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116TH CONGRESS
1ST SESSION

H. R. 549

To designate Venezuela under section 244 of the Immigration and Nationality Act to permit nationals of Venezuela to be eligible for temporary protected status under such section, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 15, 2019

Mr. SOTO (for himself and Mr. DIAZ-BALART) introduced the following bill; which was referred to the Committee on the Judiciary

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A BILL

To designate Venezuela under section 244 of the Immigration and Nationality Act to permit nationals of Venezuela to be eligible for temporary protected status under such section, and for other purposes.

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 ''Venezuela TPS Act of 2019''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Venezuela is enduring an unprecedented economic, humanitarian, security, and refugee crisis, consisting of extreme food and medicine shortages, severe infant and child malnutrition, rampant crime, and government-sponsored repression.

(2) Venezuela's economic crisis continues unabated and the International Monetary Fund projects that inflation in Venezuela could reach an annual rate of 10,000,000 percent in 2019.

(3) In 2017, the Office of the High Commissioner for Human Rights reported the deaths of 124 persons that could be attributed to violations of the right to freedom of peaceful assembly.

(4) From September 2017 through April 2018, a review of pharmacies in five major cities shows a shortage of nearly 85 percent of medicine essential to treat four of the most recurrent causes of morbidity in the country, diarrhea, respiratory tract infections, diabetes, and high blood pressure.

(5) As evidence of the significant effect that Venezuela's economic crisis has on public health, Venezuela's Health Ministry reported that in 2016—

(A) there was a 30-percent increase in the infant mortality rate; and

(B) there was a 60-percent increase in the maternal mortality rate.

(6) According to the United Nations Human Rights Office of the High Commissioner, Venezuelan intelligence and security forces have increasingly used arbitrary arrests and detentions to repress and intimidate civil society, political opponents, and any voices of dissent.

(7) Zeid Ra'ad Al Hussein, the United Nations High Commissioner for Human Rights, stated, ''The failure to hold security forces accountable for such serious human rights violations suggests that the rule of law is virtually absent in Venezuela.''.

(8) According to the United Nations High Commissioner for Human Rights, since 2014 more than 1,500,000 Venezuelans have fled the country for reasons including violence, political oppression, and the ongoing humanitarian crisis.

SEC. 3. SENSE OF CONGRESS.

It is the sense of the Congress that—

(1) Venezuela's economic, humanitarian, security, and refugee crisis has resulted in extraordinary and temporary conditions that currently prevent Venezuelan nationals from safely returning to Venezuela; and

(2) Venezuela should be designated under subsection (b)(1)(C) of section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a) for a period of 18 months to permit nationals of Venezuela to be eligible for temporary protected status in accordance with such section.

SEC. 4. DESIGNATION FOR PURPOSES OF GRANTING TEMPORARY PROTECTED STATUS.

(a) DESIGNATION.—

(1) IN GENERAL.—For purposes of section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a), Venezuela shall be treated as if it had been designated under subsection (b)(1)(C) of that section, subject to the provisions of this section.

(2) PERIOD OF DESIGNATION.—The initial period of the designation referred to in paragraph (1) shall be for the 18-month period beginning on the date of the enactment of this Act.

(b) ALIENS ELIGIBLE.—As a result of the designation made under subsection (a), an alien who is a national of Venezuela is deemed to satisfy the requirements under paragraph (1) of section 244(c) of the Immigration and Nationality Act (8 U.S.C. 1254a(c)), subject to paragraph (3) of such section, if the alien—

(1) has been continuously physically present in the United States since the date of the enactment of this Act;

(2) is admissible as an immigrant, except as otherwise provided in paragraph (2)(A) of such section, and is not ineligible for temporary protected status under paragraph (2)(B) of such section; and

(3) registers for temporary protected status in a manner established by the Secretary of Homeland Security.

(c) CONSENT TO TRAVEL ABROAD.—

(1) IN GENERAL.—The Secretary of Homeland Security shall give prior consent to travel abroad, in accordance with section 244(f)(3) of the Immigration and Nationality Act (8 U.S.C. 1254a(f)(3)), to an alien who is granted temporary protected status pursuant to the designation made under subsection (a) if the alien establishes to the satisfaction of the Secretary of Homeland Security that emergency and extenuating circumstances beyond the control of the alien require the alien to depart for a brief, temporary trip abroad.

(2) TREATMENT UPON RETURN.—An alien returning to the United States in accordance with an authorization described in paragraph (1) shall be

treated as any other returning alien provided temporary protected status under section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a).

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