

107TH CONGRESS
1ST SESSION

H. R. 133

To amend the Immigration and Nationality Act to assure that immigrants do not have to wait longer for an immigrant visa as a result of a reclassification from family second preference to family first preference because of the naturalization of a parent or spouse.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2001

Mrs. MINK of Hawaii introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to assure that immigrants do not have to wait longer for an immigrant visa as a result of a reclassification from family second preference to family first preference because of the naturalization of a parent or spouse.

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. PREVENTING IMMIGRANTS FROM WAITING**
2 **LONGER FOR IMMIGRANT VISAS AS A RESULT**
3 **OF RECLASSIFICATION FROM FAMILY SEC-**
4 **OND PREFERENCE TO FAMILY FIRST PREF-**
5 **ERENCE.**

6 (a) IN GENERAL.—Section 203 of the Immigration
7 and Nationality Act (8 U.S.C. 1153) is amended by add-
8 ing at the end the following new subsection:

9 “(h) ASSURING IMMIGRANTS DO NOT HAVE TO
10 WAIT LONGER FOR AN IMMIGRANT VISA AS A RESULT
11 OF RECLASSIFICATION FROM FAMILY SECOND PREF-
12 ERENCE TO FAMILY FIRST PREFERENCE.—Notwith-
13 standing any other provision of law, in the case of a peti-
14 tion that has been approved to accord preference status
15 under subsection (a)(2)(A) may be deemed to provide con-
16 tinued entitlement to status under that subsection in the
17 case of any alien petitioner who is subsequently natural-
18 ized as a United States citizen, if a visa is not immediately
19 available to the beneficiary under subsection (a)(1).”.

20 (b) EFFECTIVE DATE.—The amendment made by
21 subsection (a) takes effect on the date of the enactment
22 of this Act and applies to petitions filed before, on, or after
23 such date, without regard to when an alien petitioner was
24 naturalized as a citizen of the United States.

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