

110TH CONGRESS  
1ST SESSION

# H. R. 454

To amend the Haitian Refugee Immigration Fairness Act of 1998.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 12, 2007

Mr. MEEK of Florida (for himself, Mrs. CHRISTENSEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LINCOLN DIAZ-BALART of Florida, Ms. CORRINE BROWN of Florida, Mr. HASTINGS of Florida, Ms. ROS-LEHTINEN, Mr. MARIO DIAZ-BALART of Florida, Mr. FATTAH, Mr. LYNCH, and Mr. KUCINICH) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend the Haitian Refugee Immigration Fairness Act  
of 1998.

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 “HRIFA Improvement  
5       Act of 2007”.

6       **SEC. 2. AMENDMENTS TO THE HAITIAN REFUGEE IMMIGRA-  
7       TION FAIRNESS ACT OF 1998.**

8       (a) DETERMINATIONS WITH RESPECT TO CHIL-  
9       DREN.—Section 902(d) of the Haitian Refugee Immigra-

1 tion Fairness Act of 1998 (8 U.S.C. 1255 note) is amend-  
2 ed by adding at the end the following:

3                 “(3) DETERMINATIONS WITH RESPECT TO  
4 CHILDREN.—

5                 “(A) USE OF APPLICATION FILING  
6 DATE.—Determinations made under this sub-  
7 section as to whether an individual is a child of  
8 a parent shall be made using the age and status  
9 of the individual on October 21, 1998.

10                 “(B) APPLICATION SUBMISSION BY PAR-  
11 ENT.—Notwithstanding paragraph (1)(C), an  
12 application under this subsection filed based on  
13 status as a child may be filed for the benefit of  
14 such child by a parent or guardian of the child,  
15 if the child is physically present in the United  
16 States on such filing date.”.

17                 (b) ADMISSIBILITY WAIVER FOR CERTAIN APPLI-  
18 CANTS FOR ASYLUM PROCEEDINGS.—The Haitian Ref-  
19 ugee Immigration Fairness Act of 1998 (8 U.S.C. 1255  
20 note) is amended in subsections (a)(1)(B) and (d)(1)(D)  
21 of section 902 by inserting “(6)(C)(i),” after “(6)(A),”.

22 **SEC. 3. NEW APPLICATIONS AND MOTIONS TO REOPEN.**

23                 (a) NEW APPLICATIONS.—Notwithstanding section  
24 902(a)(1)(A) of the Haitian Refugee Immigration Fair-  
25 ness Act of 1998 (8 U.S.C. 1255 note), an alien who is

1 eligible for adjustment of status under such Act, as  
2 amended by section 2 of this Act, may submit an applica-  
3 tion for adjustment of status under such Act not later  
4 than the later of—

5 (1) 2 years after the date of the enactment of  
6 this Act; and

7 (2) 1 year after the date on which final regula-  
8 tions implementing this Act are promulgated.

9 (b) MOTIONS TO REOPEN.—The Secretary of Home-  
10 land Security shall establish procedures for the reopening  
11 and reconsideration of applications for adjustment of sta-  
12 tus under the Haitian Refugee Immigration Fairness Act  
13 of 1998 (8 U.S.C. 1255 note) that are affected by the  
14 amendments under section 2 of this Act.

15 (c) RELATIONSHIP OF APPLICATION TO CERTAIN OR-  
16 DERS.—Section 902(a)(3) of the Haitian Refugee Immi-  
17 gration Fairness Act of 1998 (8 U.S.C. 1255 note) shall  
18 apply to an alien present in the United States who has  
19 been ordered excluded, deported, removed, or ordered to  
20 depart voluntarily, and who files an application under sub-  
21 section (a), or a motion under subsection (b), in the same  
22 manner as such section 902(a)(3) applied to aliens filing  
23 applications for adjustment of status under such Act be-  
24 fore April 1, 2000.

