

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4264

To express United States policy regarding the restoration of democratic constitutional government in Haiti, to grant temporary protected status to Haitians until such a government is restored, and to terminate the migrant interdiction agreement between the United States and Haiti.

---

## IN THE HOUSE OF REPRESENTATIVES

APRIL 20, 1994

Mr. CONYERS introduced the following bill; which was referred jointly to the Committees on Foreign Affairs and the Judiciary

---

## A BILL

To express United States policy regarding the restoration of democratic constitutional government in Haiti, to grant temporary protected status to Haitians until such a government is restored, and to terminate the migrant interdiction agreement between the United States and Haiti.

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. FINDINGS.**

4 The Congress finds that—

5 (1) Jean-Bertrand Aristide was elected Presi-  
6 dent of Haiti in a landslide victory on December 16,

1 1990, in the first free and fair election in Haiti's  
2 186 year history; and

3 (2) the unconstitutional seizure of power by the  
4 Haitian military is repugnant to all democratic na-  
5 tions, and represents an affront to all who believe in  
6 democracy.

7 **SEC. 2. UNITED STATES POLICY.**

8 It shall be the policy of the United States that—

9 (1) President Aristide should be allowed to re-  
10 turn to Haiti immediately and be reinstated as the  
11 constitutional President of Haiti;

12 (2) the United States will work in close coordi-  
13 nation with the Organization of American States  
14 and the United Nations to implement any applicable  
15 trade embargo against Haiti;

16 (3) until President Aristide is returned to his  
17 constitutional place in Haiti, the United States will  
18 extend emergency humanitarian assistance to Hai-  
19 tians fleeing the oppression of military dictatorship  
20 in Haiti; and

21 (4) the United States Coast Guard should con-  
22 tinue search and rescue measures in the inter-  
23 national waters surrounding Haiti, but shall cease  
24 any activities to forcibly return Haitians against

1       their will to Haiti so long as the military dictator-  
2       ship remains in power.

3       **SEC. 3. TEMPORARY PROTECTED STATUS FOR HAITIANS.**

4       (a) DESIGNATION.—During the period specified in  
5       subsection (c) of this section, Haiti shall be deemed to  
6       have been designated under section 244A(b)(1) of the Im-  
7       migration and Nationality Act (relating to temporary pro-  
8       tected status).

9       (b) ELIGIBLE HAITIANS.—Any alien—

10           (1) who is a national of Haiti who is present in  
11           the United States at any time during the period de-  
12           scribed in subsection (c) of this section,

13           (2) who meets the requirements of section  
14           244A(c)(1)(A)(iii) of the Immigration and National-  
15           ity Act, and

16           (3) who, during the period described in sub-  
17           section (c) of this section, registers for temporary  
18           protected status to the extent and in a manner  
19           which the Attorney General establishes,

20       shall be granted temporary protected status for the dura-  
21       tion of that period and section 244A(a)(1) of the Immigra-  
22       tion and Nationality Act shall apply with respect to such  
23       alien.

24       (c) PERIOD OF DESIGNATION.—The designation pur-  
25       suant to subsection (a) shall be in effect during the period

1 beginning on the date of enactment of this Act and ending  
2 on the date on which the President certifies to the Con-  
3 gress that democratically elected government has been re-  
4 stored in Haiti consistent with the Haitian Constitution.  
5 Subsections (b)(2) and (b)(3) of section 244A of the Im-  
6 migration and Nationality Act do not apply with respect  
7 to the designation pursuant to subsection (a) of this  
8 section.

9 **SEC. 4. TERMINATION OF BILATERAL MIGRANT INTERDIC-**  
10 **TION AGREEMENT.**

11 The President shall notify the Government of Haiti  
12 immediately of the intention of the United States Govern-  
13 ment to terminate the agreement between the United  
14 States and Haiti relating to migrant interdiction (effected  
15 by the exchange of notes signed at Port-au-Prince on Sep-  
16 tember 23, 1981; 33 UST 3559, TIAS 6577); and the  
17 United States shall not take any actions pursuant to that  
18 agreement after the date of enactment of this Act.

○