

109TH CONGRESS
1ST SESSION

H. R. 334

To designate Angola under section 244 of the Immigration and Nationality Act in order to make nationals of Angola eligible for temporary protected status under such section.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2005

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

A BILL

To designate Angola under section 244 of the Immigration and Nationality Act in order to make nationals of Angola eligible for temporary protected status under such section.

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 “Angolan Temporary
5 Protected Status Act of 2005”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

1 (1) Angola has just recently emerged from 41
2 years of conflict, including a 14-year struggle for
3 independence followed by 27 years of civil war.

4 (2) As much as $\frac{1}{3}$ of the population of Angola
5 was displaced by warfare and now needs to be reset-
6 tled, amounting to some 4,000,000 internal and ex-
7 ternal refugees.

8 (3) The government established by the Lukasa
9 Protocol is currently struggling to meet the needs of
10 its people in the face of continued unrest and food
11 shortages.

12 (4) Daily conditions throughout the country
13 mirror the collapse of administrative infrastructure
14 as well as weak social institutions; hospitals are
15 without medicines or basic equipment, schools are
16 without books, and public employees often lack the
17 basic supplies for day-to-day work.

18 (5) National elections to create a freely elected
19 government may still be several years away.

20 (6) An insurgency group, the Front for the Lib-
21 eration of the Enclave of Cabinda (FLEC), remains
22 active in Cabinda province, where Amnesty Inter-
23 national has reported instances of human rights
24 abuses such as indiscriminate killings, setting fire to
25 villages, and rape.

1 (7) The Department of State has identified An-
2 gola as a place of “considerable risk” for travel, due
3 to banditry, extensive use of land mines during the
4 war, and poor government infrastructure and secu-
5 rity capabilities.

6 **SEC. 3. SENSE OF CONGRESS.**

7 It is the sense of the Congress that, in view of the
8 difficulties facing the Angolan people in the aftermath of
9 their civil war, Angola qualifies for designation under sec-
10 tion 244(b)(1)(A) of the Immigration and Nationality Act
11 (8 U.S.C. 1254a(b)(1)(A)), pursuant to which Angolan
12 nationals would be eligible for temporary protected status
13 in the United States.

14 **SEC. 4. DESIGNATION FOR PURPOSES OF GRANTING TEM-**
15 **PORARY PROTECTED STATUS TO ANGOLANS.**

16 (a) DESIGNATION.—

17 (1) IN GENERAL.—For purposes of section 244
18 of the Immigration and Nationality Act (8 U.S.C.
19 1254a), Angola shall be treated as if it had been
20 designated under subsection (b) of that section, sub-
21 ject to the provisions of this section.

22 (2) PERIOD OF DESIGNATION.—The initial pe-
23 riod of such designation shall begin on the date of
24 enactment of this Act and shall remain in effect for
25 1 year.

1 (b) ALIENS ELIGIBLE.—In applying section 244 of
2 the Immigration and Nationality Act (8 U.S.C. 1254a)
3 pursuant to the designation made under this section, sub-
4 ject to section 244(c)(3) of the Immigration and Nation-
5 ality Act (8 U.S.C. 1254a(c)(3)), an alien who is a na-
6 tional of Angola meets the requirements of section
7 244(c)(1) of that Act (8 U.S.C. 1254a(c)(1)) only if—

8 (1) the alien has been continuously physically
9 present in the United States since the date of enact-
10 ment of this Act;

11 (2) the alien is admissible as an immigrant, ex-
12 cept as otherwise provided under section
13 244(c)(2)(A) of the Immigration and Nationality
14 Act (8 U.S.C. 1254a(c)(2)(A)), and is not ineligible
15 for temporary protected status under section
16 244(c)(2)(B) of that Act (8 U.S.C. 1254a(c)(2)(B));
17 and

18 (3) the alien registers for temporary protected
19 status in a manner that the Secretary of Homeland
20 Security shall establish.

21 (c) CONSENT TO TRAVEL ABROAD.—The Secretary
22 of Homeland Security shall give the prior consent to travel
23 abroad described in section 244(f)(3) of the Immigration
24 and Nationality Act (8 U.S.C. 1254a(f)(3)) to an alien
25 who is granted temporary protected status pursuant to the

1 designation made under this section, if the alien estab-
2 lishes to the satisfaction of the Secretary of Homeland Se-
3 curity that emergency and extenuating circumstances be-
4 yond the control of the alien require the alien to depart
5 for a brief, temporary trip abroad. An alien returning to
6 the United States in accordance with such an authoriza-
7 tion shall be treated the same as any other returning alien
8 provided temporary protected status under section 244 of
9 the Immigration and Nationality Act (8 U.S.C. 1254a).

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