

MEMORANDUM

TO: MARIA ECHAVESTE
FROM: IRENE BUENO
RE: CONFERENCE CALL ON LIFA – Monday, November 20, 2000 at 11:00 am

PURPOSE: The purpose of this meeting is to follow up on your meeting with Senate leadership to develop a counter-proposal that addresses Republican concerns.

BACKGROUND: Last week, you met with Senate leadership. On parity they indicated that they have problems getting any traction on providing help on a class-wide basis but may be willing to do something on an individual basis. We should explore if there anything we can do on an individual basis within the construct of NACARA.

ATTENDEES: You
Andrea LaRue, Senator Daschle
Esther Olivarría, Senator Kennedy
James Castello, DOJ
Patty First, DOJ
Gerri Ratliff, INS
Chuck Brain, WH
Joel Wiginton, WH
Mark Magana, WH
Irene

- H2 Card unclear but others must play.
- Regular process.
 - Parity is a big problem.
 - Get together next week
- Frame ^{their} ~~our~~ argument in our terms
Short of principles - Rs. can't do anything for classes.
Completely rejected Esther's idea of non-country specific - suspension
of deportation the non-student in their country
— Kyle + Groom might have want to far.
- Fix 1982
- 3245(1)
- H25062
- NACARA - would lose but likely better in Republican rather than get a bad NACARA.
→ maybe small piece - try to get this.
→ deadline

From: Lisa J. Macecevic on 11/04/2000 06:35:06 PM

Record Type: Record

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

cc: Richard E. Green/OMB/EOP@EOP

Subject: CQ Weekly on Immigration and CJS

(Notice the paragraph in **bold** below where CQ talks about the # of individuals affected.)

CQ WEEKLY - IMMIGRATION

Nov. 4, 2000

Page 2595

**Central American Immigration Remains
Central Sticking Point In Negotiations on C-J-S Bill**

By Elizabeth A. Palmer, CQ Staff

A bitter debate during the 1980s over which Central American governments the United States should support has re-emerged in recent weeks as an obstacle to settling immigration issues currently slowing Congress' effort to adjourn for the year.

Even as the Clinton administration took a step toward the Republican position on one immigration issue involving amnesty for illegal aliens, the battle over a provision for Central Americans in the Democrats' "Latino and Immigrant Fairness Act" intensified during the week of Oct. 30.

Immigration is one of the final issues to be decided in the 106th Congress. Senate Majority Leader Trent Lott, R-Miss., cited lack of progress on it as one of the major reasons Republicans decided to take a "time out" from negotiations and send their members home for the elections Nov. 7.

President Clinton has said he will veto the fiscal 2001 spending bill for the departments of Commerce, Justice and State (HR 4942) if Republicans do not include the Democrats' immigration package. Republicans included an alternative immigration package in the CJS bill, which Clinton and congressional Democrats said would not go far enough. The \$39.9 billion CJS bill, which the Senate cleared on Oct. 27, will not be sent to the White House until a final deal is reached on all spending bills. (CQ Weekly, p. 2540)

At issue are three proposed changes to immigration law. One would provide amnesty to all illegal immigrants who have lived continuously in the United States since 1986. Another would allow those who fled Central America in the 1980s to apply for legal residency, and the third -- called 245(i) -- would restore a provision of law that makes it easier for some immigrants to stay in the country after their visa has expired if a residency application is pending.

While the provision for Central Americans came under increased fire, there were signs that the two sides could be moving toward a deal on other issues, including the Democrats' 1986 amnesty proposal, which Republicans considered far too broad.

White House Chief of Staff John D. Podesta offered in an Oct. 27 letter to Senate Judiciary Committee Chairman Orrin G. Hatch, R-Utah, to limit the proposal to one class of illegal immigrants: those who were unfairly denied the opportunity to apply for amnesty under the 1986 immigration overhaul. (PL 99-603) (1986 Almanac, p. 61)

The 1986 law granted amnesty to thousands of illegal immigrants who could prove they had been living continuously in the United States since 1981. But the regulations used to implement the law were seen by many as too restrictive. Immigration advocates, supported by several court decisions, argue that the Immigration and Naturalization Service denied amnesty to many who were eligible.

In 1996, a crackdown on illegal immigration (PL 104-208) stripped the courts of their power to adjudicate these cases unless aliens could show they had tried to apply for amnesty and were rebuffed by the government. (1996 Almanac, p. 5-3)

To settle the issue, Clinton proposed the amnesty. Hatch and others wrote an alternative, which was included in the final version of the CJS bill, that would make all participants in two massive class action lawsuits against the INS eligible to apply for amnesty. And it would restore the ability of federal courts to act on the cases.

In his letter, Podesta sought to broaden the GOP proposal. His response would allow illegal immigrants in the United States continuously since 1981 to apply for amnesty, whether or not they are party to a class action suit.

While Hatch did not accept the counter-offer, it did narrow the differences between the two sides considerably. And Hatch, in his response to Podesta's letter, did not reiterate his objections to 245(i), a sign, according to some immigration supporters, that the GOP might be willing to include it in a final package.

Reagan Redux

Even as negotiators took small steps toward compromise, positions appeared to harden on the third part of the Democrats' immigration bill, the Central Americans provision.

Hundreds of thousands of people came to the United States in the 1980s from Central America -- most illegally -- to escape oppressive regimes and civil wars. In Congress, Democrats and Republicans clashed over the foreign policy of President Ronald Reagan, who supported regimes that opposed communism, even if the governments themselves were repressive.

The 1996 immigration overhaul would have subjected many of those refugees to deportation. In 1997, Congress allowed Nicaraguans and

Cubans to apply for legal residency (PL 105-100), and made it easier for Salvadorans and Guatemalans to avoid deportation. It provided no relief for Hondurans. (1997 Almanac, p. 5-11)

The Democrats' proposal would make all Central American refugees eligible to apply for residency, a proposal that could affect 415,000 people according to supporters. Opponents said the number could reach 1.5 million.

Republicans, led by Lamar Smith, R-Texas, chairman of the House Judiciary Immigration and Claims Subcommittee and author of the 1996 immigration law, defended their decision to treat the refugees differently.

Smith said Honduras did not have a civil war and has had a democratically elected government since 1982. But the country was at the heart of the struggle for dominance in the region -- many of the anti-government forces funded by the United States against Nicaragua were located in Honduras. And for much of the early 1980s, the military retained a strong influence over the government.

Source: CQ Weekly

The definitive source for news about Congress.

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To: John Podesta

From: Peter Schey

Date: 10/31/2000

The White House

Time: 1:27:38 PM

No. of pages (including this cover sheet):

Fax: (202) 456-2883

16

Fax message:

Please see attached correspondence and statements in support of current immigration proposals.

Maria

Status of Immigration Legislation

October 30, 2000

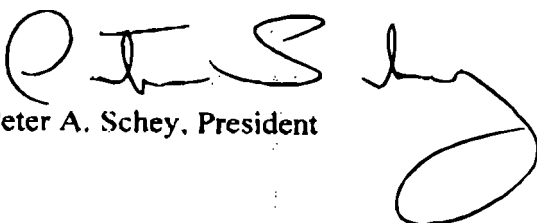
Page 2

The key issue blocking agreement appears to be the Congress' refusal to make any proposal on parity for Haitians and Central Americans who arrived before 1995. Both sides refuse to blink. Congressional leaders seem dead set against the parity proposal for a couple of reasons. First, they have been led to believe that the number of people involved may be close to one million. We think the number is far less -- probably 200,000 plus any family members included in a solution. Second, they state they only want to help those who "played by the rules." However, in NACARA, several farmworker programs supported by agribusiness, and the 1986 amnesty law which President Reagan endorsed, Republicans have repeatedly supported legalization for immigrants who entered without visas when it was fair and in the national interest to do so. Consideration of this issue should not be deferred until the next Congress. Rather than walking away with no agreement, all sides should consider whether some steps can be taken now. A solution may involve a combination of legislation with separate administrative action taken by the Attorney General to benefit the target population. Even within the legislative realm, there are clearly several different approaches for assisting pre-1995 Central Americans and Haitians which the Congress, the White House and advocates could consider to break the current all-or-nothing deadlock.

Regarding 245(I), we agree with the White House that Congress' new non-immigrant visa program is flawed because it treats the family members of some legal permanent residents better than family members of U.S. citizens. We also believe any proposal which requires family separation for three years as the penalty for mere unauthorized presence is disproportionately harsh (this civil penalty is more severe than penalties meted out under federal sentencing guidelines for more serious criminal violations of the Immigration Act). A solution could involve a much shorter period of family separation, combined with 100 hours of community service, as the penalty for unauthorized presence. We doubt the solution is a new visa program coupled with reinstatement of 245(I). The solution lies in either reinstatement of 245(i) with some possible modifications, or a visa program with something less than a penalty which separates families for 3 years.

We remain hopeful that the Congress and White House can find common ground. The LIFA proposals have motivated Congress to make counter-proposals which would help hundreds of thousands of immigrant families. The differences between the proposals to remedy the impact of the 3 and 10 year bars should be relatively easy to settle. Formulations on how parity may be resolved, including a combined legislative and administrative response, should be considered so that at the end of the day these immigrants come away with some measure of relief.

Sincerely,



Peter A. Schey, President



ASIAN AMERICAN LEGAL DEFENSE AND EDUCATION FUND

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October 30, 2000

President Bill Clinton
Attention: John Podesta, Maria Echaveste
Facsimile 202-456-2883

Senator Orrin G. Hatch
Attention: Sharon Prost
Facsimile 202-224-9102

Dear President Clinton and Senator Hatch

The Asian American Legal Defense and Education Fund (AALDEF) is a non-profit public interest law office that represents thousands of Asian American immigrants. AALDEF uses litigation, community education, and policy advocacy to advance the voting rights, labor and employment rights, immigrant rights, and civil rights of Asian Americans. AALDEF also represents victims of anti-Asian violence and police brutality.

AALDEF supports the Latino and Immigrant Fairness Act (LIFA) which would revive §245 (i) of the Immigration and Nationality Act and would restore relief allowing immigrants already entitled to lawful permanent residency to remain in the United States while adjusting their status to process their "green card". LIFA would also provide parity for Haitians and Central Americans and legalization for amnesty applicants. These amendments would help make our immigration laws more humane by keeping families together and allowing undocumented workers to legalize their status - an important step in overcoming exploitation at the workplace.

AALDEF also supports the legalization provision of the Legal Immigration Family Equity Act (LIFEFA) to correct a glaring injustice for thousands of Asian and Latino legalization applicants who were in effect denied legalization under the Immigration and Control Act of 1986 despite prevailing in court several times. Repeated appeals by the Immigration and Naturalization Service and the enactment of § 377 of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA) have long delayed their legalization. This provision would allow thousands of immigrants from all over the world to finally have their pending legalization claims decided. More than 100,000 Asian immigrants may be entitled to this proposed relief; many have been here for almost twenty years and now have families with U.S. citizen children. AALDEF urges the Attorney General to publicize this remedy with Asian and Spanish language media and to contract with non-profit organizations which can assist with legalization as was done under IRCA during 1987-88.

Yours truly,


Stanley Mark, Esq.
Program Director



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October 20, 2000

By fax

The Honorable Spencer Abraham, (202) 228-4506
Attention: Stuart Anderson
The Honorable Orin Hatch, (202) 224-9102
Attention: Sharon Prost
U.S. Senate Committee on the Judiciary
Room SD-224, Dirksen Senate Office Building
Washington, DC 20510-6275

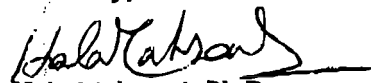
Dear Senators Abraham and Hatch:

We are writing to urge your support of an amendment to the Immigration Act repealing section 377 of the 1996 IIRAIRA as part of the appropriation bill for Commerce, Justice and State. Enactment of section 377 stripped the federal courts of jurisdiction to implement a remedy for thousands of immigrants who have continuously resided here since before 1982 and were unlawfully turned away by the INS when they sought to apply for amnesty in 1987-88 because they had briefly traveled abroad sometime after 1981. The 1986 amnesty law specifically allowed "brief" departures from the United States, but during the 12-month application period in 1987-88 the INS held to the view that such immigrants were "ineligible to apply" for amnesty. Tens of thousands of amnesty applicants from all parts of the world, including the Middle East, to this day continue to reside here underground, working in jobs that violate federal laws, solely because of INSI unlawful amnesty travel rules (which the agency ultimately repealed after federal courts held the rules invalid).

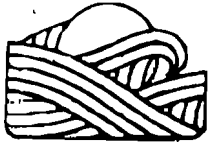
These amnesty applicants deserve a remedy. The country will benefit more by their legalization than by forcing them to continue living here illegally. We therefore strongly urge your support for a repeal of section 377 of the 1996 IIRAIRA, which we understand will allow court ordered remedies to be implemented for most of the applicants who did not benefit from the 1986 amnesty solely because of unlawful rules adopted by the INS in direct conflict with the law as enacted by Congress.

Thank you for your consideration.

Sincerely,


Hala Maksoud, Ph.D.
President

cc: Maria Echaveste, (202) 456-6218



**ASIAN PACIFIC
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OF
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October 26, 2000

President Bill Clinton
Attention: John Podesta, Maria Echaveste
Facsimile (202) 456-2883

Senator Orrin G. Hatch
Attention: Sharon Prost
Facsimile (202) 224-9102

Dear President Clinton and Senator Hatch:

The Asian Pacific American Legal Center represents thousands of Asian immigrants in the United States. We also serve as a technical support center for community groups serving the Asian community.

We wish to express our strong support for repeal of section 277 of the 1996 IIRAIRA, and an amendment to the Immigration and Nationality Act requiring the Attorney General to promptly and fairly process the long-pending legalization applications filed by class members in *Catholic Social Services v. Reno*, and *LULAC v. INS*. We also strongly urge passage of the Latino and Immigrant Fairness Act in this session of Congress, including reinstatement of section 245 (i) and parity for Haitians and Central Americans.

As you may know, thousands of long-term residents were improperly turned away by the INS when they tried to apply for legalization under the 1986 IRCA and now reside in this country in "underground" status. These amnesty applicants, including well over 100,000 Asians, have built their lives here for almost 20 years and many have U.S. citizen children. National immigration policy would be well served if section 377 was repealed and the Attorney General ordered to process these pending amnesty applications. While we support the proposal of the Congressional leadership to provide a full remedy for the pending amnesty applicants, we urge the Congressional minority leadership and the White House to include provisions in the bill requiring the Attorney General to fund publicity about the program for a 3-6 month period, particularly in the Asian and Spanish-speaking media, and to reimburse community-based groups for the cost of assisting these deserving applicants.

Very truly yours,

Stewart Kwok
President and Executive Director

Korean Immigrant Workers Association

3465 W. 8th St., 2nd Flr.

Los Angeles, CA 90005

Phone: (213) 739-8455 Fax: (213) 738-9919

October 25, 2000

URGENT

Via Facsimile

President William Clinton

The White House

Senator Trent Lott
Majority Leader
United States Senate

Dear President Clinton and Senator Lott:

The Korean Immigrant Workers Association ("KIWA") is a community-based non-profit organization which serves the Korean community in Southern California. In addition to providing technical and legal support to Korean community-based groups, we also provide direct services to Korean workers. Having assisted many amnesty class members in the Catholic Social Services v. Reno and LULAC v. INS cases, we are familiar with the extreme difficulties they face as undocumented immigrant workers and strongly support their efforts to legalize their status.

We support the provisions of the Latino and Immigrant Fairness Act ("LIFA") which would extend parity for Haitians and Central Americans and reinstate section 245(i). These amendments will provide significant benefits to immigrants who want to legalize their status and will likely in any event remain here for the rest of their lives. The repeal of section 245(i), combined with the effect of the 3 and 10-year bars, impose a draconian remedy -- family separation -- on thousands of immigrant families. Failure to provide parity for Haitians and Central Americans leaves similarly situated people in vastly different legal situations -- some favored and others kept underground and exploited.

We urge all parties full support for the legalization provisions in the Legal Immigration Family Equity Act ("LIFEA"). Thousands of Korean workers who have had applications for legalization filed under the CSS and LULAC cases pending for many years will finally have those applications adjudicated one way or the other. Thousands of families will be quickly and efficiently legalized. The courts can monitor implementation of the relief, rather than having to continue grappling with complex constitutional and jurisdictional issues. We urge that you also consider requiring government efforts to inform applicants of these remedies in Asian and Spanish language media, and a way of compensating non-profit groups which help applicants complete and file their applications. This would be a welcomed move in the community of advocates who assist immigrants on a daily basis with little funding or support.

Thank you for your consideration.

Very truly yours,


Tory Kim

MEXICAN AMERICAN ASSOCIATION

522 E. San Ysidro Blvd.
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October 30, 2000

URGENT

Via Facsimile

President William Clinton
The White House

Senator Trent Lott
Majority Leader
United States Senate

Dear President Clinton and Senator Lott:

The Mexican American Association represents Mexican American families across the United States. Since Congress granted the 1986 amnesty, we have been carefully monitoring the implementation of the program and the ensuing litigation brought about by INS' illegally denying eligible applicants the opportunity to apply.

The Administration's failure to process late amnesty class members applications has caused severe hardships to hundreds of thousands of Mexican families. If the provisions passed by Congress in the appropriation bill for Commerce, Justice, and State are signed into law, many more of these families will be legalized than under registry. Having carefully monitored the 1986 amnesty and registry programs, I am confident that the number of immigrants legalized under the Congressional proposal for legalization will be significantly higher than the number of immigrants who would even apply for registry if it were updated to 1986.

One of the main reasons for this is that registry is not a confidential program and is discretionary. Thus, registry is left to the discretion of local INS officials and there is no appeal whatsoever. Applicants who are denied benefits are ordered to depart the country and are placed in removal proceedings if they do not depart. This threat of deportation is certain to dramatically decrease the number of immigrants who apply for registry. In addition, under Congress' provision, most applicants would be legalized within a year and a half while registry could take up to ten years.

Because these applicants should have qualified for citizenship five or six years ago, we also support an amendment to Congress' amnesty provision waiving the five-year requirement of permanent resident status which applies to the amnesty applicants.

Very truly yours,


Alberto Garcia, President C.S.

Asian Law Caucus

URGENT

Asian Law Caucus, Inc.
720 Market Street, Suite 500
San Francisco, CA 94102
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October 26, 2000

President Bill Clinton
Attention: John Podesta, Maria Echaveste
Facsimile (202) 456-2883

Senator Orrin G. Hatch
Attention: Sharon Prost
Facsimile: 202-224-9102

Dear President Clinton and Senator Hatch:

The Asian Law Caucus is one of the principal legal organizations serving the Asian community in Northern California. Many of our clients are immigrants requiring representation on a wide range of issues, some involving the INS and others not.

We write in support of the Latino and Immigrant Fairness Act ("LIFA") which includes important amendments to our immigration laws. The Caucus supports providing relief to deserving immigrants through parity for Haitians and Central Americans with NACARA and reinstatement of relief with an appropriate penalty available to immigrants under section 245(i). We strongly believe these amendments make significant contributions to a more fair and humane national immigration policy, principally by uniting families and decreasing the number of undocumented people living here.

The Caucus also supports the legalization provision of the Legal Immigration Family Equity Act ("LIFE Act"). Well over 100,000 class members in the amnesty cases are Asian long-term residents of this country. While they have prevailed several times in the courts, repeated appeals by the INS, and then the passage of section 377 of the IIRAIRA, have delayed a just remedy for these applicants. Under this legislation, thousands of Asian immigrants, as well as immigrants from many other parts of the world, will have the opportunity to finally have their long-pending amnesty claims decided. There can be little doubt this is in their best interest, as well as the best interest of the country. We urge you to consider requiring the Attorney General to implement an outreach program, including through Asian and Spanish language media, about the remedy, and the benefits of compensating non-profits working under contract with the INS, to assist these applicants as was done during the 1987-88 application period.

Thank you for your consideration.

Yours truly,



Sally L. Kinoshita
Staff Attorney

THAI COMMUNITY DEVELOPMENT CENTER

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October 30, 2000

URGENT

Via Facsimile

President William Clinton
The White House

Senator Trent Lott
Majority Leader
United States Senate

Dear President Clinton and Senator Lott:

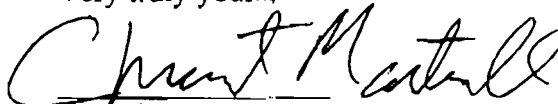
The Thai Community Development Center represents thousands of Thai immigrants in the United States. We serve as a community support center for Thai immigrants throughout the United States, and also directly represent hundreds of immigrant families in Southern California.

We strongly support passage of the Latino and Immigrant Fairness Act, repeal of section 377 of the 1996 IIRAIRA, and an amendment requiring the Attorney General to quickly and fairly process the pending legalization applications filed by class members in *Catholic Social Services v. Reno*, *LULAC v. INS* and *Zambrano v. INS*.

These amnesty applicants, including several thousand immigrants from Thailand, have built their lives here for almost 20 years and many now have U.S. citizen children and own enterprises and homes. They have no intention of leaving the United States. If enacted, this legislation will immediately permit thousands of applicants to apply for adjustment of status. Please also consider requiring that the Attorney General work with the Asian and Spanish-language media to publicize the program, and with community-based organizations assisting this large immigrant population.

Thank you for your consideration.

Very truly yours,


Chanchanit Martorell
Executive Director

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***ADMITTED IN MINNESOTA

October 31, 2000

John Podesta
Chief of Staff to the President
Fax: (202) 456-2883

Maria Echaveste
Deputy Chief of Staff to the President
Fax: (202) 456-6218

Representative Lucille Roybal-Allard
Chair, Hispanic Caucus
Fax: (202) 226-0350

RE: Estimates of Numbers Involved in Immigration Proposals Under Consideration

Dear Mr. Podesta, Ms. Echaveste and Representative Roybal-Allard:

This office represents thousands of immigrants in Southern California and is currently considered one of the leading law firms in terms of the number of clients represented, hopefully the high quality of services, and our advocacy on behalf of the immigrant community on policy matters.

We have carefully reviewed the current immigration proposals being considered by the Congress and the White House. We have also followed the public statements issued by the Congress and the White House on these proposals, and believe it is important to correct what appears to us to be a misperception on the part of all parties regarding the numbers of people who may be helped by the proposals under consideration.

Public statements by both the White House and Congressional leaders assume that as many as one million immigrants could adjust their status under the various proposals under consideration. Unfortunately, the numbers involved are much less.

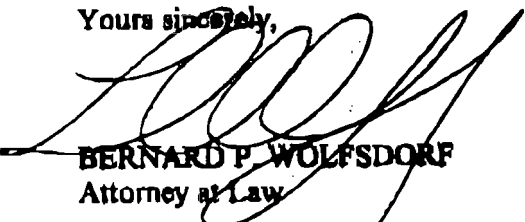
First, if the registry provision of LIFA was enacted based on historical figures of utilization of registry, we believe 100,000 to 125,000 immigrants may qualify for this benefit over the next ten years. If the Congress' proposal for legalization is enacted, we believe 150,000 to 200,000 Amnesty-eligible applicants, and approximately 100,000 to 150,000 of their family members, will qualify for adjustment of status within the proposed one-year application period.

Regarding LIFA's parity proposal for Haitians and Central Americans, we do not believe the number of eligible applicants will be anything close to what some supporters and opponents of LIFA suggest. Based upon implementation of NACARA, and our experience representing Central Americans, we believe the number is closer to approximately 200,000 to 250,000.

Finally, regarding the 245(i) issue, the total number of applicants who would be helped by all proposals currently under consideration is the same. Obviously, the reinstatement of 245(i) is far more beneficial to this population since it would eliminate a three-year family separation still required under Congress' non-immigrant proposal.

Thank you for considering our views during your important discussions aimed at enactment of urgently needed reform.

Yours sincerely,



BERNARD P. WOLFSDORF
Attorney at Law

ccs: Democratic Leadership

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**The Law Offices of
Paresh A. Shah**

October 30, 2000

**Re: Support for Congressional Provision granting
legalization to pending 1987/88 applicants and LIFA**

Dear President Clinton:

As you know, I have served as a long time supporter and fundraiser for the Democratic Party, and I look forward to meeting with you again this coming Thursday in Los Angeles, California. As you also know, I dedicate a large amount of my time to understanding and expressing the concerns of Indian Americans living in the United States.

I have for several years followed the situation of the 1987 amnesty applicants who despite numerous court victories in the CSS v. Reno and LULAC v. Reno nationwide class action cases, have not yet had any of their applications processed by the Administration and continue to reside here in legal limbo. This has caused untold hardship to hundreds of thousands of families and failing to legalize them is clearly not in the national interest.

Likely, about two hundred thousand Asian families, including tens of thousands of Indian families, may finally be legalized under a provisions passed by Congress in the appropriation bill for Commerce, Justice, and State.

As both an organizer for the Democratic party and a lawyer specializing in Immigration law I can state without reservation that the number of Immigrants legalized under the Congressional proposal for legalization will likely be four to five times higher than the number of immigrants who would ever apply for registry with a 1986 cut-off date. The reasons for this are obvious. Registry is not a confidential program and those denied the benefits are ordered to depart the country.

If they do not, removal proceedings against them are initiated. There is absolutely no disagreement among

experts in immigration policy, that the threat of deportation dramatically decreases number of immigrants who apply for benefits program. Furthermore, registry is left to the discretion of local INS officials with no form of appeal.

While the existing class of legalization applicants comprises approximately 400,000, approximately 200,000 family members who arrived before 1989 would also benefit under Congress' provision, and could all be legalized within a year and a half. Under registry, we doubt 100,000 people will apply and qualify over the next ten years.

During the last registry program, also requiring 14 years of residence, about 100,000 people applied over the next ten years from 1987-1996. Some argue erroneously that more people did not apply because they qualified for amnesty under the 1986 IRCA. Of those who qualified under IRCA's amnesty program, the vast majority and probably more than 98% of all applicants under IRCA's amnesty, arrived in the United States after 1972 and were not eligible for registry.

We strongly urge you to propose an amendment to Congress' amnesty provision waiving the five-year requirement of permanent resident status which applies to the amnesty applicants. Had these applicants been processed legally by the INS during the 1987-88-application period, they would have qualified for citizenship five or six years ago. A complete remedy should allow them to fully integrate politically, economically, and socially into this great country.

It is therefore clear to us that the national interest would be better served by supporting the proposal to provide a full, complete, and prompt remedy for the amnesty class. Of course, we also support the important amendments proposed in the Latino Immigrant Fairness Act.

Very truly yours,



Paresh A. Shah

cc: Democratic Leadership

Virtually the entire Hispanic and immigrant communities are united behind the Latino and Immigrant Fairness Act because it:

- Promotes family values by keeping families together and allowing hard working immigrants to continue working legally,
- Increases tax revenue and decreases dependence of immigrant families on public services by keeping parents employed legally,
- Reduces social ills caused by having long-term undocumented immigrants in the U.S.,
- Addresses labor shortages in critical industries,
- Does not increase net immigration to the U.S. since it only deals with U.S. residents, and
- Is the just, moral, and practical thing to do.

It is not often that Congress has before it significant legislation in which everyone benefits and no one loses, but the Latino and Immigrant Fairness Act does just that because it benefits all Americans by ensuring our long-term immigrants are full and productive members of our country.

In addition, it has come to our attention that your office has been part of discussions with an immigration attorney to find a legislative solution for some long-term residents. Specifically, it is our understanding that you are ready to support repeal of Section 377 and language requiring the Attorney General to process all pending applications and to move directly to permanent resident status for eligible applicants without first requiring temporary resident status.

LULAC welcomes this development and we would be in support of language whether it is the repeal of section 377 or another process that would provide justice to these immigrants who were unlawfully prevented from applying for amnesty more than a decade ago, but we wish to make clear that this does not in any way lessen our commitment to any component of the Latino and Immigrant Fairness Act, which we regard as a minimum package of legislative initiatives acceptable to the Hispanic and immigrant community.

Senator, we are aware that the neo-racist group Federation for American Immigration Reform is attempting to flame prejudice against immigrants in an effort to defeat the Latino and Immigrant Fairness Act. At this crucial juncture in the history of the Republican party, we hope that you and your colleagues resist their hateful message and make the right decision that will benefit so many and harm absolutely no one.

Sincerely,


Rick Dovalina
LULAC National President

Brent Wilkes
National Executive Director
League of United Latin American Citizens
2000 L Street, NW, Suite 610
Washington, DC 20036
(202) 833-6130
(202) 833-6135 FAX

October 20, 2000

The Honorable Orrin Hatch
U.S. Senate
Washington, DC 20510

Dear Senator Hatch:

On behalf of the members of the League of United Latin American Citizens, I would like to reiterate our strong and undivided support of the Latino and Immigrant Fairness Act (LIFA). This act addresses the needs of long-term residents of the United States and their families through the following provisions:

Date of Registry: This provision will update the date of registry from 1972 to 1986. This would allow individuals who have lived in the U.S. continuously since 1986 to apply for permanent residency. Many immigrants who were wrongfully prevented from applying for permanent residency in 1986 would be allowed to regularize their status.

Central American and Haitian Parity: This provision gives immigrants from El Salvador, Honduras, Guatemala, and Haiti the same rights to adjustment that immigrants from Nicaragua and Cuba received in the NACARA Act of 1997. These immigrants were invited into the United States due to our involvement in the civil struggles of those countries. We have a responsibility to be fair to those immigrants who supported us during the Cold War.

Section 245(i): This provision allows immigrants who have a relative or employer sponsor to remain in the U.S. and to continue working while they wait for the processing of their application. Currently, immigrants applying for permanent residency must return to their country, separating families and losing workers who contribute to the economy. This provision does not give special treatment to these immigrants, who will pay a fee to the INS to remain in the U.S.; it simply changes the location of where they wait for the processing of their permanent residence status.

10/30/00

Parity Proposals

Option A:

1. Guatemalans and Salvadorans who were covered by section 203 of the 1997 NACARA legislation, Haitians who were covered under the Haitian Refugee Immigration Fairness Act (HRIFA), and Liberians, who were granted Temporary Protected Status would be granted relief under section 202 of NACARA.

Section 202 of NACARA provides an opportunity to apply for a green card under a relatively easy process called adjustment of status. At the present time, only Cubans and Nicaraguans can apply for green cards under section 202 of NACARA.

This proposal would benefit Guatemalans and Salvadorans who have been in the U.S. since 1991; Haitians who were paroled into the U.S. or applied for asylum by December 31, 1995; and Liberians who were in the U.S. before 1997. All of these groups would be able to adjust their status under the more favorable procedures granted to Cubans and Nicaraguans.

2. Hondurans who came to the U.S. prior to December 31, 1995, as well as Guatemalans, Salvadorans, and Haitians who were not covered by either NACARA or HRIFA, but who came to the country prior to December 31, 1995, would be allowed to adjust their status under Section 203 of NACARA.

Section 203 of NACARA provides an opportunity to apply for a green card under a more difficult process called suspension of deportation.

Option B.

1. Guatemalans and Salvadorans, who were covered by section 203 of the 1997 NACARA legislation, Haitians who were covered under the Haitian Refugee Immigration Fairness Act (HRIFA), and Liberians, who were granted Temporary Protected Status would be granted relief under section 202 of NACARA. (Same as Option A1 described above).
2. Everyone else (including Hondurans, other Guatemalans, Salvadorans, and Haitians, as well as national from many other countries) could take advantage of a new Suspension of Deportation procedure as long as they satisfied one of four criteria:
 - a) exclusion or deportation proceeding were initiated against them before April 1, 1997, or
 - b) they applied for asylum before April 1, 1997, or
 - c) they were granted Temporary Protected Status before April 1, 1997, or

- d) they accrued 5 years of continuous physical presence before April 1, 1997.

Option C.

1. Everyone could take advantage of a new Suspension of Deportation procedure as long as they satisfy one of the four criteria listed in Option B2.

Irene Bueno

10/30/2000 08:28:37 AM

Record Type: Record

To: Maria Echaveste/WHO/EOP

cc:

Subject: New LIFA Alternative Language

I am printing it out for you. There were a couple of errors in the earlier version.

----- Forwarded by Irene Bueno/WHO/EOP on 10/30/2000 08:28 AM -----



Esther_Olavarria@judiciary.senate.gov (Esther Olavarria)

10/29/2000 07:52:14 PM

Record Type: Record

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

cc:

Subject: Fwd:see attached

here is the latest version of alternative proposals to LIFA

_____Forward Header_____

Subject: see attached

Author: Polly Craighill

Date: 10/29/2000 7:09 PM



- SCO00_A21.pdf

Message Sent To:

andrea_larue@daschle.senate.gov (andrea larue)

cassandra.butts@mail.house.gov

scott.deutchman@mail.house.gov

Irene Bueno/WHO/EOP

patricia.a.first@usdoj.gov

Tim_Lynch@judiciary.senate.gov (Tim Lynch)

Irene Bueno

10/28/2000 04:30:21 PM

Record Type: Record

To: Maria Echaveste/WHO/EOP

cc:

Subject: Kennedy immigration bill language

First, I spoke to Esther about working with LaVita Strickland of Feinstein's staff. She said that based on her experience that it would be better for us to intervene rather than Esther. I left a message for Lavita asking that she work closely with us and offered to provide any assistance that she needs. When she calls, I will mention that Leahy and Kennedy's staff have some language that may be helpful.

Second, attached is latest language from Esther (I printed a copy for you). This is a brief summary of the language:

- Options*
- Adjustment of Status for those who entered the country before 1/1/82 using the section 212 ground on admissibility. This includes a family unity (ie adjustment of status) for spouses and children.
 - Section 245(i) reinstatement
 - V= Visa program as proposed by the Republicans *1995*
 - Provides Salvadorans, Guatemalans, Haitians, and Liberians with section 202 relief.
 - Provides Hondurans with section 203 relief. *after Salv & Guatem*
 - Also, provides a non-specific country proposal allowing the use of old cancellation of removal rules for immigrants who were in deportation proceeding before 4/1/97; who applied for asylum before 4/1/97; or had been physically present for no less than 5 years preceding 4/1/97. *Hondurans*

----- Forwarded by Irene Bueno/WHO/EOP on 10/28/2000 04:30 PM -----



Esther_Olavarria@judiciary.senate.gov (Esther Olavarria)

10/28/2000 02:51:33 PM

Record Type: Record

To: Irene Bueno/WHO/EOP, patricia.a.first@usdoj.gov

cc:

Subject: Fwd:

Here is the latest version of the LIFA alternative

Forward Header

Subject:

Author: Greg Scott

Date: 10/28/2000 2:47 PM

1 **DIVISION _____—RESTORATION**
2 **OF IMMIGRATION BENEFITS**
3 **TO CERTAIN ALIENS**

4 **SECTION 1. SHORT TITLE.**

5 This division may be cited as the “Latino and Immi-
6 grant Fairness Act of 2000”.

7 **TITLE I—RESTORATION OF SEC-**
8 **TION 245(i); NEW NON-**
9 **IMMIGRANT CATEGORY**

10 **SEC. 101. RESTORATION OF SECTION 245(i) ADJUSTMENT**
11 **OF STATUS BENEFITS.**

12 (a) REMOVAL OF CERTAIN LIMITATIONS ON ELIGI-
13 BILITY FOR ADJUSTMENT OF STATUS UNDER SECTION
14 245(i).—

15 (1) IN GENERAL.—Section 245(i) of the Immi-
16 gration and Nationality Act (8 U.S.C. 1255(i)) is
17 amended—

18 (A) in paragraph (1) by striking “(i)(1)”
19 through “The Attorney General may accept
20 such application” and inserting the following:

21 “(i)(1)(A) Notwithstanding the provisions of sub-
22 sections (a) and (c) of this section, an alien physically
23 present in the United States who—

24 “(i) entered the United States without inspec-
25 tion;

1 “(ii) is within one of the classes enumerated in
2 subsection (c) of this section; or

3 “(iii) was admitted under section
4 101(a)(15)(V);

5 may apply to the Attorney General for the adjustment of
6 his or her status to that of an alien lawfully admitted for
7 permanent residence.

8 “(B) In the determining of whether an alien is eligible
9 to be admitted to the United States as a nonimmigrant
10 under section 101(a)(15)(V), the grounds for inadmis-
11 sibility specified in paragraphs (6)(A), (6)(B), (6)(F), (7),
12 and (9) of section 212(a) shall not apply.

13 “(C) The Attorney General may accept an application
14 under this subsection”; and

15 (B) by adding at the end the following new
16 paragraph:

17 “(4) Nothing in this subsection shall be construed as
18 precluding a nonimmigrant described in section
19 101(a)(15)(V) who is eligible for adjustment of status
20 under subsection (a) from applying for and obtaining ad-
21 justment under such subsection. In the case of such an
22 application, the alien shall be required to remit only the
23 fee normally required for the processing of an application
24 under subsection (a).”.

1 (2) EFFECTIVE DATE.—The amendments made
2 by paragraph (1) shall be effective as if included in
3 the enactment of the Departments of Commerce,
4 Justice, and State, the Judiciary, and Related Agen-
5 cies Appropriations Act, 1998 (Public Law 105–119;
6 111 Stat. 2440).

7 (b) USE OF SECTION 245(i) FEES.—Section
8 245(i)(3)(B) of the Immigration and Nationality Act (8
9 U.S.C. 1255(i)(3)(B)) is amended to read as follows:

10 “(B) One-half of any remaining portion of such fees
11 remitted under such paragraphs shall be deposited by the
12 Attorney General into the Immigration Examinations Fee
13 Account established under section 286(m), and one-half
14 of any remaining portion of such fees shall be deposited
15 by the Attorney General into the Breached Bond/Deten-
16 tion Fund established under section 286(r).”.

1 **SEC. 102. NONIMMIGRANT STATUS FOR SPOUSES AND CHIL-**
2 **DREN OF UNITED STATES CITIZENS PERMA-**
3 **NENT RESIDENTS AWAITING THE AVAIL-**
4 **ABILITY OF AN IMMIGRANT VISA; PROVI-**
5 **SIONS AFFECTING SUBSEQUENT ADJUST-**
6 **MENT OF STATUS FOR SUCH NON-**
7 **IMMIGRANTS.**

8 (a) IN GENERAL.—Section 101(a)(15) of the Immi-
9 gration and Nationality Act (8 U.S.C. 1101(a)(15)) is
10 amended—

11 (1) in subparagraph (T), by striking “or” at
12 the end;

13 (2) in subparagraph (U), by striking the period
14 at the end and inserting “; or”; and

15 (3) by adding at the end the following:

16 “(V) subject to section 214(o), an alien
17 who is the beneficiary (including a child of the
18 principal alien, if eligible to receive a visa under
19 section 203(d)) of a petition to accord a status
20 to spouses and minor children of lawful perma-
21 nent residents under section 203(a)(2)(A), to
22 sons and daughters of lawful permanent resi-
23 dents under section 203(a)(2)(B), to spouses
24 and children of United States citizens under
25 section 201(b)(2)(A), and to sons and daugh-
26 ters of United States citizens under section

1 203(a)(1), that was filed with the Attorney
2 General under section 204 before, on, or after
3 the date of the enactment of the Latino and
4 Immigrant Fairness Act, but not more than 3
5 years after such date, if such petition has been
6 approved, 1 or more years have elapsed since
7 such filing date, and—

8 “(i) an immigrant visa is not imme-
9 diately available to the alien because of a
10 waiting list of applicants for visas for
11 spouses and minor children of lawful per-
12 manent residents under section
13 203(a)(2)(A), for sons and daughters of
14 lawful permanent residents under section
15 203(a)(2)(B), for spouses and children of
16 United States citizens under section
17 201(b)(2)(A), and for sons and daughters
18 of United States citizens under section
19 203(a)(1); or

20 “(ii) the alien’s application for an im-
21 migrant visa, or the alien’s application for
22 adjustment of status under section 245,
23 pursuant to the approval of such petition,
24 remains pending.”.

1 (b) PROVISIONS AFFECTING NONIMMIGRANT STA-
2 TUS.—Section 214 of the Immigration and Nationality
3 Act (8 U.S.C. 1184) is amended by adding at the end the
4 following:

5 “(o)(1) In the case of a nonimmigrant described in
6 section 101(a)(15)(V)—

7 “(A) the Attorney General shall authorize the
8 alien to engage in employment in the United States
9 during the period of authorized admission and shall
10 provide the alien with an ‘employment authorized’
11 endorsement or other appropriate document signi-
12 fying authorization of employment; and

13 “(B) the period of authorized admission as such
14 a nonimmigrant shall terminate 30 days after the
15 date on which any of the following is denied:

16 “(i) The petition filed under section 204 to
17 accord the alien a status as a spouse or minor
18 child of a lawful permanent resident under sec-
19 tion 203(a)(2)(A), as a son or daughter of a
20 lawful permanent resident under section
21 203(a)(2)(B), as a spouse or child of a United
22 States citizen under section 201(b)(2)(A), or as
23 a son or daughter of a United States citizen
24 under section 203(a)(1).

1 “(ii) The alien’s application for an immi-
2 grant visa pursuant to the approval of such pe-
3 tition.

4 “(iii) The alien’s application for adjust-
5 ment of status under section 245 pursuant to
6 the approval of such petition.

7 “(2) In the determining of whether an alien is eligible
8 to be admitted to the United States as a nonimmigrant
9 under section 101(a)(15)(V), the grounds for inadmis-
10 sibility specified in paragraphs (6) (A), (B), and (F), (7),
11 and (9) of section 212(a) shall not apply.

12 “(3) An alien physically present in the United States
13 may be admitted by the Attorney General, under such reg-
14 ulations as the Attorney General may prescribe, as a non-
15 immigrant under section 101(a)(15)(V) if the alien satis-
16 fies the requirements of such section.”.

17 (c) CONFORMING AMENDMENT.—Section 214 of the
18 Immigration and Nationality Act (8 U.S.C. 1184) is
19 amended, in each of subsections (b) and (h), by striking
20 “(H)(i) or (L)” and inserting “(H)(i), (L), or (V)”.

21 (d) EFFECTIVE DATE.—The amendments made by
22 this section shall take effect on the date of the enactment
23 of this Act and shall apply to an alien who is the bene-
24 ficiary of a classification petition filed under section 204

1 of the Immigration and Nationality Act before, on, or
2 after the date of the enactment of this Act.

3 **TITLE II—FAMILY UNITY**

4 **SEC. 201. ADJUSTMENT OF STATUS OF CERTAIN ALIENS.**

5 (a) ADJUSTMENT OF STATUS.—

6 (1) IN GENERAL.—Notwithstanding section
7 245(c) of the Immigration and Nationality Act, the
8 status of any alien described in subsection (b) shall
9 be adjusted by the Attorney General to that of an
10 alien lawfully admitted for permanent residence, if
11 the alien—

12 (A) entered the United States before Janu-
13 ary 1, 1982, and has continuously resided in
14 the United States since that date; and

15 (B) is otherwise eligible to receive an im-
16 migrant visa and is otherwise admissible to the
17 United States for permanent residence, except
18 that, in determining such admissibility, the
19 grounds for inadmissibility specified in para-
20 graphs (4), (5), (6) (A), (B), (C), and (F), and
21 (7), and (9) of section 212(a) of the Immigra-
22 tion and Nationality Act shall not apply.

23 (2) RELATIONSHIP OF APPLICATION TO CER-
24 TAIN ORDERS.—An alien present in the United
25 States who has been ordered excluded, deported, re-

1 moved, or ordered to depart voluntarily from the
2 United States under any provision of the Immigra-
3 tion and Nationality Act may, notwithstanding such
4 order, apply for adjustment of status under para-
5 graph (1). Such an alien may not be required, as a
6 condition of submitting or granting such application,
7 to file a separate motion to reopen, reconsider, or
8 vacate such order. If the Attorney General grants
9 the application, the Attorney General shall cancel
10 the order. If the Attorney General renders a final
11 administrative decision to deny the application, the
12 order shall be effective and enforceable to the same
13 extent as if the application had not been made.

14 (b) ALIENS ELIGIBLE FOR ADJUSTMENT OF STA-
15 TUS.—The benefits provided by subsection (a) shall apply
16 to any alien who has been physically present in the United
17 States for a continuous period, beginning not later than
18 January 1, 1982, and ending not earlier than the date
19 the application for adjustment under such subsection is
20 filed, except that—

21 (1) an alien shall not be considered to have
22 failed to maintain continuous physical presence in
23 the United States for purposes of this subsection by
24 reason of brief, casual, and innocent absences from
25 the United States; and

1 (2) brief, casual, and innocent absences from
2 the United States shall not be limited to absences
3 with advance parole.

4 (c) STAY OF REMOVAL; WORK AUTHORIZATION.—

5 (1) IN GENERAL.—The Attorney General shall
6 provide by regulation for an alien subject to a final
7 order of deportation or removal to seek a stay of
8 such order based on the filing of an application
9 under subsection (a).

10 (2) DURING CERTAIN PROCEEDINGS.—Notwith-
11 standing any provision of the Immigration and Na-
12 tionality Act, the Attorney General shall not order
13 any alien to be removed from the United States, if
14 the alien is in exclusion, deportation, or removal pro-
15 ceedings under any provision of such Act and has
16 applied for adjustment of status under subsection
17 (a), except where the Attorney General has rendered
18 a final administrative determination to deny the ap-
19 plication.

20 (3) WORK AUTHORIZATION.—The Attorney
21 General shall authorize an alien who has applied for
22 adjustment of status under subsection (a) to engage
23 in employment in the United States during the
24 pendency of such application and shall provide the
25 alien with an “employment authorized” endorsement

1 or other appropriate document signifying authoriza-
2 tion of employment, except that, if such application
3 is pending for a period exceeding 180 days and has
4 not been denied, the Attorney General shall author-
5 ize such employment.

6 **SEC. 202. FAMILY UNITY.**

7 (a) ADJUSTMENT OF STATUS FOR CERTAIN ELIGI-
8 BLE IMMIGRANTS.—Notwithstanding section 245(c) of the
9 Immigration and Nationality Act (8 U.S.C. 1255(c)), the
10 Attorney General shall adjust to the status of alien law-
11 fully admitted for permanent residence the status of an
12 alien who—

13 (A) as of May 5, 1988, is the spouse, son,
14 or daughter of a person who is eligible for ad-
15 justment of status under section 201;

16 (B) entered the United States before that
17 date;

18 (C) resided in the United States on such
19 date; and

20 (D) is otherwise eligible to receive an im-
21 migrant visa and is otherwise admissible to the
22 United States for permanent residence, except
23 that, in determining such admissibility, the
24 grounds for inadmissibility specified in para-
25 graphs (4), (5), (6) (A), (B), and (C), and (7),

1 and (9) of section 212(a) of the Immigration
2 and Nationality Act shall not apply.

3 (b) RELATIONSHIP OF APPLICATION TO CERTAIN
4 ORDERS.—An alien present in the United States who has
5 been ordered excluded, deported, removed, or ordered to
6 depart voluntarily from the United States under any pro-
7 vision of the Immigration and Nationality Act may, not-
8 withstanding such order, apply for adjustment of status
9 under subsection (a). Such an alien may not be required,
10 as a condition of submitting or granting such application,
11 to file a separate motion to reopen, reconsider, or vacate
12 such order. If the Attorney General grants the application,
13 the Attorney General shall cancel the order. If the Attor-
14 ney General renders a final administrative decision to deny
15 the application, the order shall be effective and enforceable
16 to the same extent as if the application had not been
17 made.

18 (c) STAY OF REMOVAL; WORK AUTHORIZATION.—

19 (1) IN GENERAL.—The Attorney General shall
20 provide by regulation for an alien subject to a final
21 order of deportation or removal to seek a stay of
22 such order based on the filing of an application
23 under subsection (a).

24 (2) DURING CERTAIN PROCEEDINGS.—Notwith-
25 standing any provision of the Immigration and Na-

1 tionality Act, the Attorney General shall not order
2 any alien to be removed from the United States, if
3 the alien is in exclusion, deportation, or removal pro-
4 ceedings under any provision of such Act and has
5 applied for adjustment of status under subsection
6 (a), except where the Attorney General has rendered
7 a final administrative determination to deny the ap-
8 plication.

9 (3) WORK AUTHORIZATION.—The Attorney
10 General shall authorize an alien who has applied for
11 adjustment of status under subsection (a) to engage
12 in employment in the United States during the
13 pendency of such application and shall provide the
14 alien with an “employment authorized” endorsement
15 or other appropriate document signifying authoriza-
16 tion of employment, except that, if such application
17 is pending for a period exceeding 180 days and has
18 not been denied, the Attorney General shall author-
19 ize such employment.

20 **TITLE III—CENTRAL AMERICAN**
21 **AND HAITIAN PARITY**

22 **SEC. 301. SHORT TITLE.**

23 This title may be cited as the “Central American and
24 Haitian Parity Act of 2000”.

1 **SEC. 302. ADJUSTMENT OF STATUS FOR CERTAIN NATION-**
2 **ALS FROM EL SALVADOR, GUATEMALA, AND**
3 **HAITI.**

4 Section 202 of the Nicaraguan Adjustment and Cen-
5 tral American Relief Act (as contained in title II of Public
6 Law 105–100 (111 Stat. 2193)) is amended—

7 (1) in the section heading, by striking “NICA-
8 RAGUANS AND CUBANS” and inserting “NICA-
9 RAGUANS, CUBANS, SALVADORANS, GUATEMALANS,
10 HAITIANS, AND LIBERIANS”;

11 (2) in subsection (a)(1)—

12 (A) in subparagraph (A), by striking
13 “2000” and inserting “2004”; and

14 (B) in subparagraph (B), by striking
15 “(6)(A)” and inserting “(6) (A), (B), and (F)”;

16 (3) in subsection (b)(1), by inserting after
17 “Cuba” the following: “, any alien described in sub-
18 clause (I), (II), (III), or (IV) of section
19 309(c)(5)(C)(i) of the Illegal Immigration Reform
20 and Immigrant Responsibility Act of 1996, any alien
21 who is a national of Haiti who is described in section
22 902(b) of Haitian Refugee Immigration Fairness
23 Act of 1998 (as contained in title IX of the Treas-
24 ury and General Government Appropriations Act,
25 1999, as added by section 101(h) of division A of
26 Public Law 105–277; 112 Stat. 2681–538), and any

1 alien who is a national of Liberia and applied for
2 temporary protected status before April 1, 1997,”;
3 and

4 (3) in subsection (d)(1)(A)—

5 (A) by striking “Nicaragua or Cuba” and
6 inserting “Nicaragua, Cuba, El Salvador,
7 Guatamala, Haiti, or Liberia”; and

8 (B) in subparagraph (E), by striking
9 “2000” and inserting “2004”.

10 **SEC. 303. APPLICATIONS PENDING UNDER AMENDMENTS**

11 **MADE BY SECTION 203 OF THE NICARAGUAN**

12 **ADJUSTMENT AND CENTRAL AMERICAN RE-**

13 **LIEF ACT.**

14 (a) **TRANSITION RULE.**—An application for relief
15 properly filed by an alien who is described in subclause
16 (I), (II), (III), or (IV) of section 309(c)(5)(C)(i) of the
17 Illegal Immigration Reform and Immigrant Responsibility
18 Act of 1996, by a spouse, son, or daughter described in
19 subsection (b), under the amendments made by section
20 203 of the Nicaraguan Adjustment and Central American
21 Relief Act (as contained in title II of Public Law 105–
22 100 (111 Stat. 2193)) which was filed on or before the
23 date of enactment of this Act, and on which a final admin-
24 istrative determination has not been made, shall, at the
25 election of the applicant, be considered to be an applica-

1 tion for adjustment of status under the provisions of sec-
2 tion 202 of the Nicaraguan Adjustment and Central
3 American Relief Act, as amended by sections 302 and 305
4 of this Act, upon the payment of any fees, and in accord-
5 ance with procedures, that the Attorney General shall pre-
6 scribe by regulation. The Attorney General may not re-
7 fund any fees paid in connection with an application filed
8 by an alien who is described in subclause (I), (II), (III),
9 or (IV) of section 309(c)(5)(C)(i) of the Illegal Immigra-
10 tion Reform and Immigrant Responsibility Act of 1996
11 under the amendments made by section 203 of that Act.

12 (b) SPOUSES AND CHILDREN COVERED.—A spouse,
13 son, or daughter covered by subsection (a) is a spouse,
14 son, or daughter of an individual, at the time a decision
15 is rendered to suspend the deportation, or cancel the re-
16 moval, of such individual, if the individual has been deter-
17 mined to be described in this subsection.

18 **SEC. 304. APPLICATIONS PENDING UNDER THE HAITIAN**
19 **REFUGEE IMMIGRATION FAIRNESS ACT OF**
20 **1998.**

21 (a) TRANSITION RULE.—An application for relief
22 properly filed by an alien who is described in section
23 902(b) of Haitian Refugee Immigration Fairness Act of
24 1998 (as contained in title IX of the Treasury and General
25 Government Appropriations Act, 1999, as added by sec-

tion 101(h) of division A of Public Law 105–277; 112
Stat. 2681–538, by a spouse or child of such alien who
is described in subsection (b)(1), or by an unmarried son
or daughter of such alien who is described in subsection
(b)(2), under the Haitian Refugee Immigration Fairness
Act of 1998 which was filed on or before the date of enact-
ment of this Act, and on which a final administrative de-
termination has not been made, shall, at the election of
the applicant, be considered to be an application for ad-
justment of status under the provisions of section 202 of
the Nicaraguan Adjustment and Central American Relief
Act, as amended by sections 302 and 305 of this Act, upon
the payment of any fees, and in accordance with proce-
dures, that the Attorney General shall prescribe by regula-
tion. The Attorney General may not refund any fees paid
in connection with an application filed by an alien who
is described in section 902(b) of Haitian Refugee Immi-
gration Fairness Act of 1998.

(b) SPOUSES AND CHILDREN COVERED.—A spouse,
son, or daughter covered by subsection (a) is a spouse,
son, or daughter of an individual, at the time a decision
is rendered to suspend the deportation, or cancel the re-
moval, of such individual, if the individual has been deter-
mined to be described in this subsection.

1 **SEC. 305. TECHNICAL AMENDMENTS TO THE NICARAGUAN**
2 **ADJUSTMENT AND CENTRAL AMERICAN RE-**
3 **LIEF ACT.**

4 (a) IN GENERAL.—Section 202 of the Nicaraguan
5 Adjustment and Central American Relief Act is
6 amended—

7 (1) in subsection (a)—

8 (A) by inserting before the period at the
9 end of paragraph (1)(B) the following: “, and
10 the Attorney General may waive the grounds of
11 inadmissibility specified in section 212(a)(1)
12 (A)(i) and (6)(C) of such Act for humanitarian
13 purposes, to assure family unity, or when it is
14 otherwise in the public interest”;

15 (B) by redesignating paragraph (2) as
16 paragraph (3);

17 (C) by inserting after paragraph (1) the
18 following:

19 “(2) INAPPLICABILITY OF CERTAIN PROVI-
20 SIONS.—In determining the eligibility of an alien de-
21 scribed in subsection (b) or (d) for either adjustment
22 of status under this section or other relief necessary
23 to establish eligibility for such adjustment, the provi-
24 sions of section 241(a)(5) of the Immigration and
25 Nationality Act shall not apply. In addition, an alien
26 who would otherwise be inadmissible pursuant to

1 section 212(a)(9) (A) or (C) of such Act may apply
2 for the Attorney General's consent to reapply for ad-
3 mission without regard to the requirement that the
4 consent be granted prior to the date of the alien's
5 reembarkation at a place outside the United States
6 or attempt to be admitted from foreign contiguous
7 territory, in order to qualify for the exception to
8 those grounds of inadmissibility set forth in section
9 212(a)(9) (A)(iii) and (C)(ii) of such Act.''; and

10 (D) by amending paragraph (3) (as redes-
11 ignated by subparagraph (B)) to read as fol-
12 lows:

13 "(3) RELATIONSHIP OF APPLICATION TO CER-
14 TAIN ORDERS.—An alien present in the United
15 States who has been ordered excluded, deported, or
16 removed, or ordered to depart voluntarily from the
17 United States under any provision of the Immigra-
18 tion and Nationality Act may, notwithstanding such
19 order, apply for adjustment of status under para-
20 graph (1). Such an alien may not be required, as a
21 condition of submitting or granting such application,
22 to file a separate motion to reopen, reconsider, or
23 vacate such order. Such an alien may be required to
24 seek a stay of such an order in accordance with sub-
25 section (c) to prevent the execution of that order

1 pending the adjudication of the application for ad-
2 justment of status. If the Attorney General denies a
3 stay of a final order of exclusion, deportation, or re-
4 moval, or if the Attorney General renders a final ad-
5 ministrative determination to deny the application
6 for adjustment of status, the order shall be effective
7 and enforceable to the same extent as if the applica-
8 tion had not been made. If the Attorney General
9 grants the application for adjustment of status, the
10 Attorney General shall cancel the order.”;

11 (2) in subsection (b)(1), by adding at the end
12 the following: “Subsection (a) shall not apply to an
13 alien lawfully admitted for permanent residence, un-
14 less the alien is applying for relief under that sub-
15 section in deportation or removal proceedings.”;

16 (3) in subsection (c)(1), by adding at the end
17 the following: “Nothing in this Act requires the At-
18 torney General to stay the removal of an alien who
19 is ineligible for adjustment of status under this
20 Act.”;

21 (4) in subsection (d)—

22 (A) by amending the subsection heading to
23 read as follows: “SPOUSES, CHILDREN, AND
24 UNMARRIED SONS AND DAUGHTERS.—”;

1 (B) by amending the heading of paragraph
2 (1) to read as follows: "ADJUSTMENT OF STA-
3 TUS.—";

4 (C) by amending paragraph (1)(A) to read
5 as follows:

6 "(A) the alien entered the United States
7 on or before the date of enactment of the Cen-
8 tral American and Haitian Parity Act of
9 2000;";

10 (D) in paragraph (1)(B), by striking "ex-
11 cept that in the case of" and inserting the fol-
12 lowing: "except that—

13 "(i) in the case of such a spouse, step-
14 child, or unmarried stepson or step-
15 daughter, the qualifying marriage was en-
16 tered into before the date of enactment of
17 the Central American and Haitian Parity
18 Act of 2000; and

19 "(ii) in the case of"; and

20 (E) by adding at the end the following new
21 paragraph:

22 "(3) ELIGIBILITY OF CERTAIN SPOUSES AND
23 CHILDREN FOR ISSUANCE OF IMMIGRANT VISAS.—

24 "(A) IN GENERAL.—In accordance with
25 regulations to be promulgated by the Attorney

1 General and the Secretary of State, upon ap-
2 proval of an application for adjustment of sta-
3 tus to that of an alien lawfully admitted for
4 permanent residence under subsection (a), an
5 alien who is the spouse or child of the alien
6 being granted such status may be issued a visa
7 for admission to the United States as an immi-
8 grant following to join the principal applicant,
9 if the spouse or child—

10 “(i) meets the requirements in para-
11 graphs (1)(B) and (1)(D); and

12 “(ii) applies for such a visa within a
13 time period to be established by such regu-
14 lations.

15 “(B) RETENTION OF FEES FOR PROC-
16 ESSING APPLICATIONS.—The Secretary of State
17 may retain fees to recover the cost of immi-
18 grant visa application processing and issuance
19 for certain spouses and children of aliens whose
20 applications for adjustment of status under sub-
21 section (a) have been approved. Such fees—

22 “(i) shall be deposited as an offsetting
23 collection to any Department of State ap-
24 propriation to recover the cost of such
25 processing and issuance; and

1 “(ii) shall be available until expended
2 for the same purposes of such appropria-
3 tion to support consular activities.”;

4 (5) in subsection (g), by inserting “, or an im-
5 migrant classification,” after “for permanent resi-
6 dence”; and

7 (6) by adding at the end the following new sub-
8 section:

9 “(i) STATUTORY CONSTRUCTION.—Nothing in this
10 section authorizes any alien to apply for admission to, be
11 admitted to, be paroled into, or otherwise lawfully return
12 to the United States, to apply for, or to pursue an applica-
13 tion for adjustment of status under this section without
14 the express authorization of the Attorney General.”.

15 (b) EFFECTIVE DATE.—The amendments made by
16 paragraphs (1)(D), (2), and (6) shall be effective as if in-
17 cluded in the enactment of the Nicaraguan and Central
18 American Relief Act. The amendments made by para-
19 graphs (1) (A)–(C), (3), (4), and (5) shall take effect on
20 the date of enactment of this Act.

21 **SEC. 306. TECHNICAL AMENDMENTS TO THE HAITIAN REF-**
22 **UGEE IMMIGRATION FAIRNESS ACT OF 1998.**

23 (a) IN GENERAL.—Section 902 of the Haitian Ref-
24 ugee Immigration Fairness Act of 1998 is amended—

25 (1) in subsection (a)—

1 (A) in paragraph (1)(B)—

2 (i) by striking “(6)(A)” and inserting
3 “(6) (A) and (F)”;

4 (ii) by inserting before the period at
5 the end the following: “, and the Attorney
6 General may waive the grounds of inadmis-
7 sibility specified in section 212(a) (1)(A)(i)
8 and (6)(C) of such Act for humanitarian
9 purposes, to assure family unity, or when
10 it is otherwise in the public interest”;

11 (B) by redesignating paragraph (2) as
12 paragraph (3);

13 (C) by inserting after paragraph (1) the
14 following:

15 “(2) INAPPLICABILITY OF CERTAIN PROVI-
16 SIONS.—In determining the eligibility of an alien de-
17 scribed in subsection (b) or (d) for either adjustment
18 of status under this section or other relief necessary
19 to establish eligibility for such adjustment, or for
20 permission to reapply for admission to the United
21 States for the purpose of adjustment of status under
22 this section, the provisions of section 241(a)(5) of
23 the Immigration and Nationality Act shall not apply.
24 In addition, an alien who would otherwise be inad-
25 missible pursuant to section 212(a)(9) (A) or (C) of

1 such Act may apply for the Attorney General's con-
2 sent to reapply for admission without regard to the
3 requirement that the consent be granted prior to the
4 date of the alien's reembarkation at a place outside
5 the United States or attempt to be admitted from
6 foreign contiguous territory, in order to qualify for
7 the exception to those grounds of inadmissibility set
8 forth in section 212(a)(9) (A)(iii) and (C)(ii) of such
9 Act."; and

10 (D) by amending paragraph (3) (as redes-
11 ignated by subparagraph (B)) to read as fol-
12 lows:

13 “(3) RELATIONSHIP OF APPLICATION TO CER-
14 TAIN ORDERS.—An alien present in the United
15 States who has been ordered excluded, deported, re-
16 moved, or ordered to depart voluntarily from the
17 United States under any provision of the Immigra-
18 tion and Nationality Act may, notwithstanding such
19 order, apply for adjustment of status under para-
20 graph (1). Such an alien may not be required, as a
21 condition of submitting or granting such application,
22 to file a separate motion to reopen, reconsider, or
23 vacate such order. Such an alien may be required to
24 seek a stay of such an order in accordance with sub-
25 section (c) to prevent the execution of that order

1 pending the adjudication of the application for ad-
2 justment of status. If the Attorney General denies a
3 stay of a final order of exclusion, deportation, or re-
4 moval, or if the Attorney General renders a final ad-
5 ministrative determination to deny the application
6 for adjustment of status, the order shall be effective
7 and enforceable to the same extent as if the applica-
8 tion had not been made. If the Attorney General
9 grants the application for adjustment of status, the
10 Attorney General shall cancel the order.”;

11 (2) in subsection (b)(1), by adding at the end
12 the following: “Subsection (a) shall not apply to an
13 alien lawfully admitted for permanent residence, un-
14 less the alien is applying for such relief under that
15 subsection in deportation or removal proceedings.”;

16 (3) in subsection (c)(1), by adding at the end
17 the following: “Nothing in this Act shall require the
18 Attorney General to stay the removal of an alien
19 who is ineligible for adjustment of status under this
20 Act.”;

21 (4) in subsection (d)—

22 (Δ) by amending the subsection heading to
23 read as follows: “SPOUSES, CHILDREN, AND
24 UNMARRIED SONS AND DAUGHTERS.—”;

1 (B) by amending the heading of paragraph
2 (1) to read as follows: “ADJUSTMENT OF STA-
3 TUS.—”;

4 (C) by amending paragraph (1)(A), to read
5 as follows:

6 “(A) the alien entered the United States
7 on or before the date of enactment of the Cen-
8 tral American and Haitian Parity Act of
9 2000;”;

10 (D) in paragraph (1)(B), by striking “ex-
11 cept that in the case of” and inserting the fol-
12 lowing: “except that—

13 “(i) in the case of such a spouse, step-
14 child, or unmarried stepson or step-
15 daughter, the qualifying marriage was en-
16 tered into before the date of enactment of
17 the Central American and Haitian Parity
18 Act of 2000; and

19 “(ii) in the case of”;

20 (E) by adding at the end of paragraph (1)
21 the following new subparagraph:

22 “(E) the alien applies for such adjustment
23 before April 3, 2004.”; and

24 (F) by adding at the end the following new
25 paragraph:

1 “(3) ELIGIBILITY OF CERTAIN SPOUSES AND
2 CHILDREN FOR ISSUANCE OF IMMIGRANT VISAS.—

3 “(A) IN GENERAL.—In accordance with
4 regulations to be promulgated by the Attorney
5 General and the Secretary of State, upon ap-
6 proval of an application for adjustment of sta-
7 tus to that of an alien lawfully admitted for
8 permanent residence under subsection (a), an
9 alien who is the spouse or child of the alien
10 being granted such status may be issued a visa
11 for admission to the United States as an immi-
12 grant following to join the principal applicant,
13 if the spouse or child—

14 “(i) meets the requirements in para-
15 graphs (1)(B) and (1)(D); and

16 “(ii) applies for such a visa within a
17 time period to be established by such regu-
18 lations.

19 “(B) RETENTION OF FEES FOR PROC-
20 ESSING APPLICATIONS.—The Secretary of State
21 may retain fees to recover the cost of immi-
22 grant visa application processing and issuance
23 for certain spouses and children of aliens whose
24 applications for adjustment of status under sub-
25 section (a) have been approved. Such fees—

1 “(i) shall be deposited as an offsetting
2 collection to any Department of State ap-
3 propriation to recover the cost of such
4 processing and issuance; and

5 “(ii) shall be available until expended
6 for the same purposes of such appropria-
7 tion to support consular activities.”;

8 (5) in subsection (g), by inserting “, or an im-
9 migrant classification,” after “for permanent resi-
10 dence”;

11 (6) by redesignating subsections (i), (j), and (k)
12 as subsections (j), (k), and (l), respectively; and

13 (7) by inserting after subsection (h) the fol-
14 lowing new subsection:

15 “(i) STATUTORY CONSTRUCTION.—Nothing in this
16 section authorizes any alien to apply for admission to, be
17 admitted to, be paroled into, or otherwise lawfully return
18 to the United States, to apply for, or to pursue an applica-
19 tion for adjustment of status under this section without
20 the express authorization of the Attorney General.”.

21 (b) EFFECTIVE DATE.—The amendments made by
22 paragraphs (1)(D), (2), and (6) shall be effective as if in-
23 cluded in the enactment of the Haitian Refugee Immigra-
24 tion Fairness Act of 1998. The amendments made by

1 paragraphs (1) (A)–(C), (3), (4), and (5) shall take effect
2 on the date of enactment of this Act.

3 **SEC. 307. MOTIONS TO REOPEN.**

4 (a) NATIONALS OF HAITI.—Notwithstanding any
5 time and number limitations imposed by law on motions
6 to reopen, a national of Haiti who, on the date of enact-
7 ment of this Act, has a final administrative denial of an
8 application for adjustment of status under the Haitian
9 Refugee Immigration Fairness Act of 1998, and is made
10 eligible for adjustment of status under that Act by the
11 amendments made by this Act, may file one motion to re-
12 open an exclusion, deportation, or removal proceeding to
13 have the application reconsidered. Any such motion shall
14 be filed within 180 days after the date on which regula-
15 tions implementing this title and the amendments made
16 by this title are promulgated. The scope of any proceeding
17 reopened on this basis shall be limited to a determination
18 of the alien's eligibility for adjustment of status under the
19 Haitian Refugee Immigration Fairness Act of 1998.

20 (b) NATIONALS OF CUBA.—Notwithstanding any
21 time and number limitations imposed by law on motions
22 to reopen, a national of Cuba or Nicaragua who, on the
23 date of enactment of the Act, has a final administrative
24 denial of an application for adjustment of status under
25 the Nicaraguan Adjustment and Central American Relief

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1 Act, and who is made eligible for adjustment of status
2 under that Act by the amendments made by this Act, may
3 file one motion to reopen an exclusion, deportation, or re-
4 moval proceeding to have the application reconsidered.
5 Any such motion shall be filed within 180 days after the
6 date on which regulations implementing this title and the
7 amendments made by this title are promulgated. The
8 scope of any proceeding reopened on this basis shall be
9 limited to a determination of the alien's eligibility for ad-
10 justment of status under the Nicaraguan Adjustment and
11 Central American Relief Act.

12 **SEC. 308. MODIFICATION OF CERTAIN TRANSITIONAL**
13 **RULES WITH REGARD TO SUSPENSION OF DE-**
14 **PORTATION.**

15 Section 309(c)(5)(C)(i) of the Illegal Immigration
16 Reform and Immigrant Responsibility Act of 1996 (divi-
17 sion C of Public Law 104-208 (110 Stat. 3009-627)) is
18 amended—

19 (1) by striking “or” at the end of subclause
20 (IV);

21 (2) by striking the period at the end of sub-
22 clause (V) and inserting “; or”; and

23 (3) by adding at the end the following:

24 “(VI) is a national of El Sal-
25 vador, Guatemala, Haiti, or Honduras

1 who entered the United States on or
2 before December 31, 1995, and has
3 continuously resided in the United
4 States since that date.”.

5 **SEC. 309. CANCELLATION OF REMOVAL FOR CERTAIN**
6 **ALIENS.**

7 (a) **AUTHORITY.**—Section 240A of the Immigration
8 and Nationality Act (8 U.S.C. 1229b) is amended—

9 (1) in subsection (b), by redesignating para-
10 graph (3) as paragraph (4), and by inserting after
11 paragraph (2) the following:

12 “(3) **SPECIAL RULE FOR CERTAIN ALIENS.**—
13 The Attorney General may cancel the removal of,
14 and adjust the status of an alien to the status of an
15 alien lawfully admitted for permanent residence, if
16 the alien—

17 “(A)(i) was issued a charging document
18 for exclusion or deportation proceedings before
19 April 1, 1997;

20 “(ii) applied for asylum before April 1,
21 1997;

22 “(iii) was granted temporary protected sta-
23 tus before April 1, 1997; or

24 “(iv) has been physically present in the
25 United States for a continuous period of not

1 less than five years immediately preceding April
2 1, 1997;

3 “(B) has been a person of good moral
4 character during such period; and

5 “(C) establishes that removal would result
6 in extreme hardship to the alien or to the
7 alien’s spouse, parent, son, or daughter, who is
8 a citizen of the United States or an alien law-
9 fully admitted for permanent residence.”;

10 (2) in subsection (b)(4), as redesignated by this
11 section, by striking “paragraph (1) or (2)” both
12 places it appears and inserting “paragraphs (1), (2),
13 (3) or (4)”;

14 (3) in subsection (c), by striking “subsections
15 (a) and (b)(1)” and inserting “subsections (a),
16 (b)(1), and (b)(3)”;

17 (4) in subsection (d), by adding at the end the
18 following:

19 “(4) paragraph (1) of this subsection, with re-
20 spect to the termination of any period of continuous
21 physical presence when the alien has committed an
22 offense, or when an order to show cause was served
23 before April 1, 1997, shall not apply to any alien de-
24 scribed in paragraph (b)(3) of this section.”; and

1 (5) in paragraph (e)(3), by adding at the end
2 the following:

3 “(C) Aliens described in subsection (b)(3)
4 of this section.”.

5 (b) REOPENING OF PREVIOUS PROCEEDINGS.—

6 (1) AUTHORITY.—Notwithstanding any time
7 and number limitations imposed by law on motions
8 to reopen, an alien who is eligible for relief under
9 section 240A(b)(3) of the Immigration and Nation-
10 ality Act on the date of the enactment of this Act,
11 has a final administrative order of exclusion, depor-
12 tation, or removal, and is made eligible for adjust-
13 ment of status under that Act by the amendments
14 made by this title, may file one motion to reopen an
15 exclusion, deportation, or removal proceeding to have
16 the application reconsidered. Any such motion shall
17 be filed within 180 days after the date on which reg-
18 ulations implementing this title and the amendments
19 made by this title are promulgated. The scope of any
20 proceeding reopened on this basis shall be limited to
21 a determination of the alien’s eligibility for cancella-
22 tion of removal under section 240A(b)(3) of the Im-
23 migration and Nationality Act.

24 (2) FORUM.—The Attorney General is author-
25 ized to proceed through the Executive Office for Im-

1 migration Review and the Immigration and Natu-
2 ralization Service to adjudicate applications for can-
3 cellation of removal under section 240A(b)(3) of the
4 Immigration and Nationality Act.

5 (3) REGULATIONS.—The Attorney General shall
6 promulgate regulations that provide for a special
7 rule for cancellation of removal under section
8 240A(b)(3) of the Immigration and Nationality Act,
9 similar to the special rule promulgated for the adju-
10 dication of applications for relief under section 203
11 of the Nicaraguan Adjustment and Central Amer-
12 ican Relief Act (as contained in title II of Public
13 Law 105–100 (111 Stat. 2193)).

Sec ____- Sense of Congress and Report

(1) Sense of Congress

It is the sense of the Congress that, prior to June 30, 2001, the Committees on the Judiciary of the Senate and the House of Representatives should hold hearings and consider legislation that:

(a) addresses the backlogs in applications for lawful permanent residency caused by current immigration ceilings;

(b) furthers the goal of keeping families together;

© addresses the need for an adequate supply of workers across many sectors of the economy;

(d) addresses any possible unwarranted disparate treatment by our immigration laws of nationals from different countries;

(e) addresses issues arising out of the retroactivity of changes to the rules for suspension of deportation/cancellation of removal;

(f) addresses issues relating to individuals granted temporary immigration status for long periods of time as a result of unrest in their home country, and

(g) makes structural reforms to the Immigration and Naturalization Service designed to ensure that it fulfills its service and enforcement missions in a more effective way that provides better and more courteous service to immigration benefits applicants and better and more effective enforcement.

(2) Report

No later than March 1, 2001, the Attorney General shall prepare a report to Congress concerning

(a) the equities of retroactive application of the current rules set out in section 240A of the Immigration and Nationality Act to aliens residing in the United States prior to enactment of the Illegal Immigration Reform and Immigrant Responsibility Act and any particular subgroups of such aliens the Attorney General believes warrant separate

treatment;

(b) estimates and the basis for estimates of the total number of aliens, by country of origin, affected by retroactive application of the current rules set out in section 240A of the Immigration and Nationality Act, together with estimates and the basis for estimates of the number of aliens in any subgroups identified by the Attorney General under paragraph (a);

(c) groups of aliens granted temporary immigration status in the United States for long periods of time as a result of unrest in their home country respecting whom the Attorney General believes legislative action is warranted, together with estimates and the basis for estimates of the total number of aliens in each group the Attorney General identifies and an explanation for why legislative action is warranted together with the precedential and other impact of such legislative action on our immigration laws;

(d) any provisions of immigration law that, in the Attorney General's judgment, perpetuate contradictory or unfair immigration policies; and

(e) any legislative recommendations the Attorney General believes appropriate to address any of the matters addressed in paragraphs (a) through (d) of this subsection.