

114TH CONGRESS  
1ST SESSION

# H. R. 3818

To repeal the Cuban Adjustment Act, Public Law 89–732, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 23, 2015

Mr. GOSAR (for himself, Mr. BRAT, Mr. BROOKS of Alabama, Mr. DESJARLAIS, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. JONES, Mr. KING of Iowa, and Mr. POE of Texas) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To repeal the Cuban Adjustment Act, Public Law 89–732,  
and for other purposes.

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 “Ending Special Na-  
5 tional Origin-Based Immigration Programs for Cubans  
6 Act of 2015”.

7 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

8 (a) FINDINGS.—Congress finds the following:

1           (1) On July 1, 2015, President Obama an-  
2           nounced that Cuba and the United States would re-  
3           open their embassies and restore diplomatic ties.

4           (2) Diplomatic relations between the two coun-  
5           tries were formally reestablished July 20, 2015,  
6           when the United States and Cuba reopened their re-  
7           spective embassies.

8           (3) The International Business Times reported  
9           on September 10, 2015, that “Texas is on pace this  
10          year to set a new record for the number of Cubans  
11          trying to enter the United States through the Lone  
12          Star State, with about 60 percent more migrants  
13          from the island nation making the trip in 2015 com-  
14          pared to one year before.”.

15          (4) The Obama Administration has reestab-  
16          lished relations with Cuba, and that, therefore, the  
17          special treatment Cuban nationals receive under the  
18          Cuban Adjustment Act, the Immigration and Na-  
19          tionality Act, the Cuban Family Reunification Pro-  
20          gram and the Wet Foot/Dry Foot policy are no  
21          longer applicable and fail the “urgent humanitarian  
22          reasons” and “significant public benefit” tests.

23          (b) SENSE OF CONGRESS.—It is the sense of Con-  
24          gress that Cuban nationals should be treated under the  
25          same immigration rules as nationals of other countries

1 with which the United States has diplomatic relations and  
2 should not receive preferential treatment.

3 **SEC. 3. REPEAL OF THE CUBAN ADJUSTMENT ACT.**

4 (a) REPEALS OF RELEVANT STATUTES.—

5 (1) REPEAL OF LIMITATION ON REPEAL OF  
6 CUBAN ADJUSTMENT ACT.—Section 606 of title VI  
7 of division C of Public Law 104–208 is repealed.

8 (2) CUBAN ADJUSTMENT ACT.—Public Law  
9 89–732 is repealed.

10 (b) EFFECTIVE DATE.—The repeal made by sub-  
11 section (a) shall take effect on the date of the enactment  
12 of this Act and shall apply only to any alien admitted or  
13 paroled into the United States on or after the date of the  
14 enactment of this Act.

15 **SEC. 4. CERTAIN ACTIVITIES RESTRICTED.**

16 No funds, resources, or fees made available to the  
17 Secretary of Homeland Security, the Secretary of State,  
18 or to any other official of a Federal agency, by this Act  
19 or any other Act for any fiscal year, including any deposits  
20 into the “Immigration Examinations Fee Account” estab-  
21 lished under section 286(m) of the Immigration and Na-  
22 tionality Act (8 U.S.C. 1356(m)), may be used to imple-  
23 ment, administer, enforce, or carry out (including through  
24 the issuance of any regulations) any of the policy changes  
25 set forth in the memorandum from the Director of United

1 States Immigration and Customs Enforcement entitled  
2 “Cuban Family Reunification Parole Program” dated No-  
3 vember 21, 2007 (or any substantially similar policy  
4 changes, whether set forth in memorandum, Executive  
5 order, regulation, directive, or by other action).

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