

98TH CONGRESS  
1ST SESSION

# H. R. 4447

To provide for the temporary suspension of deportation for certain aliens who are nationals of El Salvador, and to provide for Presidential and congressional review of conditions in El Salvador, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 17, 1983

Mr. MOAKLEY (for himself, Mr. PRITCHARD, Mr. FRANK, Mr. WEISS, Mr. OTTINGER, Mr. JEFFORDS, Mr. TOWNS, AND Mr. LOWRY of Washington) introduced the following bill; which was referred jointly to the Committees on Foreign Affairs, the Judiciary, and Rules

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## A BILL

To provide for the temporary suspension of deportation for certain aliens who are nationals of El Salvador, and to provide for Presidential and congressional review of conditions in El Salvador, 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 That (a) the President shall investigate and report to the  
4 Congress, not later than eighteen months after the date of  
5 the enactment of this Act, concerning—  
6       (1) displaced persons in El Salvador, including—  
7       (A) the number of such persons;

1 (B) the living conditions of such persons,  
2 with particular attention to their personal safety  
3 and the availability of food and medical assist-  
4 ance;

5 (C) the resources available for humanitarian  
6 assistance for them, including the methods and  
7 policies respecting distribution of such assistance  
8 and obstacles which may prevent the efficient and  
9 equitable distribution of such assistance; and

10 (D) steps that can be taken to improve the  
11 status of such persons;

12 (2) Salvadoran nationals who are displaced per-  
13 sons outside El Salvador, including—

14 (A) the number of such nationals in Hondu-  
15 ras, Guatemala, and Mexico, and

16 (B) the matters described in subparagraphs  
17 (B) through (D) of paragraph (1) with respect to  
18 such nationals; and

19 (3) the conditions and fates of aliens deported  
20 from the United States to El Salvador, with particular  
21 attention to those who have suffered violations of  
22 fundamental human rights upon their return to El  
23 Salvador.

24 SEC. 2. Upon Congress's receipt of the report described  
25 in the first section of this Act but in no case later than two

1 years after the date of the enactment of this Act, the Com-  
2 mittees of the Judiciary, of the House of Representatives,  
3 and of the Senate, shall conduct hearings to consider—

4 (1) the availability of safe resettlement within El  
5 Salvador or neighboring countries of displaced nation-  
6 als of El Salvador, and

7 (2) treaty obligations of the United States, hu-  
8 manitarian considerations, and previous practice of the  
9 United States respecting the treatment of aliens in sim-  
10 ilar circumstances,

11 in order to determine (A) the appropriate steps to be taken to  
12 provide assurances of personal safety and adequate, efficient,  
13 and equitable distribution of assistance with respect to Salva-  
14 dorans who are displaced within El Salvador or who have  
15 fled to other countries in Central America, and (B) whether it  
16 is appropriate to extend, remove, or alter the restrictions  
17 contained in section 3 of this Act.

18 SEC. 3. (a) The Attorney General shall not detain or  
19 deport (to El Salvador) aliens described in subsection (b)  
20 during the three-year period beginning on the date of the  
21 enactment of this Act, except as may be provided by the  
22 Congress after its consideration under section 2 of the Presi-  
23 dential report submitted under the first section of this Act.

1 (b) The nationals referred to in subsection (a) are aliens  
2 who are nationals of El Salvador who have been determined  
3 to be deportable only under—

4 (1) paragraph (1) of section 241(a) of the Immi-  
5 gration and Nationality Act (8 U.S.C. 1251(a)), but  
6 only as such paragraph relates to a ground for exclu-  
7 sion described in paragraph (14), (15), (20), (21), (25),  
8 or (32) of section 212(a) of such Act (8 U.S.C.  
9 1182(a)), or

10 (2) under paragraph (2), (9), or (10) of section  
11 241(a) of such Act (8 U.S.C. 1251(a)).

12 (c) With respect to an alien whose deportation is tempo-  
13 rarily suspended under subsection (a) during a period, the  
14 period of such suspension shall not be counted as a period of  
15 physical presence in the United States for purposes of section  
16 244(a) of the Immigration and Nationality Act (8 U.S.C.  
17 1254(a)).