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RECORD ID: 0002524
RECEIVED: 12 APR 00 10

TO: BRADTKE

FROM: GREEN, R

DOC DATE: 11 APR 00
SOURCE REF: LJM153

KEYWORDS: REFUGEES
HAITI

IMMIGRATION
LEGISLATIVE REFERRAL

PERSONS:

SUBJECT: JUSTICE RPT ON HR3572 & S2058 BILLS TO EXTEND DEADLINES FOR APPLYING
FOR RELIEF UNDER SEC 902 OF HAITIAN REFUGEE IMMIGRATION FAIRNESS ACT

ACTION: ACTION COMPLETED BY E-MAIL

DUE DATE: 12 APR 00 STATUS: C

STAFF OFFICER: PATTEN

LOGREF:

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CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO

EXECSEC

PATTEN

COMMENTS: ** DEADLINE IS 4:00 PM WEDNESDAY 12 APR 00 **

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ACTION DATA SUMMARY REPORT

RECORD ID: 0002524

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CAO ASSIGNED ACTION REQUIRED

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Z 00041210 CONCURRENCE TO OMB

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Z 00041410 ACTION TRANSFERRED

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X 00041410 ACTION COMPLETED BY E-MAIL

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DUE DATE: 12 APR 00 STATUS: S

STAFF OFFICER: SCHWARTZ

LOGREF:

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NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

~~FOR ACTION~~
~~SCHWARTZ~~

Patten

FOR CONCURRENCE
BAKER
LACKEY

FOR INFO
CLARKE
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RUDMAN
VALENZUELA

COMMENTS: ** DEALINE IS 4:00 PM WEDNESDAY 12 APR 00 **

Comments by Valenzuela

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DOC 1 OF 1

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2524

From: Lisa J. Macecevic on 04/11/2000 05:42:54 PM

Record Type: Record

To: See the distribution list at the bottom of this message

CC:

Subject: LRM LJM153 - - JUSTICE Report on HR3572 and S2058 Bills to extend the deadlines for applying for relief under section 902 of the Haitian Refugee Immigration Fairness Act of 1998 and section 202 of the Nicaraguan Adjustment and Central American Relief Act.

S.2058 may be marked up as early as this Thursday--April 13th.

Please return any comments on the attached DoJ letter

by 4:00 PM TOMORROW, April 12th.

Thank you.



- hr3542LTR412.wpd

----- Forwarded by Lisa J. Macecevic/OMB/EOP on 04/11/2000 05:39 PM -----

LRM ID: LJM153

**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503-0001**

Tuesday, April 11, 2000

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

FROM: Richard E. Green (for) Assistant Director for Legislative Reference

OMB CONTACT: Lisa J. Macecevic

PHONE: (202)395-1092 FAX: (202)395-3109

SUBJECT: **JUSTICE Report on HR3572 and S2058 Bills to extend the deadlines for applying for relief under section 902 of the Haitian Refugee Immigration Fairness Act of 1998 and section 202 of the Nicaraguan Adjustment and Central American Relief Act.**

DEADLINE: **4:00 PM Wednesday, April 12, 2000**

In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President. **Please advise us if this item will affect direct spending or receipts for purposes of the "Pay-As-You-Go" provisions of Title XIII of the Omnibus Budget Reconciliation Act of 1990.**

COMMENTS: S.2058 may be marked up as early as this Thursday--April 13th.

Please return any comments by 4:00 PM TOMORROW, April 12th.

Thank you.

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LRM ID: LJM153 SUBJECT: JUSTICE Report on HR3572 and S2058 Bills to extend the deadlines for applying for relief under section 902 of the Haitian Refugee Immigration Fairness Act of 1998 and section 202 of the Nicaraguan Adjustment and Central American Relief Act.

**RESPONSE TO
LEGISLATIVE REFERRAL
MEMORANDUM**

If your response to this request for views is short (e.g., concur/no comment), we prefer that you respond by e-mail or by faxing us this response sheet. If the response is short and you prefer to call, please call the branch-wide line shown below (NOT the analyst's line) to leave a message with a legislative assistant.

You may also respond by:

(1) calling the analyst/attorney's direct line (you will be connected to voice mail if the analyst does not answer); or

(2) sending us a memo or letter

Please include the LRM number shown above, and the subject shown below.

TO: Lisa J. Macecevic Phone: 395-1092 Fax: 395-3109
Office of Management and Budget
Branch-Wide Line (to reach legislative assistant): 395-3454

FROM: _____ (Date)
 _____ (Name)
 _____ (Agency)
 _____ (Telephone)

The following is the response of our agency to your request for views on the above-captioned subject:

_____ Concur

_____ No Objection

_____ No Comment

_____ See proposed edits on pages _____

_____ Other: _____

_____ FAX RETURN of _____ pages, attached to this response sheet

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U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Trent Lott
Majority Leader
United States Senate
Washington, DC 20510

Dear Mr. Majority Leader:

The purpose of this letter is to state the views of the Department of Justice on S. 2058 and H.R. 3572, bills which would extend the deadlines for applying for adjustment of status to lawful permanent resident under section 202 of the Nicaraguan Adjustment and Central American Relief Act (NACARA), and section 902 of the Haitian Refugee Immigration Fairness Act (HRIFA). These deadlines expired on March 31, 2000. The Department supports a reasonable extension of the deadlines, in order to ensure that eligible individuals have a full opportunity to apply for adjustment under HRIFA and section 202 of NACARA. As both S. 2058 and H.R. 3572 provide such a reasonable extension, either is acceptable to the Department, but the Department supports the provisions of H.R. 3572 as preferable to S. 2058, for the reason stated below.

Both bills use the date of the final promulgation of the regulations to implement HRIFA and section 202 of NACARA as a benchmark. These regulations were promulgated on March 24, 2000. S. 2058 would extend the application deadline through the date that is one year after the date of promulgation; that is, until March 23, 2001. H.R. 3572 uses the same date based upon the regulations, but provides an alternative date of October 1, 2001, if that date is later. The Department recommends the October 1, 2001 date, which is a clearer, fixed date that provides more time to applicants, and more time for the Immigration and Naturalization Service to publicize the change. As the date of the final regulations is now known (as it was not when these bills were introduced), and is prior to October 1, 2000, we recommend that the now-superfluous reference to the alternative date based upon the regulations be deleted, in favor of the simple fixed date of October 1, 2001.

Thank you for considering our views in this matter. The Office of Management and Budget has advised us that, from the standpoint of the Administration's program, there is no objection to the submission of this letter.

Sincerely,

Robert Raben
Assistant Attorney General