

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2259

To amend the Immigration and Nationality Act to provide for the adjustment of levels of immigration to reflect changes in the unemployment rate of the United States.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 25, 1993

Mr. SMITH of Texas introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend the Immigration and Nationality Act to provide for the adjustment of levels of immigration to reflect changes in the unemployment rate of the United States.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Unemployment-Based  
5 Immigration Adjustment Act of 1993”.

1 **SEC. 2. ADJUSTMENT OF WORLDWIDE LEVEL OF IMMIGRA-**  
2 **TION.**

3 (a) FAMILY-SPONSORED IMMIGRANTS.—Section  
4 201(c) of the Immigration and Nationality Act (8 U.S.C.  
5 1151(c)) is amended—

6 (1) in paragraph (1)(A), by inserting “and  
7 paragraph (4)” after “subparagraph (B)”;

8 (2) in paragraph (1)(B)(ii), by striking “In no  
9 case” and inserting “Subject to paragraph (4), in no  
10 case”; and

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

12 “(4)(A) If for a calendar year (beginning with 1993)  
13 the unemployment rate (as defined in subparagraph (D))  
14 is—

15 “(i) greater than 0.5 percent above the unem-  
16 ployment rate for 1990, the worldwide number of  
17 family-sponsored immigrants under this subsection  
18 for the fiscal year beginning after that shall be re-  
19 duced by the percentage described in subparagraph  
20 (B) for that calendar year; or

21 “(ii) less than 0.5 percent below the unemploy-  
22 ment rate for 1990, the worldwide number of family-  
23 sponsored immigrants under this subsection for the  
24 fiscal year beginning after that shall be increased by  
25 the percentage described in subparagraph (C) for  
26 that calendar year.

1 “(B) The percentage described in this subparagraph  
2 for a calendar year is—

3 “(i) the percent by which the unemployment  
4 rate in the year exceeds the unemployment rate for  
5 1990, divided by

6 “(ii) the unemployment rate for 1990,  
7 expressed as a percentage.

8 “(C) The percentage described in this subparagraph  
9 for a calendar year is—

10 “(i) the percent by which the unemployment  
11 rate for 1990 exceeds the unemployment rate in the  
12 year, divided by

13 “(ii) the unemployment rate for 1990,  
14 expressed as a percentage.

15 “(D) In this section, the term ‘unemployment rate’  
16 means, the unemployment rate for the United States for  
17 a calendar year as determined by the Bureau of Labor  
18 Statistics.”.

19 (b) EMPLOYMENT-BASED IMMIGRANTS.—Section  
20 201(d) of such Act (8 U.S.C. 1151(d)) is amended—

21 (1) in paragraph (1) by inserting “, subject to  
22 paragraph (3), after “for a fiscal year”; and

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

1 “(3) If for a calender year (beginning with 1993) the  
2 unemployment rate (as defined in subsection (c)(4)(D))  
3 is—

4 “(A) greater than 0.5 percent above the unem-  
5 ployment rate for 1990, the worldwide number of  
6 employment-based immigrants under this subsection  
7 for the fiscal year beginning after that shall be re-  
8 duced by the percentage described in subsection  
9 (c)(4)(B) for that calendar year; or

10 “(B) less than 0.5 percent below the unemploy-  
11 ment rate for 1990, the worldwide number of em-  
12 ployment-based immigrants under this subsection for  
13 the fiscal year beginning after that shall be in-  
14 creased by the percentage described in subsection  
15 (c)(4)(C) for that calendar year.”.

16 (c) DIVERSITY IMMIGRANTS.—Section 201(e) of such  
17 Act (8 U.S.C. 1151(e)) is amended—

18 (1) by striking “The” and inserting “(1) Sub-  
19 ject to paragraph (2), the”; and

20 (2) by adding at the end the following:

21 “(3) If for a calendar year (beginning with 1994) the  
22 unemployment rate (as defined in subsection (c)(4)(D))  
23 is—

24 “(A) greater than 0.5 percent above the unem-  
25 ployment rate for 1990, the worldwide number of di-

1       iversity immigrants under this subsection for the fis-  
2       cal year beginning after that shall be reduced by the  
3       percentage described in subsection (c)(4)(B) for that  
4       calendar year; or

5               “(B) less than 0.5 percent below the unemploy-  
6       ment rate for 1990, for the fiscal year beginning in  
7       the following year the worldwide number of diversity  
8       immigrants under this subsection shall be increased  
9       by the percentage described in subsection (c)(4)(C)  
10      for that calendar year.”.

11      (d) DIVERSITY TRANSITION FOR ALIENS WHO ARE  
12      NATIVES OF CERTAIN ADVERSELY AFFECTED FOREIGN  
13      STATES.—Section 132 of the Immigration Act of 1990 is  
14      amended—

15              (1) in subsection (a) by striking “Act,” and in-  
16      serting “Act and subject to subsection (g),”; and

17              (2) by adding at the end the following:

18      “(g) ADJUSTMENT BASED ON UNEMPLOYMENT  
19      RATE.—(1) If for a calendar year (beginning with 1993)  
20      the unemployment rate (as defined in paragraph (2)) is—

21              “(1) greater than 0.5 percent above the unem-  
22      ployment rate for 1990, the number of visas made  
23      available under subsection (a) for the fiscal year be-  
24      ginning after that shall be reduced by the percentage

1 described in section 201(c)(4)(B) of the Immigration  
2 and Nationality Act for that calendar year; or

3 “(2) less than 0.5 percent below the unemploy-  
4 ment rate for 1990, the number of visas made avail-  
5 able under subsection (a) for the fiscal year begin-  
6 ning after that shall be increased by the percentage  
7 described in section 201(c)(4)(C) of that Act for  
8 that calendar year.

9 “(2) In this subsection, the term ‘unemployment rate’  
10 means, the unemployment rate for the United States for  
11 a calendar year as determined by the Bureau of Labor  
12 Statistics.”.

13 (e) EFFECTIVE DATE.—The amendments made by  
14 this section shall apply to adjustments of numerical limita-  
15 tions for fiscal years beginning with fiscal year 1994.

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