

103^D CONGRESS
2^D 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.

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