.—An unmarried alien described in subsection (b)
18 who is under the age of 18 years shall be deemed to satisfy
19 the requirements applicable to adopted children under sec-
20 tion 101(b)(1) of the Immigration and Nationality Act (8
21 U.S.C. 1101(b)(1)) if—

- 22 (1) the alien obtained adjustment of status
23 under this section; and

(2) a United States citizen adopted the alien before, on, or after the date of the decision granting adjustment of status under this section.

(g) NO IMMIGRATION BENEFITS FOR BIRTH PAR-
ENTS.—No birth parent of an alien who obtains adjust-
ment of status under this section shall thereafter, by vir-
tue of such parentage, be accorded any right, privilege,
or status under this section or the Immigration and Na-
tionality Act (8 U.S.C. 1101 et seq.).

10 SEC. 3. COMPLIANCE WITH PAYGO.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives, provided that such statement has been submitted prior to the vote on passage.

Passed the House of Representatives July 20, 2010.

Attest: LORRAINE C. MILLER,
Clerk.