

111TH CONGRESS
2D SESSION

S. 3411

To provide for adjustment of status for certain Haitian orphans paroled into the United States after the earthquake of January 12, 2010.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2010

Mrs. GILLIBRAND (for herself, Mr. INHOFE, and Ms. LANDRIEU) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To provide for adjustment of status for certain Haitian orphans paroled into the United States after the earthquake of January 12, 2010.

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 “Help Haitian Adoptees
5 Immediately to Integrate Act of 2010” or the “Help
6 HAITI Act of 2010”.

1 **SEC. 2. ADJUSTMENT OF STATUS FOR CERTAIN HAITIAN**
2 **ORPHANS.**

3 (a) IN GENERAL.—The Secretary of Homeland Secu-
4 rity may adjust the status of an alien described in sub-
5 section (b) to that of an alien lawfully admitted for perma-
6 nent residence if the alien—

7 (1) subject to subsection (c), applies for such
8 adjustment;

9 (2) is physically present in the United States on
10 the date the application for such adjustment is filed;
11 and

12 (3) is admissible to the United States as an im-
13 migrant, except as provided in subsection (d).

14 (b) ALIENS ELIGIBLE FOR ADJUSTMENT OF STA-
15 TUS.—An alien is described in this subsection if the alien
16 was inspected and granted parole into the United States
17 pursuant to the humanitarian parole policy for certain
18 Haitian orphans announced on January 18, 2010, and
19 suspended as to new applications on April 15, 2010.

20 (c) APPLICATION.—In the case of a minor, an appli-
21 cation under this section may be submitted on behalf of
22 the alien by—

23 (1) a parent; or

24 (2) a legal guardian.

25 (d) GROUNDS OF INADMISSIBILITY.—Paragraphs (4)
26 and (7)(A) of section 212(a) of the Immigration and Na-

1 tionality Act (8 U.S.C. 1182(a)) shall not apply to adjust-
2 ment of status under this section.

3 (e) VISA AVAILABILITY.—When an alien is granted
4 the status of having been lawfully admitted for permanent
5 residence under this section, the Secretary of State shall
6 not be required to reduce the number of immigrant visas
7 authorized to be issued under the Immigration and Na-
8 tionality Act (8 U.S.C. 1101 et seq.).

9 (f) ALIEN DEEMED TO MEET DEFINITION OF
10 CHILD.—An alien described in subsection (b) shall be
11 deemed to satisfy the requirements applicable to adopted
12 children under section 101(b)(1) of the Immigration and
13 Nationality Act (8 U.S.C. 1101(b)(1)) if, before the date
14 on which the alien attains 18 years of age—

15 (1) the alien obtains adjustment of status under
16 this section; and

17 (2) a United States citizen adopts the alien, re-
18 gardless of whether the adoption occurs before, on,
19 or after the date of the decision-granting adjustment
20 of status under this section.

21 (g) NO IMMIGRATION BENEFITS FOR BIRTH PAR-
22 ENTS.—No birth parent of an alien who obtains adjust-
23 ment of status under this section shall thereafter, by vir-
24 tue of such parentage, be accorded any right, privilege,

1 or status under this section or the Immigration and Na-
2 tionality Act (8 U.S.C. 1101 et seq.).

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