

105TH CONGRESS  
1ST SESSION

# H. R. 2917

To temporarily increase the number of visas available for backlogged spouses and children of lawful permanent resident aliens and to provide for certain limitations on the adjustment of status of nonimmigrants physically present in the United States to permanent residence.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 1997

Mr. SHAYS introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To temporarily increase the number of visas available for backlogged spouses and children of lawful permanent resident aliens and to provide for certain limitations on the adjustment of status of nonimmigrants physically present in the United States to permanent residence.

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. 5-YEAR INCREASE IN VISAS FOR BACKLOGGED**  
4 **SPOUSES AND CHILDREN OF LAWFUL PER-**  
5 **MANENT RESIDENT ALIENS.**

6 (a) IN GENERAL.—In addition to any immigrant visa  
7 numbers otherwise available, 60,000 immigrant visa num-

1 bers shall be made available in each of the fiscal years  
2 1999 through 2004 for aliens who have petitions approved  
3 for classification under section 203(a)(2)(A) of the Immi-  
4 gration and Nationality Act for the fiscal year.

5 (b) PRIORITY.—

6 (1) Subject to paragraph (2), visa numbers  
7 under this section shall be made available in the  
8 order in which a petition, on behalf of each such im-  
9 migrant for classification under section 203(a)(2)(A)  
10 of the Immigration and Nationality Act, is filed with  
11 the Attorney General under section 204 of such Act.

12 (2) Visa numbers shall first be made available  
13 to aliens for whom the petitioning alien did not be-  
14 come an alien lawfully admitted for permanent resi-  
15 dence through the operation of section 210 or 245A  
16 of the Immigration and Nationality Act.

17 (3) The per country numerical limitations of  
18 section 202 of such Act shall not apply with respect  
19 to visa numbers made available under this section,  
20 and visa numbers made available under this section  
21 shall not be counted in determining whether there  
22 are excess family admissions in a fiscal year under  
23 section 201(c)(3)(B) of the Immigration and Nation-  
24 ality Act.

1 **SEC. 2. ADJUSTMENT OF STATUS OF NONIMMIGRANT PHYS-**  
2 **ICALLY PRESENT IN THE UNITED STATES TO**  
3 **THAT OF PERSON ADMITTED FOR PERMA-**  
4 **NENT RESIDENCE.**

5 (a) INCREASE IN FEE.—Section 245(i)(1) of the Im-  
6 migration and Nationality Act (8 U.S.C. 1225(i)(1)) is  
7 amended by striking “\$1,000” and inserting “\$2,000”.

8 (b) APPLICATION OF PROVISION LIMITED TO ALIENS  
9 FOR WHOM A PETITION FOR CLASSIFICATION HAS BEEN  
10 FILED BEFORE OCTOBER 1, 1998.—Section 245(i)(1) of  
11 such Act is amended by striking “who—” and inserting  
12 “for whom a petition for classification has been filed under  
13 section 203(a) or 203(b) not later than September 30,  
14 1998, who—”.

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