

103^D CONGRESS
2^D SESSION

H. R. 5157

To amend the Immigration and Nationality Act with respect to the authority of the Attorney General to parole aliens into the United States.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 3, 1994

Mr. STUMP introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act with respect to the authority of the Attorney General to parole aliens into 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 “Emergency Immigra-
5 tion Parole Correction Act of 1994”.

6 **SEC. 2. AMENDMENT OF PAROLE AUTHORITY.**

7 (a) PROHIBITION OF PAROLE BASED ON IMMIGRANT
8 STATUS, FAMILIAL STATUS, OR ASSERTION OF REFUGEE
9 CLAIM.—Section 212(d)(5) of the Immigration and Na-

1 tionality Act (8 U.S.C. 1182(d)(5)) is amended by adding
2 at the end the following new subparagraph:

3 “(C) The Attorney General may not parole into the
4 United States an alien if such parole determination is
5 based significantly on the fact, supposition, or allegation
6 that such alien—

7 “(i) has petitioned for, has had a petition filed
8 on their behalf, or is otherwise awaiting the issuance
9 of an immigrant visa pursuant to section 204;

10 “(ii) is related by blood or marriage to a United
11 States citizen or an alien lawfully admitted to the
12 United States for permanent residence; or

13 “(iii) is or may become a refugee within the
14 meaning of section 101(a)(42), regardless of whether
15 the alien is likely to be admitted as a refugee pursu-
16 ant to section 207 or granted asylum pursuant to
17 section 208.”.

18 (b) PROHIBITION OF GRANT OF PUBLIC INTEREST
19 PAROLE TO ALIENS DETAINED BY UNITED STATES AU-
20 THORITIES.—Section 212(d)(5) of the Immigration and
21 Nationality Act (8 U.S.C. 1182(d)(5)) is amended by add-
22 ing after subparagraph (C) (as added by subsection (a))
23 the following new subparagraph:

24 “(D) The Attorney General may not parole into the
25 United States, pursuant to section 212(d)(5) for reasons

1 determined by the Attorney General, at any time, to be
2 strictly in the public interest, any alien being detained by
3 United States military or civilian authorities at the Naval
4 Base, Guantanamo Bay, Cuba, or any other location being
5 used as a safe haven by the Government of the United
6 States for aliens who have fled their country of origin or
7 residence.”.

8 **SEC. 3. PROHIBITION OF ADJUSTMENT OF STATUS FOR**
9 **CUBANS AND HAITIANS PAROLED INTO THE**
10 **UNITED STATES IN THE PUBLIC INTEREST.**

11 Section 245 of the Immigration and Nationality Act
12 (8 U.S.C. 1255) is amended by adding at the end the fol-
13 lowing new subsection:

14 “(i) Notwithstanding any other provision of this sec-
15 tion, the Attorney General may not adjust to the status
16 of an alien lawfully admitted to the United States for per-
17 manent residence the status of a Cuban or Haitian paroled
18 into the United States after September 8, 1994, pursuant
19 to section 212(d)(5) for reasons determined by the Attor-
20 ney General, at any time, to be strictly in the public
21 interest.”.

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