

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

# H. R. 4749

To provide for adjustment of status of certain Nicaraguans.

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IN THE HOUSE OF REPRESENTATIVES

JULY 13, 1994

Ms. ROS-LEHTINEN (for herself and Mr. DIAZ-BALART) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To provide for adjustment of status of certain Nicaraguans.

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. ADJUSTMENT OF STATUS OF CERTAIN NICA-**  
4       **RAGUANS.**

5       (a) ADJUSTMENT OF STATUS.—The status of any  
6       alien described in subsection (b) may be adjusted by the  
7       Attorney General, in the Attorney General's discretion and  
8       under such regulations as the Attorney General may pre-  
9       scribe, to that of an alien lawfully admitted for permanent  
10      residence if—

1           (1) the alien applies for such adjustment within  
2 two years after the date of the enactment of this  
3 Act;

4           (2) the alien is otherwise eligible to receive an  
5 immigrant visa and is otherwise admissible to the  
6 United States for permanent residence, except in de-  
7 termining such admissibility the grounds for exclu-  
8 sion specified in paragraphs (4), (5), (6)(A), (6)(B),  
9 and (7)(A) of section 212(a) of the Immigration and  
10 Nationality Act shall not apply and the Attorney  
11 General may, in his discretion, waive the ground for  
12 exclusion specified in paragraph (6)(C) of such sec-  
13 tion;

14           (3) the alien is not an alien described in section  
15 243(h)(2) of such Act;

16           (4) the alien is physically present in the United  
17 States on the date the application for such adjust-  
18 ment is filed; and

19           (5) the alien has continuously resided in the  
20 United States since January 20, 1993.

21           (b) ALIENS ELIGIBLE FOR ADJUSTMENT OF STA-  
22 TUS.—The benefits provided by subsection (a) shall apply  
23 to any alien—

24           (1) who is a national of Nicaragua,

1           (2) who arrived in the United States before  
2           January 20, 1993, and

3           (3) who (unless the alien filed an application  
4           for asylum with the Immigration and Naturalization  
5           Service before January 20, 1993) was not admitted  
6           to the United States as a nonimmigrant.

7           (c) RECORD OF PERMANENT RESIDENCE AS OF JAN-  
8           UARY 20, 1993.—Upon approval of an alien’s application  
9           for adjustment of status under subsection (a), the Attor-  
10          ney General shall establish a record of the alien’s admis-  
11          sion for permanent residence as of January 20, 1993.

12          (d) NO OFFSET IN NUMBER OF VISAS AVAILABLE.—  
13          When an alien is granted the status of having been law-  
14          fully admitted for permanent residence pursuant to this  
15          section, the Secretary of State shall not be required to re-  
16          duce the number of immigrant visas authorized to be is-  
17          sued under the Immigration and Nationality Act and the  
18          Attorney General shall not be required to charge the alien  
19          any fee.

20          (f) APPLICATION OF IMMIGRATION AND NATIONAL-  
21          ITY ACT PROVISIONS.—Except as otherwise specifically  
22          provided in this section, the definitions contained in the  
23          Immigration and Nationality Act shall apply in the admin-  
24          istration of this section. Nothing contained in this section  
25          shall be held to repeal, amend, alter, modify, effect, or re-

1 strict the powers, duties, functions, or authority of the At-  
2 torney General in the administration and enforcement of  
3 such Act or any other law relating to immigration, nation-  
4 ality, or naturalization. The fact that an alien may be eli-  
5 gible to be granted the status of having been lawfully ad-  
6 mitted for permanent residence under this section shall  
7 not preclude the alien from seeking such status under any  
8 other provision of law for which the alien may be eligible.

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