

106TH CONGRESS
1ST SESSION

H. R. 36

To amend the Nicaraguan Adjustment and Central American Relief Act to eliminate the requirement that spouses and children of aliens eligible for adjustment of status under such Act be nationals of Nicaragua or Cuba and to provide to nationals of El Salvador, Guatemala, Honduras, and Haiti an opportunity to apply for adjustment of status under that Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1999

Mr. GUTIERREZ (for himself, Ms. WATERS, Mrs. MORELLA, Mr. BONIOR, Ms. ROYBAL-ALLARD, Ms. ROS-LEHTINEN, Mr. WYNN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DAVIS of Illinois, Mr. MOAKLEY, Mr. OWENS, Mr. FROST, Mr. ORTIZ, Mr. PASTOR, Mr. ENGEL, Mr. MCGOVERN, Ms. LEE, Mrs. MEEK of Florida, Mr. FRANK of Massachusetts, Mr. SERRANO, Mr. TOWNS, Mr. PASCRELL, Mr. LAFALCE, Ms. WOOLSEY, Ms. NORTON, Mr. HINCHEY, Mr. LANTOS, Mr. FILNER, Mr. STARK, Mr. ROMERO-BARCELÓ, Mr. GEORGE MILLER of California, Mr. BRADY of Texas, Mr. BECERRA, and Mr. MENENDEZ) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Nicaraguan Adjustment and Central American Relief Act to eliminate the requirement that spouses and children of aliens eligible for adjustment of status under such Act be nationals of Nicaragua or Cuba and to provide to nationals of El Salvador, Guatemala, Honduras, and Haiti an opportunity to apply for adjustment of status under that Act, and for other purposes.

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 TITLE.**

4 This Act may be cited as the “Central American and
 5 Caribbean Refugee Adjustment Act of 1999”.

6 **SEC. 2. ELIMINATION OF NATIONALITY REQUIREMENT FOR**
 7 **ADJUSTMENT OF STATUS OF SPOUSES AND**
 8 **CHILDREN.**

9 Section 202(d) of the Nicaraguan Adjustment and
 10 Central American Relief Act is amended—

11 (1) in paragraph (1) by striking subparagraph
 12 (A);

13 (2) by redesignating subparagraphs (B), (C),
 14 (D), and (E) of paragraph (1) as subparagraphs
 15 (A), (B), (C), and (D), respectively;

16 (3) in paragraph (2) by striking “paragraph
 17 (1)(B),” and inserting “paragraph (1)(A)”.

18 **SEC. 3. ADJUSTMENT OF STATUS FOR CERTAIN NATIONALS**
 19 **FROM CENTRAL AMERICA, CUBA, AND HAITI.**

20 Section 202 of the Nicaraguan Adjustment and Cen-
 21 tral American Relief Act (8 U.S.C. 1255 note), as amend-
 22 ed by section 2, is further amended—

23 (1) in the section heading, by striking “NICA-
 24 RAGUANS AND CUBANS.” and inserting “NATIONALS
 25 FROM CENTRAL AMERICA, CUBA, AND HAITI”; and

1 (2) in subsection (b)(1), by striking “Nicaragua
2 or Cuba” and inserting “Nicaragua, Cuba, El Sal-
3 vador, Guatemala, Honduras, or Haiti”.

4 **SEC. 4. CONFORMING AMENDMENTS TO TRANSITION**
5 **RULES.**

6 (a) SPECIAL RULE FOR CERTAIN ALIENS GRANTED
7 TEMPORARY PROTECTION FROM DEPORTATION.—Section
8 309(c)(5)(C)(i) of the Illegal Immigration Reform and Im-
9 migrant Responsibility Act of 1996 (8 U.S.C. 1101 note),
10 as amended by section 203 of the Nicaraguan Adjustment
11 and Central American Relief Act, is amended by striking
12 subclauses (I) through (V) and inserting the following:

13 “(I) is an alien who entered the
14 United States on or before December
15 31, 1990, who filed an application for
16 asylum on or before December 31,
17 1991, and who, at the time of filing
18 such application, was a national of the
19 Soviet Union, Russia, any republic of
20 the former Soviet Union, Latvia, Es-
21 tonia, Lithuania, Poland, Czecho-
22 slovakia, Rumania, Hungary, Bul-
23 garia, Albania, East Germany, Yugo-
24 slavia, or any state of the former
25 Yugoslavia;

1 “(II) is the spouse or child (as
2 defined in section 101(b)(1) of the
3 Immigration and Nationality Act) of
4 an individual, at the time a decision is
5 rendered to suspend the deportation,
6 or cancel the removal, of such individ-
7 ual, if the individual has been deter-
8 mined to be described in subclause
9 (I); or

10 “(III) is the unmarried son or
11 daughter of an alien parent, at the
12 time a decision is rendered to suspend
13 the deportation, or cancel the removal,
14 of such alien parent, if—

15 “(aa) the alien parent has
16 been determined to be described
17 in this subclause (I); and

18 “(bb) in the case of a son or
19 daughter who is 21 years of age
20 or older at the time such decision
21 is rendered, the son or daughter
22 entered the United States on or
23 before October 1, 1990.”.

24 (b) TEMPORARY REDUCTION IN DIVERSITY VISAS.—

25 Section 203(d) of the Nicaraguan Adjustment and Central

- 1 American Relief Act (8 U.S.C. 1151 note) is amended by
- 2 striking “subclauses (I), (II), (III), and (IV)” and insert-
- 3 ing “subclauses (II) and (III)”.

