

July 24 / Administration of William J. Clinton, 1997

## Statement on Proposed Immigration Reform Transition Legislation

July 24, 1997

I am pleased to transmit to the Congress today the "Immigration Reform Transition Act of 1997." This proposal reflects my commitment to balance firm controls against illegal immigration with common sense and compassion. It would provide a needed transition for individuals who apply for a form of immigration relief called suspension of deportation and who had immigration cases pending before the 1996 immigration law took effect. It would prevent the inherent unfairness of applying new rules to old cases.

This legislation also addresses the special circumstances of Central Americans who came to our country because of civil war and upheaval. Today, the remarkable progress in that region means that many of those people can return home. But as I assured the leaders of Central America when I visited the region in May, we want that to occur in a manner that avoids destabilizing the nations and economies of Central America or imposing undue hardships on families. We also want to make sure that people who sought refuge in our country and who have contributed greatly to their local communities

here in the United States are treated with fairness and dignity. To meet that commitment, this proposal ensures that certain groups of Central Americans whose cases were pending before the new immigration law took effect would be eligible to apply for suspension of deportation under the prior rules.

I am determined to do all I can to preserve our Nation's tradition of generous legal immigration. But just as we are a nation of immigrants, we also are a nation of laws. To uphold the tradition of generous legal immigration and to do right by legal immigrants, we need to continue working to stop illegal immigration. The bill I am submitting today in no way diminishes the important enforcement objectives of the 1996 immigration bill, nor is it an amnesty or waiver program. Rather, it eases the transition to the new law for individuals who have put down deep roots in the United States, and it advances our Nation's strategic interest in promoting peace, prosperity, and stability in Central America.

## Message to the Congress Transmitting Proposed Immigration Reform Transition Legislation

July 24, 1997

*To the Congress of the United States:*

I am pleased to submit for your immediate consideration and enactment the "Immigration Reform Transition Act of 1997," which is accompanied by a section-by-section analysis. This legislative proposal is designed to ensure that the complete transition to the new "cancellation of removal" (formerly "suspension of deportation") provisions of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA; Public Law 104-208) can be accomplished in a fair and equitable manner consistent with our law enforcement needs and foreign policy interests.

This legislative proposal would aid the transition to IIRIRA's new cancellation of removal rules and prevent the unfairness of applying

those rules to cases pending before April 1, 1997, the effective date of the new rules. It would also recognize the special circumstances of certain Central Americans who entered the United States in the 1980s in response to civil war and political persecution. The Nicaraguan Review Program, under successive Administrations from 1985 to 1995, protected roughly 40,000 Nicaraguans from deportation while their cases were under review. During this time the *American Baptist Churches v. Thornburgh* (ABC) litigation resulted in a 1990 court settlement, which protected roughly 190,000 Salvadorans and 50,000 Guatemalans. Other Central Americans have been unable to obtain a decision

on their asylum applications for many years. Absent this legislative proposal, many of these individuals would be denied protection from deportation under IIRIRA's new cancellation of removal rules. Such a result would unduly harm stable families and communities here in the United States and undermine our strong interests in facilitating the development of peace and democracy in Central America.

This legislative proposal would delay the effect of IIRIRA's new provisions so that immigration cases pending before April 1, 1997, will continue to be considered and decided under the old suspension of deportation rules as they existed prior to that date. IIRIRA's new cancellation of removal rules would generally apply to cases commenced on or after April 1, 1997. This proposal dictates no particular outcome of any case. Every application for suspension of deportation or cancellation of removal must still be considered on a case-by-case basis. The proposal simply restores a fair opportunity to those whose cases have long been in the system or have other demonstrable equities.

In addition to continuing to apply the old standards to old cases, this legislative proposal would exempt such cases from IIRIRA's annual cap of 4,000 cancellations of removal. It would also exempt from the cap cases of battered spouses and children who otherwise receive such cancellation.

The proposal also guarantees that the cancellation of removal proceedings of certain indi-

viduals covered by the 1990 ABC litigation settlement and certain other Central Americans with long-pending asylum claims will be governed by the pre-IIRIRA substantive standard of 7 years continuous physical presence and extreme hardship. It would further exempt those same individuals from IIRIRA's cap. Finally, individuals affected by the legislation whose time has lapsed for reopening their cases following a removal order would be granted 180 days in which to do so.

My Administration is committed to working with the Congress to enact this legislation. If, however, we are unsuccessful in this goal, I am prepared to examine any available administrative options for granting relief to this class of immigrants. These options could include a grant of Deferred Enforced Departure for certain classes of individuals who would qualify for relief from deportation under this legislative proposal. Prompt legislative action on my proposal would ensure a smooth transition to the full implementation of IIRIRA and prevent harsh and avoidable results.

I urge the Congress to give this legislative proposal prompt and favorable consideration.

WILLIAM J. CLINTON

The White House,  
July 24, 1997.

NOTE: This message was released by the Office of the Press Secretary on July 25.

## Remarks to the National Association of Elementary School Principals in Arlington, Virginia July 25, 1997

*The President.* Thank you very much, Superintendent Paz, President Allen, my longtime friend Sam Sava. Thank you, Secretary Riley. I believe the record will reflect, when your tenure is over, that you have done more for the children of America than any Secretary of Education who ever served, and I thank you.

I want to say, we are joined today by a number of other distinguished education leaders, other superintendents from cities around our country, along with Bob Chase, the president of the NEA; Sandra Feldman, the president of

the AFT; Michael Casserley, the executive director of the Council of Great City Schools; and Anne Bryant, the executive director of the National School Board Association; and my good friend Mayor Beverly O'Neill from Long Beach, California. And a lot of superintendents are here. I thank you for joining the elementary school principals and for your support for better education for our children.

I want to begin by thanking the elementary principals for what they do for America's children. Like every parent, I remember very well