

110TH CONGRESS
1ST SESSION

H. R. 4069

For the relief of Rustem Neza.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 1, 2007

Mr. GOHMERT introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

For the relief of Rustem Neza.

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. AUTHORIZATION TO REMAIN TEMPORARILY IN**
4 **THE UNITED STATES FOR RRUSTEM NEZA.**

5 (a) IN GENERAL.—The Secretary of Homeland Secu-
6 rity shall refrain from removing or deporting Rustem
7 Neza from the United States, and shall permit him to re-
8 main temporarily in the United States, notwithstanding
9 sections 212(a) and 237(a) of the Immigration and Na-
10 tionality Act.

11 (b) APPLICATION TO PREVIOUSLY KNOWN
12 GROUNDS.—The stay of removal or deportation under

1 subsection (a) shall apply only to a ground for removal,
2 deportation, or denial of admission that is reflected in the
3 records of the Department of Homeland Security, or the
4 Visa Office of the Department of State, on the date of
5 the enactment of this Act.

6 (c) DURATION OF STAY.—The stay of removal or de-
7 portation under subsection (a) shall be effective during the
8 period beginning on the date of the enactment of this Act
9 and ending on the date that is 30 days after a final deci-
10 sion is rendered on the application described in subsection
11 (d)(4), including all administrative and judicial review au-
12 thorized by law, if such an application is filed during the
13 application period described in subsection (d)(5). If no
14 such application is timely filed, the effective period of such
15 stay of removal or deportation shall end 30 days after the
16 end of such application period.

17 (d) RELIEF.—

18 (1) REOPENING OF PROCEEDINGS.—The Board
19 of Immigration Appeals shall reopen proceedings
20 pursuant to section 240 of the Immigration and Na-
21 tionality Act against Rustem Neza based on ineffec-
22 tive assistance of counsel upon a motion filed by
23 Rustem Neza not later than 6 months after the
24 date of the enactment of this Act.

1 (2) RESCISSION OF OUTSTANDING ORDER OF
2 REMOVAL.—The Board of Immigration Appeals shall
3 rescind any order of removal, or any finding of inad-
4 missibility or deportability, that was entered against
5 Rrustem Neza by reason of a ground described in
6 subsection (b) before the date of the enactment of
7 this Act.

8 (3) OPPORTUNITY TO PRESENT CLAIMS.—The
9 Board of Immigration Appeals shall ensure that
10 Rrustem Neza is provided the opportunity described
11 in paragraph (4).

12 (4) PRESENTATION OF CLAIMS.—Rrustem Neza
13 shall be provided a full opportunity after the date of
14 the enactment of this Act to apply to an immigra-
15 tion judge for asylum, withholding of removal, or re-
16 lief under the United Nations Convention Against
17 Torture. Rrustem Neza shall have all rights to ad-
18 ministrative and judicial review of any decision of
19 the immigration judge authorized by law.

20 (5) APPLICATION PERIOD.—The immigration
21 judge shall establish a reasonable application period
22 within which Rrustem Neza may apply for relief
23 pursuant to paragraph (4).

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