

110TH CONGRESS  
1ST SESSION

# H. R. 2310

To amend the Immigration and Nationality Act to permit certain E-2 nonimmigrant investors to adjust status to lawful permanent resident status.

---

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2007

Mrs. WILSON of New Mexico introduced the following bill; which was referred to the Committee on the Judiciary

---

## A BILL

To amend the Immigration and Nationality Act to permit certain E-2 nonimmigrant investors to adjust status to lawful permanent resident status.

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. SHORT TITLE.**

4       This Act may be cited as the “E-2 Nonimmigrant  
5       Investor Adjustment Act of 2007”.

1 **SEC. 2. ADJUSTMENT TO LAWFUL PERMANENT RESIDENT**  
2 **STATUS OF CERTAIN E-2 NONIMMIGRANT IN-**  
3 **VESTORS.**

4 (a) IN GENERAL.—Section 203(b)(5) of the Immi-  
5 gration and Nationality Act (8 U.S.C. 1153(b)(5)) is  
6 amended—

7 (1) in subparagraph (A)(ii), by inserting “ex-  
8 cept as provided in subparagraph (E)(i)(II),” after  
9 “(ii)”;

10 (2) in subparagraph (C)(i), by inserting “and  
11 subparagraph (E)(i)(I)” after “Except as provided  
12 in this subparagraph”; and

13 (3) by adding at the end the following new sub-  
14 paragraph:

15 “(E) SPECIAL RULES FOR CERTAIN E-2  
16 NONIMMIGRANT INVESTORS.—

17 “(i) IN GENERAL.—In the case of an  
18 alien who has been present in the United  
19 States in the status of an alien described  
20 in section 101(a)(15)(E)(ii) for at least  
21 five years—

22 “(I) the amount of capital re-  
23 quired under subparagraph (A) shall  
24 be \$200,000; and

25 “(II) the alien is deemed as satis-  
26 fying the requirement of subpara-

1 graph (A)(ii) if the enterprise has cre-  
2 ated full-time employment for not  
3 fewer than two individuals (or five in-  
4 dividuals for each year after the third  
5 year in such status) described in such  
6 subparagraph (A)(ii).

7 “(ii) LIMITATION.—Not more than  
8 3,000 visas may be made available under  
9 this paragraph to principal aliens described  
10 in clause (i) in any fiscal year.”.

11 (b) EFFECTIVE DATE.—The amendments made by  
12 subsection (a) shall take effect on the date of the enact-  
13 ment of this Act. Periods of presence in the United States  
14 in the status of an alien described in section  
15 101(a)(15)(E)(ii) of the Immigration and Nationality Act  
16 (8 U.S.C. 1101(a)(15)(E)(ii)) before such date shall be  
17 counted towards satisfying the time requirement specified  
18 in subparagraph (E) of section 203(b)(5) of such Act (8  
19 U.S.C. 1153(b)(5)) (as added by paragraph (3) of sub-  
20 section (a)).

21 (c) IMMEDIATE ELIGIBILITY OF ADJUSTMENT OF  
22 STATUS OF CERTAIN LONG-TERM E-2 NONIMMIGRANT  
23 INVESTORS.—An alien who has been present in the United  
24 States as an E-2 nonimmigrant investor for at least five  
25 years may be immediately eligible to adjust status to that

1 of an alien lawfully admitted for permanent residence pur-  
2 suant to the amendment made by subsection (a).

○