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(Original Signature of Member)

109TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To designate Sri Lanka, India, Indonesia, Thailand, Somalia, Myanmar, Malaysia, Maldives, Tanzania, Seychelles, Bangladesh, and Kenya under section 244 of the Immigration and Nationality Act in order to render nationals of such foreign states eligible for temporary protected status under such section.

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**IN THE HOUSE OF REPRESENTATIVES**

Ms. JACKSON-LEE of Texas introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To designate Sri Lanka, India, Indonesia, Thailand, Somalia, Myanmar, Malaysia, Maldives, Tanzania, Seychelles, Bangladesh, and Kenya under section 244 of the Immigration and Nationality Act in order to render nationals of such foreign states eligible for temporary protected status under such section.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*



1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Tsunamis Temporary  
3 Protected Status Act of 2005”.

4 **SEC. 2. FINDINGS.**

5 The Congress finds as follows:

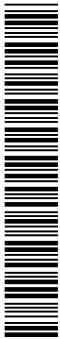
6 (1) On December 26, 2004, an undersea earth-  
7 quake with a magnitude of 9.0 on the Richter scale  
8 and a depth of 10 kilometers occurred off the west  
9 coast of Northern Sumatra, triggering massive  
10 tsunamis that affected several countries throughout  
11 South and Southeast Asia.

12 (2) This is the fourth largest magnitude re-  
13 corded since the establishment of accurate global  
14 seismographic record-keeping in 1900.

15 (3) The earthquake, the strongest since 1964,  
16 was followed by dozens of aftershocks, many with  
17 magnitudes of 5.0 or greater.

18 (4) The earthquake triggered tsunamis that  
19 produced devastating destruction and environmental  
20 disaster in the Asian regions of Sri Lanka, India,  
21 Indonesia, Thailand, Somalia, Myanmar, Malaysia,  
22 Maldives, Tanzania, Seychelles, Bangladesh, and  
23 Kenya.

24 (5) The tsunamis produced waves of up to 50  
25 feet in height.



1           (6) As a result of the earthquake, and the  
2           tsunamis it triggered, more than 2.6 million people  
3           have been displaced and tens of thousands of people  
4           are still missing.

5           (7) As a result of the earthquake, and the  
6           tsunamis it triggered, more than 94,000 deaths have  
7           been established in Indonesia, and the Indonesian  
8           ambassador to Malaysia has said that up to 400,000  
9           may be dead in villages that show no signs of life.

10          (8) As a result of the earthquake, and the  
11          tsunamis it triggered, more than 46,000 deaths have  
12          been established in Sri Lanka, mostly children and  
13          the elderly, and more than 1.5 million people are  
14          displaced from their homes.

15          (9) As a result of the earthquake, and the  
16          tsunamis it triggered, more than 14,800 people are  
17          dead or feared dead in India, with more than 7,000  
18          missing.

19          (10) As a result of the earthquake, and the  
20          tsunamis it triggered, more than 4,900 deaths have  
21          been established in Thailand, with more than 6,400  
22          people missing.

23          (11) As a result of the earthquake, and the  
24          tsunamis it triggered, more than 80 deaths have



1       been established in Maldives, with more than 25  
2       people missing.

3               (12) The United Nations has declared that the  
4       current relief operation will be the costliest one ever.

5               (13) United Nations Secretary-General Kofi  
6       Annan has estimated that reconstruction probably  
7       will take between 5 and 10 years.

8               (14) The total number of deaths exceeds  
9       154,800 people.

10              (15) The earthquake and subsequent after-  
11       shocks and flooding have hampered, and in some  
12       cases prevented, delivery of food and other supplies.

13 **SEC. 4. DESIGNATION TO RENDER NATIONALS OF SRI**  
14                   **LANKA, INDIA, INDONESIA, THAILAND, SOMA-**  
15                   **LIA, MYANMAR, MALAYSIA, MALDIVES, TAN-**  
16                   **ZANIA, SEYCHELLES, BANGLADESH, AND**  
17                   **KENYA ELIGIBLE FOR TEMPORARY PRO-**  
18                   **TECTED STATUS.**

19       (a) DESIGNATION.—

20               (1) IN GENERAL.—For purposes of section 244  
21       of the Immigration and Nationality Act (8 U.S.C.  
22       1254a), Sri Lanka, India, Indonesia, Thailand, So-  
23       malia, Myanmar, Malaysia, Maldives, Tanzania,  
24       Seychelles, Bangladesh, and Kenya shall be treated  
25       as if such foreign states had been designated under



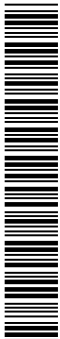
1 subsection (b) of that section, subject to the provi-  
2 sions of this section.

3 (2) PERIOD OF DESIGNATION.—The initial pe-  
4 riod of such designation shall begin on the date of  
5 enactment of this Act and shall remain in effect for  
6 1 year.

7 (b) ALIENS ELIGIBLE.—In applying section 244 of  
8 the Immigration and Nationality Act (8 U.S.C. 1254a)  
9 pursuant to the designation made under this section, sub-  
10 ject to subsection (c)(3) of such section, an alien who is  
11 a national of Sri Lanka, India, Indonesia, Thailand, So-  
12 malia, Myanmar, Malaysia, Maldives, Tanzania,  
13 Seychelles, Bangladesh, and Kenya is deemed to satisfy  
14 the requirements of subsection (c)(1) of such section only  
15 if—

16 (1) the alien has been continuously physically  
17 present in the United States since the date of the  
18 enactment of this Act;

19 (2) the alien is admissible as an immigrant, ex-  
20 cept as otherwise provided in subsection (c)(2)(A) of  
21 such section and is not ineligible for temporary pro-  
22 tected status under subsection (c)(2)(B) of such sec-  
23 tion; and



1           (3) the alien registers for temporary protected  
2           status in a manner that the Secretary of Homeland  
3           Security shall establish.

4           (c) CONSENT TO TRAVEL ABROAD.—The Secretary  
5           of Homeland Security shall give the prior consent to travel  
6           abroad described in section 244(f)(3) of the Immigration  
7           and Nationality Act (8 U.S.C. 1254a(f)(3)) to an alien  
8           who is granted temporary protected status pursuant to the  
9           designation made under this section, if the alien estab-  
10          lishes to the satisfaction of the Secretary of Homeland Se-  
11          curity that emergency and extenuating circumstances be-  
12          yond the control of the alien require the alien to depart  
13          for a brief, temporary trip abroad. An alien returning to  
14          the United States in accordance with such an authoriza-  
15          tion shall be treated the same as any other returning alien  
16          provided temporary protected status under section 244 of  
17          the Immigration and Nationality Act (8 U.S.C. 1254a).

