



U.S. Department of Justice
Immigration and Naturalization Service

Office of the Commissioner

425 Eye Street N.W.

Washington, D.C. 20536

CO 703.1131

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Honorable William Lehman
House of Representatives
Washington, D.C. 20515

WASHINGTON OFFICE

Dear Mr. Lehman:

Thank you for your letter of December 13, 1984 to the President concerning the decision to process the adjustment of status applications for Mariel Cubans. The President has asked that I respond to you.

In connection with the adjustment of status process, the Service will conduct the same record checks that are conducted for all adjustment of status applicants. This includes both a name-date of birth record check and a fingerprint record check of the criminal files of the Federal Bureau of Investigation. In addition, in order to be eligible for adjustment of status under this program, an applicant will be required to submit a police clearance from every locality in the United States in which he or she has lived for six months or more.

The Cuban Adjustment Act of 1966 outlined specific procedures to allow for the adjustment of status for qualified applicants, but did not set out any different procedures for the naturalization of individuals who adjust status under this Act. Consequently, all applicants who wish to file petitions for naturalization will be required to demonstrate that they are persons of good moral character, that they have a knowledge of the history and government of the United States, that they are predisposed to our form of government, and that they can speak, read, and write words in common usage in the English language.

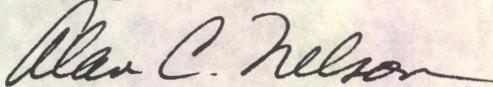
In the same manner, there are no provisions in the Cuban Adjustment Act concerning the issuance of immigrant visas to relatives outside the United States. Consequently, all relatives who become the beneficiaries of approved visa petitions filed by Mariel Cubans will have to qualify for an immigrant visa just as any other applicant. This means that the public charge provisions of the law, along with all of the other exclusion provisions of section 212(a) of the Act, must be overcome before an immigrant visa may be issued.

The Service has recently concluded an analysis of the future immigration consequences of the 1985 Cuban Adjustment Program. The expected total derivative immigration from Cuba in 1986 is anticipated to be between 25,000 and 30,000 persons. Out year projections through 1990 will average between 30,000 to 35,000 annually. I have attached a copy of this study for your information.

I have forwarded a copy of your letter to Mr. Dan Converse, Director of the Secretary's Correspondence of the Department of Health and Human Services, for a response to the questions you raise which fall under the jurisdiction of that Department.

I will be happy to answer any other questions you may have concerning the decision to go forward with this adjustment of status program.

Sincerely,

A handwritten signature in cursive script that reads "Alan C. Nelson". The signature is written in dark ink and is positioned above the typed name and title.

Alan C. Nelson
Commissioner

Attachment