

114TH CONGRESS
2D SESSION

H. R. 4847

To repeal the Cuban Adjustment Act, Public Law 89–732, to provide that certain Cuban entrants are ineligible to receive refugee assistance, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 2016

Mr. FARENTHOLD (for himself and Mr. CUELLAR) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To repeal the Cuban Adjustment Act, Public Law 89–732, to provide that certain Cuban entrants are ineligible to receive refugee assistance, 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 “Correcting Unfair Ben-
5 efits for Aliens Act of 2016” or as the “CUBA Act of
6 2016”.

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

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

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

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

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

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

25 (b) SENSE OF CONGRESS.—It is the sense of Con-
26 gress that Cuban nationals should be treated under the

1 same immigration rules as nationals of other countries
2 with which the United States has diplomatic relations and
3 should not receive preferential treatment.

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

5 (a) REPEALS OF RELEVANT STATUTES.—

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

9 (2) CUBAN ADJUSTMENT ACT.—Public Law
10 89–732 is repealed.

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

16 **SEC. 4. CERTAIN ACTIVITIES RESTRICTED.**

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

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

7 **SEC. 5. CERTAIN CUBANS ENTRANTS INELIGIBLE FOR REF-**
 8 **UGEE ASSISTANCE.**

9 (a) IN GENERAL.—Title V of the Refugee Education
 10 Assistance Act of 1980 (8 U.S.C. 1522 note) is amend-
 11 ed—

12 (1) in the heading by striking “**CUBAN**
 13 **AND**”; and

14 (2) in section 501—

15 (A) by striking “Cuban and” each place it
 16 appears; and

17 (B) in subsection (e)—

18 (i) in paragraph (1)—

19 (I) by striking “Cuban/”; and

20 (II) by striking “Cuba or”; and

21 (ii) in paragraph (2), by striking
 22 “Cuba or”.

23 (b) CONFORMING AMENDMENTS.—

24 (1) PERSONAL RESPONSIBILITY AND WORK OP-
 25 PORTUNITY RECONCILIATION ACT OF 1996.—Title IV

1 of the Personal Responsibility and Work Oppor-
2 tunity Reconciliation Act of 1996 (8 U.S.C. 1601 et
3 seq.) is amended by striking “Cuban and Haitian
4 entrant” each place it appears and inserting “Hai-
5 tian entrant”.

6 (2) IMMIGRATION AND NATIONALITY ACT.—Sec-
7 tion 245A(h)(2)(A) of the Immigration and Nation-
8 ality Act (8 U.S.C. 1255a(h)(2)(A)) is amended by
9 striking “Cuban and Haitian entrant” each place it
10 appears and inserting “Haitian entrant”.

11 (c) APPLICABILITY.—The amendments made by this
12 section shall apply only in the case of a national of Cuba
13 who enters the United States on or after the date of the
14 enactment of this Act.

15 **SEC. 6. REPORT.**

16 Not later than 90 days after the date of the enact-
17 ment of this Act, the Inspector General of the Social Secu-
18 rity Administration shall submit to Congress a report
19 which describes the methods by which the requirement
20 under section 416.215 of title 20, Code of Federal Regula-
21 tions, is enforced.

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