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(Original Signature of Member)

114TH CONGRESS  
2D SESSION

# H. R.

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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.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. FARENTHOLD introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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# 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”.

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

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

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

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

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

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

23          (b) SENSE OF CONGRESS.—It is the sense of Con-  
24          gress that Cuban nationals should be treated under the  
25          same immigration rules as nationals of other countries

1 with which the United States has diplomatic relations and  
2 should not receive preferential treatment.

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

4 (a) REPEALS OF RELEVANT STATUTES.—

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7 of division C of Public Law 104–208 is repealed.

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

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

15 **SEC. 4. CERTAIN ACTIVITIES RESTRICTED.**

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

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

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

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

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

13 (2) in section 501—

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

16 (B) in subsection (e)—

17 (i) in paragraph (1)—

18 (I) by striking “Cuban/”; and

19 (II) by striking “Cuba or”; and

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

22 (b) CONFORMING AMENDMENTS.—

23 (1) PERSONAL RESPONSIBILITY AND WORK OP-  
24 PORTUNITY RECONCILIATION ACT OF 1996.—Title IV  
25 of the Personal Responsibility and Work Oppor-

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

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

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

14 **SEC. 6. REPORT.**

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