

103^D CONGRESS
1ST SESSION

S. 1197

To make miscellaneous and technical corrections to the Immigration and Nationality Act and related provisions of law.

IN THE SENATE OF THE UNITED STATES

JULY 1 (legislative day, JUNE 30), 1993

Mr. KENNEDY (for himself and Mr. SIMPSON) introduced the following bill; which was read twice, considered, read the third time and passed

A BILL

To make miscellaneous and technical corrections to the Immigration and Nationality Act and related provisions of law.

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 “Immigration and
5 Nationality Technical Corrections Act of 1993”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

TITLE I—TECHNICAL CORRECTIONS OF IMMIGRATION LAWS

Sec. 101. American Institute in Taiwan.

- Sec. 102. Special immigrant status of retired officers and employees of international organizations.
- Sec. 103. Treatment of Tibet under per country levels.
- Sec. 104. Authority for Secretary of State to make refugee determinations.
- Sec. 105. Clarification of certain grounds for exclusion and deportation.
- Sec. 106. Labor conditions on the admission of temporary workers in specialty occupations.
- Sec. 107. Labor market information pilot program for employment-based immigrants.
- Sec. 108. United States citizens entering and departing on United States passports.
- Sec. 109. Applications for visas.
- Sec. 110. Limitations on performance of longshore work by alien crewmembers—Alaska exception.
- Sec. 111. Nationals, but not citizens, at birth based on use of physical presence instead of residence.
- Sec. 112. Children born out of wedlock.
- Sec. 113. Child born outside of the United States of an alien parent; conditions for automatic citizenship.
- Sec. 114. Expedient naturalization.
- Sec. 115. Intent to reside permanently in the United States after naturalization.
- Sec. 116. Terminology relating to expatriation.
- Sec. 117. Administrative and judicial determinations relating to loss of citizenship.
- Sec. 118. Cancellation of United States passports and consular reports of birth.
- Sec. 119. Family unity and temporary protected status.
- Sec. 120. Adjustment of status of certain representatives of foreign governments and international organizations.
- Sec. 121. Priority dates for aliens registered on the Western Hemisphere waiting list.
- Sec. 122. Other miscellaneous and technical corrections to immigration-related provisions.

TITLE II—MISCELLANEOUS PROVISIONS

- Sec. 201. Secretary of State to issue United States passports to United States citizens and nationals only.
- Sec. 202. Fraud and misuse of travel documents.
- Sec. 203. Border Patrol Museum and Memorial Library Foundation.
- Sec. 204. Special immigrant status for certain aliens employed abroad.

1 **TITLE I—TECHNICAL CORREC-** 2 **TIONS OF IMMIGRATION** 3 **LAWS**

4 **SEC. 101. AMERICAN INSTITUTE IN TAIWAN.**

5 Section 101(a)(27)(D) (8 U.S.C. 1101(a)(27)(D)) is
 6 amended—

1 (1) by inserting “or of the American Institute
2 in Taiwan,” after “of the United States Government
3 abroad,”; and

4 (2) by inserting “(or, in the case of the Amer-
5 ican Institute in Taiwan, the Director thereof)”
6 after “Foreign Service establishment”.

7 **SEC. 102. SPECIAL IMMIGRANT STATUS OF RETIRED OFFI-**
8 **CERS AND EMPLOYEES OF INTERNATIONAL**
9 **ORGANIZATIONS.**

10 Section 101(a)(27)(I)(iii) of the Immigration and
11 Nationality Act (8 U.S.C. 1101(a)(27)(I)(iii)) is amended
12 by striking subclause (II) and inserting in lieu thereof the
13 following: “(II) files a petition for status under this sub-
14 paragraph no later than six months after the date of such
15 retirement or six months after the date of enactment of
16 the Immigration and Nationality Technical Corrections
17 Act of 1993, whichever is later.”.

18 **SEC. 103. TREATMENT OF TIBET UNDER PER COUNTRY**
19 **LEVELS.**

20 (a) APPLICATION OF IMMIGRATION AND NATIONAL-
21 ITY ACT.—The approval referred to in the first sentence
22 of section 202(b) of the Immigration and Nationality Act
23 shall be considered to have been granted, effective begin-
24 ning with fiscal year 1994, with respect to Tibet as a sepa-

1 rate foreign state, and not as a component or dependent
2 area of another foreign state.

3 (b) DEFINITION.—For purposes of this section, the
4 term “Tibet” refers to the territory encompassed by Tibet
5 as of October 1, 1949.

6 **SEC. 104. AUTHORITY FOR SECRETARY OF STATE TO MAKE**
7 **REFUGEE DETERMINATIONS.**

8 Section 207(c)(1) of the Immigration and Nationality
9 Act (8 U.S.C. 1157(c)(1)) is amended—

10 (1) by inserting “(A)” immediately after “(1)”;

11 (2) by inserting “and subject to subparagraph
12 (B),” after “subsections (a) and (b),”; and

13 (3) by adding at the end thereof the following:

14 “(B) The Secretary of State, together with the Attor-
15 ney General, shall develop procedures under which the
16 Secretary may determine individuals to be qualified for ad-
17 mission to the United States as refugees. Such determina-
18 tions may be made by the Secretary of State in situations
19 (defined by the Attorney General together with the Sec-
20 retary of State) in which the Attorney General does not
21 have immediate access to the individual under consider-
22 ation for admission as a refugee and cannot expeditiously
23 determine whether such individual is qualified for refugee
24 admission.”.

1 **SEC. 105. CLARIFICATION OF CERTAIN GROUNDS FOR EX-**
2 **CLUSION AND DEPORTATION.**

3 (a) EXCLUSION GROUNDS.—Section 212 of the Im-
4 migration and Nationality Act (8 U.S.C. 1182) is amend-
5 ed—

6 (1) in subsection (a)(2)(A)(i)(I), by inserting
7 “or an attempt or conspiracy to commit that crime”
8 after “offense”),

9 (2) in subsection (a)(2)(A)(i)(II), by inserting
10 “or attempt” after “conspiracy”, and

11 (3) in the last sentence of subsection (h), by in-
12 sserting “, or an attempt or conspiracy to commit
13 murder or a criminal act involving torture” after
14 “torture”.

15 (b) DEPORTATION GROUNDS.—Section 241(a) of
16 such Act (8 U.S.C. 1251(a)) is amended—

17 (1) in paragraph (2)(C)—

18 (A) by striking “in violation of any law,”
19 and inserting “, or of attempting or conspiring
20 to purchase, sell, offer for sale, exchange, use
21 own, possess, or carry,” and

22 (B) by inserting “in violation of any law”
23 after “Code)”; and

24 (2) in paragraph (3)(B), by inserting “an at-
25 tempt or” before “a conspiracy” each place it ap-
26 pears in clauses (ii) and (iii).

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to convictions occurring before, on,
3 or after the date of the enactment of this Act.

4 **SEC. 106. LABOR MARKET INFORMATION PILOT PROGRAM**
5 **FOR EMPLOYMENT-BASED IMMIGRANTS.**

6 (a) PROGRAM MADE DISCRETIONARY.—Section
7 122(a)(1) of the Immigration Act of 1990 is amended by
8 striking from the first sentence “shall” and inserting
9 “may”.

10 (b) CONFORMING AMENDMENT.—Section 122(a)(4)
11 of such Act is amended by striking “By” and inserting
12 “In the event a pilot program is established pursuant to
13 this subsection, by”.

14 **SEC. 107. UNITED STATES CITIZENS ENTERING AND DE-**
15 **PARTING ON UNITED STATES PASSPORTS.**

16 (a) IN GENERAL.—Section 215(b) of the Immigra-
17 tion and Nationality Act (8 U.S.C. 1185(b)) is amended
18 by inserting “United States” after “valid”.

19 (b) EFFECTIVE DATE.—The amendment made by
20 subsection (a) shall apply to departures and entries (and
21 attempts thereof) occurring on or after the date of enact-
22 ment of this Act.

1 **SEC. 108. APPLICATIONS FOR VISAS.**

2 (a) IN GENERAL.—The second sentence of section
3 222(a) of the Immigration and Nationality Act (8 U.S.C.
4 1202(a)) is amended—

5 (1) by striking “the immigrant” and inserting
6 “the alien”, and

7 (2) by striking “present address” and all that
8 follows through “exempt from exclusion under the
9 immigration laws;”.

10 (b) EFFECTIVE DATE.—The amendments made by
11 subsection (a) shall apply to applications made on or after
12 the date of the enactment of this Act.

13 **SEC. 109. LIMITATIONS ON PERFORMANCE OF LONGSHORE**
14 **WORK BY ALIEN CREWMEMBERS—ALASKA**
15 **EXCEPTION.**

16 (a) ALASKA EXCEPTION.—Section 258 of the Immi-
17 gration and Nationality Act (8 U.S.C. 1288) is amend-
18 ed—

19 (1) by redesignating subsection (d) as sub-
20 section (e); and

21 (2) by inserting after subsection (c) the follow-
22 ing new subsection:

23 “(d) STATE OF ALASKA EXCEPTION.—(1) Subsection
24 (a) shall not apply to a particular activity of longshore
25 work at a particular location in the State of Alaska if an
26 employer of alien crewmen has filed an attestation with

1 the Secretary of Labor at least 30 days before the date
2 of the first performance of the activity (or anytime up to
3 24 hours before the first performance of the activity, upon
4 a showing that the employer could not have reasonably
5 anticipated the need to file an attestation for that location
6 at that time) setting forth facts and evidence to show
7 that—

8 “(A) the employer will make a bona fide request
9 for United States longshore workers who are quali-
10 fied and available in sufficient numbers to perform
11 the activity at the particular time and location from
12 the parties to whom notice has been provided under
13 clauses (ii) and (iii) of subparagraph (D), except
14 that—

15 “(i) wherever two or more contract steve-
16 doring companies have signed a joint collective
17 bargaining agreement with a single labor orga-
18 nization described in subparagraph (D)(i), the
19 employer may request longshore workers from
20 only one of such contract stevedoring compa-
21 nies, and

22 “(ii) a request for longshore workers to an
23 operator of a private dock may be made only
24 for longshore work to be performed at that dock
25 and only if the operator meets the requirements

1 of section 32 of the Longshoremen's and Har-
2 bor Workers' Compensation Act (33 U.S.C.
3 932);

4 "(B) the employer will employ all those United
5 States longshore workers made available in response
6 to the request made pursuant to subparagraph (A)
7 who are qualified and available in sufficient numbers
8 and who are needed to perform the longshore activ-
9 ity at the particular time and location;

10 "(C) the use of alien crewmembers for such ac-
11 tivity is not intended or designed to influence an
12 election of a bargaining representative for workers in
13 the State of Alaska; and

14 "(D) notice of the attestation has been provided
15 by the employer to—

16 "(i) labor organizations which have been
17 recognized as exclusive bargaining representa-
18 tives of United States longshore workers within
19 the meaning of the National Labor Relations
20 Act and which make available or intend to
21 make available workers to the particular loca-
22 tion where the longshore work is to be per-
23 formed,

1 “(ii) contract stevedoring companies which
2 employ or intend to employ United States
3 longshore workers at that location, and

4 “(iii) operators of private docks at which
5 the employer will use longshore workers.

6 “(2)(A) An employer filing an attestation under para-
7 graph (1) who seeks to use alien crewmen to perform
8 longshore work shall be responsible while the attestation
9 is valid to make bona fide requests for United States
10 longshore workers under paragraph (1)(A) and to employ
11 United States longshore workers, as provided in para-
12 graph (1)(B), before using alien crewmen to perform the
13 activity or activities specified in the attestation, except
14 that an employer shall not be required to request
15 longshore workers from a party if that party has notified
16 the employer in writing that it does not intend to make
17 available United States longshore workers to the location
18 at which the longshore work is to be performed.

19 “(B) If a party that has provided such notice subse-
20 quently notifies the employer in writing that it is prepared
21 to make available United States longshore workers who
22 are qualified and available in sufficient numbers to per-
23 form the longshore activity to the location at which the
24 longshore work is to be performed, then the employer’s
25 obligations to that party under subparagraphs (A) and (B)

1 of paragraph (1) shall begin 60 days following the issu-
2 ance of such notice.

3 “(3)(A) In no case shall an employer filing an attes-
4 tation be required—

5 “(i) to hire less than a full work unit of United
6 States longshore workers needed to perform the
7 longshore activity;

8 “(ii) to provide overnight accommodations for
9 the longshore workers while employed; or

10 “(iii) to provide transportation to the place of
11 work, except where—

12 “(I) surface transportation is available;

13 “(II) such transportation may be safely ac-
14 complished;

15 “(III) travel time to the vessel does not ex-
16 ceed one-half hour each way; and

17 “(IV) travel distance to the vessel from the
18 point of embarkation does not exceed 5 miles.

19 “(B) In the cases of Wide Bay, Alaska, and Klawock/
20 Craig, Alaska, the travel times and travel distances speci-
21 fied in subclauses (III) and (IV) of subparagraph (A) shall
22 be extended to 45 minutes and 7½ miles, respectively, un-
23 less the party responding to the request for longshore
24 workers agrees to the lesser time and distance limitations
25 specified in those subclauses.

1 “(4) Subject to subparagraphs (A) through (D) of
2 subsection (c)(4), attestations filed under paragraph (1)
3 of this subsection shall—

4 “(A) expire at the end of the 1-year period be-
5 ginning on the date the employer anticipates the
6 longshore work to begin, as specified in the attesta-
7 tion filed with the Secretary of Labor, and

8 “(B) apply to aliens arriving in the United
9 States during such 1-year period if the owner, agent,
10 consignee, master, or commanding officer states in
11 each list under section 251 that it continues to com-
12 ply with the conditions in the attestation.

13 “(5)(A) Except as otherwise provided by subpara-
14 graph (B), subsection (c)(3) and subparagraphs (A)
15 through (E) of subsection (c)(4) shall apply to attestations
16 filed under this subsection.

17 “(B) The use of alien crewmen to perform longshore
18 work in Alaska consisting of the use of an automated self-
19 unloading conveyor belt or vacuum-actuated system on a
20 vessel shall be governed by the provisions of subsection
21 (c).

22 “(6) For purposes of this subsection—

23 “(A) the term ‘contract stevedoring companies’
24 means those stevedoring companies licensed to do
25 business in the State of Alaska that meet the re-

1 requirements of section 32 of the Longshoremen’s and
2 Harbor Workers’ Compensation Act (33 U.S.C.
3 932); and

4 “(B) the term ‘employer’ includes any agent or
5 representative designated by the employer; and

6 “(C) the terms ‘qualified’ and ‘available in suf-
7 ficient numbers’ shall be defined by reference to in-
8 dustry standards in the State of Alaska, including
9 safety considerations.”.

10 (b) CONFORMING AMENDMENTS.—

11 (1) Section 258(a) (8 U.S.C. 1288(a)) is
12 amended by striking “subsection (c) or subsection
13 (d)” and inserting “subsection (c), (d), or (e)”.

14 (2) Section 258(c)(4)(A) (8 U.S.C.
15 1288(c)(4)(A)) is amended by inserting “or sub-
16 section (d)(1)” after “paragraph (1)” each of the
17 two places it appears.

18 (3) Section 258(c) (8 U.S.C. 1288(c)) is
19 amended by adding at the end the following new
20 paragraph:

21 “(5) Except as provided in paragraph (5) of sub-
22 section (d), this subsection shall not apply to longshore
23 work performed in the State of Alaska.”.

1 (c) IMPLEMENTATION.—(1) The Secretary of Labor
2 shall prescribe such regulations as may be necessary to
3 carry out this section.

4 (2) Attestations filed pursuant to section 258(c) (8
5 U.S.C. 1288(c)) with the Secretary of Labor before the
6 date of enactment of this Act shall remain valid until 60
7 days after the date of issuance of final regulations by the
8 Secretary under this section.

9 **SEC. 110. NATIONALS, BUT NOT CITIZENS, AT BIRTH BASED**
10 **ON USE OF PHYSICAL PRESENCE INSTEAD OF**
11 **RESIDENCE.**

12 (a) IN GENERAL.—Section 308(2) of the Immigra-
13 tion and Nationality Act (8 U.S.C. 1408(2)) is amended
14 by striking “have had a residence” and inserting “were
15 physically present”.

16 (b) EFFECTIVE DATE.—The amendment made by
17 subsection (a) shall apply to persons born on or after the
18 date of the enactment of this Act.

19 **SEC. 111. CHILDREN BORN OUT OF WEDLOCK.**

20 (a) IN GENERAL.—Section 309(c) of the Immigration
21 and Nationality Act (8 U.S.C. 1409(c)) is amended—

22 (1) by inserting “(1)” immediately after “(c)”;

23 and

24 (2) by adding at the end the following new
25 paragraph:

1 “(2) For the purpose of satisfying the physical pres-
2 ence requirements of this subsection, the mother may in-
3 clude any period during which she is physically present
4 abroad as the dependent unmarried daughter and a mem-
5 ber of the household of a person—

6 “(A) honorably serving with the Armed Forces
7 of the United States; or

8 “(B) employed by the United States Govern-
9 ment or an international organization, as defined in
10 section 1 of the International Organizations Immu-
11 nities Act (59 Stat. 669; 22 U.S.C. 288).”.

12 (b) EFFECTIVE DATE.—The amendment made by
13 subsection (a)(2) shall apply to mothers of persons born
14 on or after the date of the enactment of this Act.

15 **SEC. 112. CHILD BORN OUTSIDE OF THE UNITED STATES**
16 **OF AN ALIEN PARENT; CONDITIONS FOR**
17 **AUTOMATIC CITIZENSHIP.**

18 (a) IN GENERAL.—Section 321(a)(3) of the Immi-
19 gration and Nationality Act (8 U.S.C. 1432(a)(3)) is
20 amended by inserting “sole or joint” before “legal custody
21 of the child”.

22 (b) EFFECTIVE DATE.—The amendment made by
23 subsection (a) shall apply to the awarding of custody be-
24 fore, on, or after the date of enactment of this Act.

1 **SEC. 113. EXPEDITIOUS NATURALIZATION.**

2 (a) IN GENERAL.—Section 322 of the Immigration
3 and Nationality Act (8 U.S.C. 1433(a)) is amended to
4 read as follows:

5 “CHILD BORN OUTSIDE THE UNITED STATES;

6 APPLICATION FOR CERTIFICATE OF CITIZENSHIP

7 “SEC. 322. (a) A child who is born outside of the
8 United States, one or both of whose parents is a citizen
9 of the United States, either by birth or naturalization,
10 shall be furnished by the Attorney General with a certifi-
11 cate of citizenship in accordance with section 341(a) if—

12 “(1) the child is physically present in the Unit-
13 ed States pursuant to lawful admission for perma-
14 nent residence;

15 “(2) the child is under the age of eighteen years
16 and in the joint or sole custody of the citizen parent;
17 and

18 “(3) the citizen parent makes application to the
19 Attorney General for the issuance of the certificate.

20 “(b) For purposes of this section, the terms ‘child’
21 and ‘parent’ include an adoptive child and an adoptive
22 parent, respectively.”.

23 (b) REPEAL.—Section 341(c) of such Act (8 U.S.C.
24 1452(c)) is repealed.

1 (c) CLERICAL AMENDMENT.—The table of contents
2 is amended by inserting after the item relating to section
3 321 the following new item:

“Sec. 322. Child born outside the United States; application for certificate of
citizenship.”.

4 (d) EFFECTIVE DATE.—The amendment made by
5 subsection (a) shall apply to any application for a certifi-
6 cate of citizenship filed with the Attorney General on be-
7 half of a child before, on, or after the date of enactment
8 of this Act.

9 **SEC. 114. INTENT TO RESIDE PERMANENTLY IN THE**
10 **UNITED STATES AFTER NATURALIZATION.**

11 (a) IN GENERAL.—Section 338 of the Immigration
12 and Nationality Act (8 U.S.C. 1449) is amended by strik-
13 ing “intends to reside permanently in the United States,
14 except in cases falling within the provisions of section
15 324(a) of this title,”.

16 (b) CONFORMING REPEAL.—Section 340(d) of such
17 Act (8 U.S.C. 1451(d)) is repealed.

18 (c) CONFORMING REDESIGNATION.—Section 340 of
19 such Act (8 U.S.C. 1451) is amended—

20 (1) by redesignating subsections (e), (f), (g),
21 (h), and (i) as subsections (d), (e), (f), (g), and (h),
22 respectively; and

1 (2) in subsection (d) (as redesignated), by strik-
2 ing “subsections (c) or (d)” and inserting “sub-
3 section (c)”.

4 (d) CONFORMING AMENDMENT.—Section 405 of the
5 Immigration Act of 1990 is amended by striking sub-
6 section (b).

7 (e) EFFECTIVE DATE.—The amendment made by
8 subsection (a) shall apply to persons admitted to citizen-
9 ship on or after the date of enactment of this Act.

10 **SEC. 115. TERMINOLOGY RELATING TO EXPATRIATION.**

11 (a) IN GENERAL.—Section 351 of the Immigration
12 and Nationality Act (8 U.S.C. 1483) is amended—

13 (1) in the heading, by striking “EXPATRIATION”
14 and inserting “LOSS OF NATIONALITY”;

15 (2) in subsection (a)—

16 (A) by striking “expatriate himself, or be
17 expatriated” and inserting “can lose United
18 States nationality”, and

19 (B) by striking “expatriation” and insert-
20 ing “loss of nationality”; and

21 (3) in subsection (b), by striking “expatriated
22 himself” and inserting “lost United States national-
23 ity”.

1 (b) CLERICAL AMENDMENT.—The item in the table
 2 of contents of such Act relating to section 351 is amended
 3 to read as follows:

“Sec. 351. Restrictions on loss of nationality.”.

4 **SEC. 116. ADMINISTRATIVE AND JUDICIAL DETERMINA-**
 5 **TIONS RELATING TO LOSS OF CITIZENSHIP.**

6 (a) FINAL ADMINISTRATIVE DETERMINATIONS.—
 7 Section 358 of the Immigration and Nationality Act (8
 8 U.S.C. 1501) is amended by adding at the end the follow-
 9 ing new sentence: “Approval by the Secretary of State of
 10 a certificate under this section shall constitute a final ad-
 11 ministrative determination of loss of United States nation-
 12 ality under this Act, subject to such procedures for admin-
 13 istrative appeal as the Secretary may prescribe by regula-
 14 tion, and also shall constitute a denial of a right or privi-
 15 lege of United States nationality for purposes of section
 16 360.”.

17 (b) JUDICIAL PROCEEDINGS.—Subsections (a) and
 18 (b) of section 360 of such Act (8 U.S.C. 1503) are each
 19 amended by inserting “, including approval of a certificate
 20 in accordance with section 358,” after “official thereof,”.

21 **SEC. 117. CANCELLATION OF UNITED STATES PASSPORTS**
 22 **AND CONSULAR REPORTS OF BIRTH.**

23 (a) IN GENERAL.—Title III of the Immigration and
 24 Nationality Act is amended by adding at the end the fol-
 25 lowing new section:

1 “CANCELLATION OF UNITED STATES PASSPORTS AND
2 CONSULAR REPORTS OF BIRTH

3 “SEC. 361. (a) The Secretary of State is authorized
4 to cancel any United States passport or Consular Report
5 of Birth, or certified copy thereof, if it appears that such
6 document was illegally, fraudulently, or erroneously ob-
7 tained from, or was created through illegality or fraud
8 practiced upon, the Secretary. The person for or to whom
9 such document has been issued or made shall be given at
10 such person’s last known address written notice of the in-
11 tention to cancel such document, together with the reasons
12 therefor, and shall be given at least 60 days in which to
13 show, pursuant to such regulation as the Secretary may
14 prescribe, why such document should not be canceled. The
15 cancellation under this section of any document purport-
16 ing to show the citizenship status of the person to whom
17 it was issued shall affect only the document and not the
18 citizenship status of the person in whose name the docu-
19 ment was issued.

20 “(b) For purposes of this section, the term ‘Consular
21 Report of Birth’ refers to the report, designated as a ‘Re-
22 port of Birth Abroad of a Citizen of the United States’,
23 issued by a consular officer to document a citizen born
24 abroad.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 is amended by inserting after the item relating to section
3 360 the following new item:

“Sec. 361. Cancellation of United States passports and Consular Reports of
Birth.”.

4 **SEC. 118. FAMILY UNITY AND TEMPORARY PROTECTED**
5 **STATUS.**

6 (a) IN GENERAL.—Section 301(a) of the Immigra-
7 tion Act of 1990 is amended by inserting after “May 5,
8 1988” the following: “(in the case of a relationship to a
9 legalized alien described in subsection (b)(2)(B) or
10 (b)(2)(C)) or as of December 1, 1988 (in the case of a
11 relationship to a legalized alien described in subsection
12 (b)(2)(A))”.

13 (b) EFFECTIVE DATE.—The amendment made by
14 subsection (a) shall be deemed to have become effective
15 as of October 1, 1991.

16 **SEC. 119. ADJUSTMENT OF STATUS OF CERTAIN REP-**
17 **RESENTATIVES OF FOREIGN GOVERNMENTS**
18 **AND INTERNATIONAL ORGANIZATIONS.**

19 Section 13(c) of the Act of September 11, 1957 (8
20 U.S.C. 1255b(c)) is amended—

21 (1) by striking the third sentence; and

22 (2) in the fourth sentence, by striking “If nei-
23 ther the Senate nor the House of Representatives

1 passes such a resolution within the time above speci-
2 fied the” and inserting “The”.

3 **SEC. 120. PRIORITY DATES FOR ALIENS REGISTERED ON**
4 **THE WESTERN HEMISPHERE WAITING LIST.**

5 Section 9(b) of the Immigration and Nationality Act
6 Amendments of 1976 (Public Law 94-571) is hereby
7 repealed.

8 **SEC. 121. OTHER MISCELLANEOUS AND TECHNICAL COR-**
9 **RECTIONS TO IMMIGRATION-RELATED PRO-**
10 **VISIONS.**

11 (a) Section 101(a)(27)(J)(i) of the Immigration and
12 Nationality Act (8 U.S.C. 1101(a)(27)(J)(i)) is amended
13 by striking “and has” and inserting “or whom such a
14 court has legally committed to, or placed under the cus-
15 tody of, an agency or department of a State and who has”.

16 (b)(1) The second sentence of section 201(b)(2)(A)(i)
17 of the Immigration and Nationality Act (8 U.S.C.
18 1151(b)(2)(A)(i)) is amended by inserting “(and each
19 child of the alien)” after “the alien”.

20 (2) The second sentence of section 204(a)(1)(A) of
21 such Act (8 U.S.C. 1154(a)(1)(A)) is amended—

22 (A) by inserting “spouse” after “alien”, and

23 (B) by inserting “of the alien (and the alien’s
24 children)” after “for classification”.

1 (c) Section 203(b)(5) of the Immigration and Nation-
2 ality Act (8 U.S.C. 1153(b)(5)) is amended by striking
3 “TARGETTED”, “TARGETTED”, and “targetted” each
4 place each appears and inserting “TARGETED”, “TAR-
5 GETED”, and “targeted”, respectively.

6 (d) Section 210(d)(3) of the Immigration and Nation-
7 ality Act (8 U.S.C. 1160(d)(3)) is amended by inserting
8 “the” before “Service” the first place it appears.

9 (e) Section 212(d)(11) of the Immigration and Na-
10 tionality Act (8 U.S.C. 1182(d)(11)) is amended by strik-
11 ing “voluntary” and inserting “voluntarily”.

12 (f) Section 217(e)(1)(A) of the Immigration and Na-
13 tionality Act (8 U.S.C. 1187(e)(1)(A)) is amended by
14 striking “(a)(1)(A)” and inserting “(a)(1)”.

15 (g) Section 241(c) of the Immigration and National-
16 ity Act (8 U.S.C. 1251(c)) is amended by striking “or
17 (3)(A) of subsection 241(a)” and inserting “and (3)(A)
18 of subsection (a)”.

19 (h) Section 242(h) of the Immigration and National-
20 ity Act (8 U.S.C. 1252(h)) is amended by striking “Pa-
21 role,,” and inserting “Parole,”.

22 (i) Section 242B(c)(1) of the Immigration and Na-
23 tionality Act (8 U.S.C. 1252b(c)(1)) is amended by strik-
24 ing the comma after “that”.

1 (j) Section 244A(c)(2)(A)(iii)(III) of the Immigration
2 and Nationality Act (8 U.S.C. 1254a(c)(2)(A)(iii)(III)) is
3 amended—

4 (1) by striking “Paragraphs” and inserting
5 “paragraphs”, and

6 (2) by striking “or (3)(E)” and inserting “and
7 (3)(E)”.

8 (k) Section 245(h)(2)(B) of the Immigration and Na-
9 tionality Act (8 U.S.C. 1255(h)(2)(B)) is amended by
10 striking “or (3)(E)” and inserting “and (3)(E)”.

11 (l)(1) Subparagraph (C) of section 245A(c)(7) of the
12 Immigration and Nationality Act (8 U.S.C. 1255a(c)(7)),
13 as added by Public Law 102–140, is amended—

14 (A) by indenting it 2 additional ems to the
15 right; and

16 (B) by striking “subsection (B)” and inserting
17 “subparagraph (B)”.

18 (2) Section 610(b) of Public Law 102–140 is amend-
19 ed by striking “404(b)(2)(ii)” and “404(b)(2)(iii)” and in-
20 serting “404(b)(1)(A)(ii)” and “404(b)(2)(A)(iii)”, re-
21 spectively.

22 (m) Effective as of the date of the enactment of this
23 Act, section 246(a) of the Immigration and Nationality
24 Act (8 U.S.C. 1256(a)) is amended by striking the first
25 3 sentences.

1 (n) Section 262(c) of the Immigration and National-
2 ity Act (8 U.S.C. 1302(c)) is amended by striking “sub-
3 section (a) and (b)” and inserting “subsections (a) and
4 (b)”.

5 (o) Section 272(a) of the Immigration and National-
6 ity Act (8 U.S.C. 1322(a)) is amended by striking the
7 comma after “so afflicted”.

8 (p) The first sentence of section 273(b) of the Immi-
9 gration and Nationality Act (8 U.S.C. 1323(b)) is amend-
10 ed by striking “collector of customs” and inserting “Com-
11 missioner”.

12 (q) Section 274B(g)(2)(C) of the Immigration and
13 Nationality Act (8 U.S.C. 1324b(g)(2)(C)) is amended by
14 striking “an administrative law judge” and inserting “the
15 Special Counsel”.

16 (r) Section 274C(b) of the Immigration and National-
17 ity Act (8 U.S.C. 1324c(b)) is amended by striking “title
18 V” and all that follows through “3481)” and inserting
19 “chapter 224 of title 18, United States Code”.

20 (s) Section 280(b)(1)(C) of the Immigration and Na-
21 tionality Act (8 U.S.C. 1330(b)(1)(C)) is amended by
22 striking “maintainance” and inserting “maintenance”.

23 (t) Effective as if included in the enactment of Public
24 Law 102–395, subsection (r) of section 286 of the Immi-

1 gration and Nationality Act (8 U.S.C. 1356), as added
2 by section 112 of such Public Law, is amended—

3 (1) in the subsection heading, by striking
4 “Breached Bond/Detention Fund” and inserting
5 “BREACHED BOND/DETENTION FUND”;

6 (2) in paragraph (1), by striking “(hereafter re-
7 ferred to as the Fund)” and inserting “(in this sub-
8 section referred to as the ‘Fund’)”;

9 (3) in paragraph (2), by striking “the Immigra-
10 tion and Nationality Act of 1952, as amended,” and
11 inserting “this Act”;

12 (4) in paragraphs (4) and (6), by striking “the
13 Breached Bond/Detention”;

14 (5) in paragraph (4), by striking “of this Act”
15 and inserting “of Public Law 102–395”;

16 (6) in paragraph (5), by striking “account” and
17 inserting “Fund”; and

18 (7) in paragraph (6), by striking “Breached
19 Bond/Detention” each of the two places it appears.

20 (u) Section 310(b)(5)(A) of the Immigration and Na-
21 tionality Act (8 U.S.C. 1421(b)(5)(A)) is amended by
22 striking “District Court” and inserting “district court”.

23 (v) Effective December 12, 1991, section 313(a)(2)
24 of the Immigration and Nationality Act (8 U.S.C.

1 1424(a)(2)) is amended by striking “and” before “(F)”
2 and inserting “or”.

3 (w) Section 333(b)(1) of the Immigration and Na-
4 tionality Act (8 U.S.C. 1444(b)(1)) is amended by striking
5 “249(a)” and inserting “249”.

6 (x) Section 412(e)(7)(D) of the Immigration and Na-
7 tionality Act (8 U.S.C. 1522(e)(7)(D)) is amended by
8 striking “paragraph (1) or (2) of”.

9 (y) Section 302(c) of the Immigration Act of 1990
10 is amended by striking “effect” and inserting “affect”.

11 (z) Effective as if included in the Miscellaneous and
12 Technical Immigration and Naturalization Amendments
13 of 1991—

14 (1) section 303(a)(7)(B)(i) of such Act is
15 amended by striking “paragraph (1)(A)” and insert-
16 ing “paragraph (1)(A)(i)”;

17 (2) section 304(b)(2) of such Act is amended by
18 striking “paragraph (1)(B)” and inserting “sub-
19 section (c)(1)(B)”;

20 (3) paragraph (1) of section 305(j) of such Act
21 is repealed (and section 407(d)(16)(C) of the Immi-
22 gration Act of 1990 shall read as if such paragraph
23 had not been enacted);

24 (4) paragraph (2) of section 306(b) of such Act
25 is amended to read as follows:

1 “(2) Section 538(a) of the Immigration Act of 1990
2 is amended by striking the comma after ‘Service.’”;

3 (5) section 307(a)(6) of such Act is amended by
4 striking “immigrants” the first place it appears and
5 inserting “immigrant aliens”;

6 (6) section 309(a)(3) of such Act is amended by
7 striking “paragraph (1) and (2)” and inserting
8 “paragraphs (1)(A) and (1)(B)”;

9 (7) section 309(b)(6)(F) of such Act is amend-
10 ed by striking “210(a)(1)(B)(1)(B)” and inserting
11 “210(a)(B)(1)(B)”;

12 (8) section 309(b)(8) of such Act is amended by
13 striking “274A(g)” and inserting “274A(h)”; and

14 (9) section 310 of such Act is amended—

15 (A) by adding “and” at the end of para-
16 graph (1);

17 (B) by striking paragraph (2); and

18 (C) by redesignating paragraph (3) as
19 paragraph (2) and by striking “309(c)” and in-
20 serting “309(b)”.

21 (aa) Effective as if included in section 4 of Public
22 Law 102–110, section 161(c)(3) of the Immigration Act
23 of 1990 is amended—

24 (1) by striking “alien described in section
25 203(a)(3) or 203(a)(6) of such Act” and inserting

1 “alien admitted for permanent residence as a pref-
2 erence immigrant under section 203(a)(3) or
3 203(a)(6) of such Act (as in effect before such
4 date)”; and

5 (2) by striking “this section” and inserting
6 “this title”.

7 (bb) Section 599E(c) of the Foreign Operations, Ex-
8 port Financing, and Related Programs Appropriations
9 Act, 1990 (Public Law 101–167) is amended by striking
10 “and subparagraphs” and inserting “or subparagraph”.

11 (cc) Except as otherwise specifically provided in this
12 section, the amendments made by this section shall be ef-
13 fective as if included in the enactment of the Immigration
14 Act of 1990.

15 **TITLE II—MISCELLANEOUS** 16 **PROVISIONS**

17 **SEC. 201. SECRETARY OF STATE TO ISSUE UNITED STATES** 18 **PASSPORTS TO UNITED STATES CITIZENS** 19 **AND NATIONALS ONLY.**

20 Section 2 of the Act of June 14, 1902 (32 Stat. 386;
21 22 U.S.C. 212) is amended by striking “for any other per-
22 sons than those owing allegiance, whether citizens or not,
23 to the United States” and inserting “for any person other
24 than a citizen or national of the United States.”.

1 **SEC. 202. FRAUD AND MISUSE OF TRAVEL DOCUMENTS.**

2 (a) IN GENERAL.—Title 18 of the United States
3 Code is amended—

4 (1) in section 911—

5 (A) by striking “not more than \$1,000”
6 and inserting “under this title”; and

7 (B) by striking “three years” and inserting
8 “six years”;

9 (2) in section 1001—

10 (A) by striking “not more than \$10,000”
11 and inserting “under this title”; and

12 (B) by striking “five years” and inserting
13 “ten years”;

14 (3) in section 1541—

15 (A) by striking “not more than \$500” and
16 inserting “under this title”; and

17 (B) by striking “one year” and inserting
18 “ten years”;

19 (4) in section 1542—

20 (A) by striking “not more than \$2,000”
21 and inserting “under this title”; and

22 (B) by striking “five years” and inserting
23 “ten years”;

24 (5) in section 1543—

25 (A) by striking “not more than \$2,000”
26 and inserting “under this title”; and

1 (B) by striking “five years” and inserting
2 “ten years”;

3 (6) in section 1544—

4 (A) by striking “not more than \$2,000”
5 and inserting “under this title”; and

6 (B) by striking “five years” and inserting
7 “ten years”; and

8 (7) in section 1545—

9 (A) by striking “not more than \$2,000”
10 and inserting “under this title”; and

11 (B) by striking “three years” and inserting
12 “five years”.

13 (b) EFFECTIVE DATE.—The amendments made by
14 subsection (a) shall apply to offenses committed on or
15 after the date of enactment of this Act.

16 **SEC. 203. BORDER PATROL MUSEUM AND MEMORIAL LI-**
17 **BRARY FOUNDATION.**

18 (a) AUTHORITY.—Notwithstanding section 203 of the
19 Federal Property and Administrative Services Act of 1949
20 (40 U.S.C. 484) or any other provision of law, the Attor-
21 ney General is authorized to transfer to the Border Patrol
22 Museum and Memorial Library Foundation, incorporated
23 in the State of Texas—



S 1197 IS—2

S 1197 IS—3