

117TH CONGRESS
2D SESSION

S. 3721

To amend the Immigration and Nationality Act to end the immigrant visa backlog, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 1, 2022

Mr. DURBIN (for himself, Mr. LEAHY, Ms. HIRONO, Ms. CORTEZ MASTO, Ms. DUCKWORTH, and Mr. PADILLA) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to end the immigrant visa backlog, and for other purposes.

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 “Resolving Extended
5 Limbo for Immigrant Employees and Families Act” or the
6 “RELIEF Act”.

1 **SEC. 2. NUMERICAL LIMITATION TO ANY SINGLE FOREIGN**
 2 **STATE.**

3 (a) IN GENERAL.—Section 202(a)(2) of the Immi-
 4 gration and Nationality Act (8 U.S.C. 1152(a)(2)) is
 5 amended—

6 (1) in the paragraph heading, by striking “AND
 7 EMPLOYMENT-BASED”;

8 (2) by striking “(3), (4), and (5),” and insert-
 9 ing “(3) and (4),”;

10 (3) by striking “subsections (a) and (b) of sec-
 11 tion 203” and inserting “section 203(a)”;

12 (4) by striking “7” and inserting “15”; and

13 (5) by striking “such subsections” and inserting
 14 “such section”.

15 (b) CONFORMING AMENDMENTS.—Section 202 of the
 16 Immigration and Nationality Act (8 U.S.C. 1152) is
 17 amended—

18 (1) in subsection (a)(3), by striking “both sub-
 19 sections (a) and (b) of section 203” and inserting
 20 “section 203(a)”;

21 (2) by striking subsection (a)(5); and

22 (3) by amending subsection (e) to read as fol-
 23 lows:

24 “(e) SPECIAL RULES FOR COUNTRIES AT CEILING.—
 25 If it is determined that the total number of immigrant
 26 visas made available under section 203(a) to natives of

1 any single foreign state or dependent area will exceed the
 2 numerical limitation specified in subsection (a)(2) in any
 3 fiscal year, in determining the allotment of immigrant visa
 4 numbers to natives under section 203(a), visa numbers
 5 with respect to natives of that state or area shall be allo-
 6 cated (to the extent practicable and otherwise consistent
 7 with this section and section 203) in a manner so that,
 8 except as provided in subsection (a)(4), the proportion of
 9 the visa numbers made available under each of paragraphs
 10 (1) through (4) of section 203(a) is equal to the ratio of
 11 the total number of visas made available under the respec-
 12 tive paragraph to the total number of visas made available
 13 under section 203(a).”.

14 (c) COUNTRY-SPECIFIC OFFSET.—Section 2 of the
 15 Chinese Student Protection Act of 1992 (8 U.S.C. 1255
 16 note) is amended—

17 (1) in subsection (a), in the matter preceding
 18 paragraph (1), by striking “subsection (e))” and in-
 19 serting “subsection (d))”;

20 (2) by striking subsection (d); and

21 (3) by redesignating subsection (e) as sub-
 22 section (d).

23 (d) EFFECTIVE DATE.—The amendments made by
 24 this section shall take effect as if enacted on September

1 30, 2021, and shall apply to fiscal years beginning with
2 fiscal year 2022.

3 (e) TRANSITION RULES FOR EMPLOYMENT-BASED
4 IMMIGRANTS.—

5 (1) IN GENERAL.—Subject to the succeeding
6 paragraphs of this subsection and notwithstanding
7 title II of the Immigration and Nationality Act (8
8 U.S.C. 1151 et seq.), the following rules shall apply:

9 (A) For fiscal year 2022, 15 percent of the
10 immigrant visas made available under each of
11 paragraphs (2), (3), and (5) of section 203(b)
12 of such Act (8 U.S.C. 1153(b)) shall be allotted
13 to immigrants who are natives of a foreign
14 state or dependent area that is not one of the
15 two states with the largest aggregate numbers
16 of natives who are beneficiaries of approved pe-
17 titions for immigrant status under such para-
18 graphs.

19 (B) For fiscal year 2023, 10 percent of the
20 immigrant visas made available under each of
21 such paragraphs shall be allotted to immigrants
22 who are natives of a foreign state or dependent
23 area that is not one of the two states with the
24 largest aggregate numbers of natives who are

1 beneficiaries of approved petitions for immi-
2 grant status under such paragraphs.

3 (C) For fiscal year 2024, 10 percent of the
4 immigrant visas made available under each of
5 such paragraphs shall be allotted to immigrants
6 who are natives of a foreign state or dependent
7 area that is not one of the two states with the
8 largest aggregate numbers of natives who are
9 beneficiaries of approved petitions for immi-
10 grant status under such paragraphs.

11 (2) PER-COUNTRY LEVELS.—

12 (A) RESERVED VISAS.—With respect to
13 the visas reserved under each of subparagraphs
14 (A) through (C) of paragraph (1), the number
15 of such visas made available to natives of any
16 single foreign state or dependent area in the ap-
17 propriate fiscal year may not exceed 25 percent
18 (in the case of a single foreign state) or 2 per-
19 cent (in the case of a dependent area) of the
20 total number of such visas.

21 (B) UNRESERVED VISAS.—With respect to
22 the immigrant visas made available under each
23 of paragraphs (2), (3), and (5) of section
24 203(b) of such Act (8 U.S.C. 1153(b)) and not
25 reserved under paragraph (1), for each of fiscal

1 years 2022, 2023, and 2024, not more than 85
2 percent shall be allotted to immigrants who are
3 natives of any single foreign state.

4 (3) SPECIAL RULE TO PREVENT UNUSED
5 VISAS.—If, with respect to fiscal year 2022, 2023, or
6 2024, the operation of paragraphs (1) and (2) of
7 this subsection would prevent the total number of
8 immigrant visas made available under paragraph (2)
9 or (3) of section 203(b) of such Act (8 U.S.C.
10 1153(b)) from being issued, such visas may be
11 issued during the remainder of such fiscal year with-
12 out regard to paragraphs (1) and (2) of this sub-
13 section.

14 (4) TRANSITION RULE FOR CURRENTLY AP-
15 PROVED BENEFICIARIES.—

16 (A) IN GENERAL.—Notwithstanding sec-
17 tion 202 of the Immigration and Nationality
18 Act, as amended by this Act, immigrant visas
19 under section 203(b) of the Immigration and
20 Nationality Act (8 U.S.C. 1153(b)) shall be al-
21 located such that no alien described in subpara-
22 graph (B) receives a visa later than the alien
23 otherwise would have received said visa had this
24 Act not been enacted.

1 (B) ALIEN DESCRIBED.—An alien is de-
2 scribed in this subparagraph if the alien is the
3 beneficiary of a petition for an immigrant visa
4 under section 203(b) of the Immigration and
5 Nationality Act (8 U.S.C. 1153(b)) that was
6 approved prior to the date of enactment of this
7 Act.

8 (5) RULES FOR CHARGEABILITY.—Section
9 202(b) of such Act (8 U.S.C. 1152(b)) shall apply
10 in determining the foreign state to which an alien is
11 chargeable for purposes of this subsection.

12 (6) ENSURING AVAILABILITY OF IMMIGRANT
13 VISAS.—For each of fiscal years 2022 through 2026,
14 notwithstanding sections 201 and 202 of the Immi-
15 gration and Nationality Act (8 U.S.C. 1151, 1152),
16 as amended by this Act, additional immigrant visas
17 under section 203 of the Immigration and Nation-
18 ality Act (8 U.S.C. 1153) shall be made available
19 and allocated—

20 (A) such that no alien who is a beneficiary
21 of a petition for an immigrant visa under such
22 section 203 receives a visa later than the alien
23 otherwise would have received such visa had
24 this Act not been enacted; and

1 (B) to permit all visas to be distributed in
2 accordance with this section.

3 **SEC. 3. ENDING IMMIGRANT VISA BACKLOG.**

4 (a) IN GENERAL.—In addition to any immigrant visa
5 made available under the Immigration and Nationality Act
6 (8 U.S.C. 1101 et seq.), as amended by this Act, subject
7 to paragraphs (1) and (2), the Secretary of State shall
8 make immigrant visas available to—

9 (1) aliens who are beneficiaries of petitions filed
10 under subsection (b) of section 203 of such Act (8
11 U.S.C. 1153) before the date of the enactment of
12 this Act; and

13 (2) aliens who are beneficiaries of petitions filed
14 under subsection (a) of such section before the date
15 of the enactment of this Act.

16 (b) ALLOCATION OF VISAS.—The visas made avail-
17 able under this section shall be allocated as follows:

18 (1) EMPLOYMENT-SPONSORED IMMIGRANT
19 VISAS.—In each of fiscal years 2022 through 2026,
20 the Secretary of State shall allocate to aliens de-
21 scribed in subsection (a)(1) a number of immigrant
22 visas equal to $\frac{1}{5}$ of the number of aliens described
23 in such subsection the visas of whom have not been
24 issued as of the date of the enactment of this Act.

1 (2) FAMILY-SPONSORED IMMIGRANT VISAS.—In
 2 each of fiscal years 2022 through 2026, the Sec-
 3 retary of State shall allocate to aliens described in
 4 subsection (a)(2) a number of immigrant visas equal
 5 to $\frac{1}{5}$ of the difference between—

6 (A) the number of aliens described in such
 7 subsection the visas of whom have not been
 8 issued as of the date of the enactment of this
 9 Act; and

10 (B) the number of aliens described in sub-
 11 section (a)(1).

12 (c) ORDER OF ISSUANCE FOR PREVIOUSLY FILED
 13 APPLICATIONS.—The visas made available under this sec-
 14 tion shall be issued in accordance with section 202 of the
 15 Immigration and Nationality Act (8 U.S.C. 1152), as
 16 amended by this Act, in the order in which the petitions
 17 under section 203 of such Act (8 U.S.C. 1153) were filed.

18 **SEC. 4. KEEPING AMERICAN FAMILIES TOGETHER.**

19 (a) RECLASSIFICATION OF SPOUSES AND MINOR
 20 CHILDREN OF LAWFUL PERMANENT RESIDENTS AS IM-
 21 MEDIATE RELATIVES AND EXEMPTION OF DERIVA-
 22 TIVES.—The Immigration and Nationality Act (8 U.S.C.
 23 1101 et seq.) is amended—

24 (1) in section 201(b) (8 U.S.C. 1151(b))—

1 (A) in paragraph (1), by adding at the end
2 the following:

3 “(F) Aliens who derive status under section
4 203(d).”; and

5 (B) by amending paragraph (2) to read as
6 follows:

7 “(2)(A) IMMEDIATE RELATIVES.—Aliens who
8 are immediate relatives.

9 “(B) DEFINITION OF IMMEDIATE RELATIVE.—
10 In this paragraph, the term ‘immediate relative’
11 means—

12 “(i) a child, spouse, or parent of a citizen
13 of the United States, except that in the case of
14 such a parent such citizen shall be at least 21
15 years of age;

16 “(ii) a child or spouse of an alien lawfully
17 admitted for permanent residence;

18 “(iii) a child or spouse of an alien de-
19 scribed in clause (i), who is accompanying or
20 following to join the alien;

21 “(iv) a child or spouse of an alien de-
22 scribed in clause (ii), who is accompanying or
23 following to join the alien;

24 “(v) an alien admitted under section
25 211(a) on the basis of a prior issuance of a visa

1 to the alien's accompanying parent who is an
2 immediate relative; and

3 “(vi) an alien born to an alien lawfully ad-
4 mitted for permanent residence during a tem-
5 porary visit abroad.

6 “(C) TREATMENT OF SPOUSE AND CHILDREN
7 OF DECEASED CITIZEN OR LAWFUL PERMANENT
8 RESIDENT.—If an alien who was the spouse or child
9 of a citizen of the United States or of an alien law-
10 fully admitted for permanent residence and was not
11 legally separated from the citizen or lawful perma-
12 nent resident at the time of the citizen's or lawful
13 permanent resident's death files a petition under
14 section 204(a)(1)(B), the alien spouse (and each
15 child of the alien) shall remain, for purposes of this
16 paragraph, an immediate relative during the period
17 beginning on the date of the citizen's or permanent
18 resident's death and ending on the date on which
19 the alien spouse remarries.

20 “(D) PROTECTION OF VICTIMS OF ABUSE.—An
21 alien who has filed a petition under clause (iii) or
22 (iv) of section 204(a)(1)(A) shall remain, for pur-
23 poses of this paragraph, an immediate relative if the
24 United States citizen or lawful permanent resident

1 spouse or parent loses United States citizenship on
 2 account of the abuse.”; and

3 (2) in section 203(a) (8 U.S.C. 1153(a))—

4 (A) in paragraph (1), by striking “23,400”
 5 and inserting “111,334”; and

6 (B) by amending paragraph (2) to read as
 7 follows:

8 “(2) UNMARRIED SONS AND UNMARRIED
 9 DAUGHTERS OF LAWFUL PERMANENT RESIDENTS.—
 10 Qualified immigrants who are the unmarried sons or
 11 unmarried daughters (but are not the children) of
 12 aliens lawfully admitted for permanent residence
 13 shall be allocated visas in a number not to exceed
 14 26,266, plus—

15 “(A) the number of visas by which the
 16 worldwide level exceeds 226,000; and

17 “(B) the number of visas not required for
 18 the class specified in paragraph (1).”.

19 (b) PROTECTING CHILDREN FROM AGING OUT.—

20 Section 203(h) of the Immigration and Nationality Act (8
 21 U.S.C. 1153(h)) is amended—

22 (1) by amending paragraph (1) to read as fol-
 23 lows:

24 “(1) IN GENERAL.—For purposes of subsection
 25 (d), a determination of whether an alien satisfies the

1 age requirement in the matter preceding subpara-
 2 graph (A) of section 101(b)(1) shall be made using
 3 the age of the alien on the date on which the peti-
 4 tion is filed with the Secretary of Homeland Security
 5 under section 204.”;

6 (2) by amending paragraph (2) to read as fol-
 7 lows:

8 “(2) PETITIONS DESCRIBED.—A petition de-
 9 scribed in this paragraph is a petition filed under
 10 section 204 for classification of—

11 “(A) the alien’s parent under subsection
 12 (a), (b), or (c); or

13 “(B) the alien as an immediate relative
 14 based on classification as a child of—

15 “(i) a citizen of the United States; or

16 “(ii) a lawful permanent resident.”;

17 (3) in paragraph (3), by striking “subsections
 18 (a)(2)(A) and” and inserting “subsection”; and

19 (4) by adding at the end the following:

20 “(5) TREATMENT FOR NONIMMIGRANT CAT-
 21 EGORIES PURPOSES.—An alien dependent treated as
 22 a child for immigrant visa purposes under this sub-
 23 section shall be treated as a dependent child for non-
 24 immigrant categories.”.

25 (c) CONFORMING AMENDMENTS.—

1 (1) DEFINITIONS.—Section 101(a)(15)(K)(ii) of
 2 the Immigration and Nationality Act (8 U.S.C.
 3 1101(a)(15)(K)(ii)) is amended by striking “section
 4 201(b)(2)(A)(i)” and inserting “section 201(b)(2)
 5 (other than clause (v) or (vi) of subparagraph (B))”.

6 (2) RULES FOR DETERMINING WHETHER CER-
 7 TAIN ALIENS ARE IMMEDIATE RELATIVES.—Section
 8 201(f) of the Immigration and Nationality Act (8
 9 U.S.C. 1151(f)) is amended—

10 (A) in paragraph (1), by striking “para-
 11 graphs (2) and (3),” and inserting “paragraph
 12 (2),”;

13 (B) by striking paragraph (2);

14 (C) by redesignating paragraphs (3) and
 15 (4) as paragraphs (2) and (3), respectively; and

16 (D) in paragraph (3), as so redesignated,
 17 by striking “through (3)” and inserting “and
 18 (2)”.

19 (3) PER COUNTRY LEVEL.—Section
 20 202(a)(1)(A) of the Immigration and Nationality
 21 Act (8 U.S.C. 1152(a)(1)(A)) is amended by striking
 22 “section 201(b)(2)(A)(i)” and inserting “section
 23 201(b)(2) (other than clause (v) or (vi) of subpara-
 24 graph (B))”.

1 (4) NUMERICAL LIMITATION TO ANY SINGLE
2 FOREIGN STATE.—Section 202(a)(4) (8 U.S.C.
3 1152(a)(4)) is amended—

4 (A) by striking subparagraphs (A) and
5 (B);

6 (B) by redesignating subparagraphs (C)
7 and (D) as subparagraphs (A) and (B), respec-
8 tively; and

9 (C) in subparagraph (A), as so redesign-
10 nated—

11 (i) by striking the undesignated mat-
12 ter following clause (ii);

13 (ii) by striking clause (ii);

14 (iii) in clause (i), by striking “, or”
15 and inserting a period; and

16 (iv) in the matter preceding clause (i),
17 by striking “section 203(a)(2)(B) may not
18 exceed” and all that follows through “23
19 percent” in clause (i) and inserting “sec-
20 tion 203(a)(2) may not exceed 23 per-
21 cent”.

22 (5) PROCEDURES FOR GRANTING IMMIGRANT
23 STATUS.—Section 204 of the Immigration and Na-
24 tionality Act (8 U.S.C. 1154) is amended—

25 (A) in subsection (a)—

1 (i) in paragraph (1)—

2 (I) in subparagraph (A)—

3 (aa) in clause (i), by striking
4 “section 201(b)(2)(A)(i)” and in-
5 serting “clause (i) or (ii) of sec-
6 tion 201(b)(2)(B)”;

7 (bb) in clause (ii), by strik-
8 ing “the second sentence of sec-
9 tion 201(b)(2)(A)(i)” and insert-
10 ing “section 201(b)(2)(C)”;

11 (cc) by amending clause (iii)
12 to read as follows:

13 “(iii)(I) An alien who is described in clause
14 (ii) may file a petition with the Secretary of
15 Homeland Security under this subparagraph for
16 classification of the alien (and any child of the
17 alien) if the alien demonstrates to the Secretary
18 that—

19 “(aa) the marriage or the intent to
20 marry the citizen of the United States or
21 lawful permanent resident was entered into
22 in good faith by the alien; and

23 “(bb) during the marriage or relation-
24 ship intended by the alien to be legally a
25 marriage, the alien or a child of the alien

1 has been battered or has been the subject
2 of extreme cruelty perpetrated by the
3 alien's spouse or intended spouse.

4 “(II) For purposes of subclause (I), an
5 alien described in this subclause is an alien—

6 “(aa)(AA) who is the spouse of a cit-
7 izen of the United States or lawful perma-
8 nent resident;

9 “(BB) who believed that he or she
10 had married a citizen of the United States
11 or lawful permanent resident and with
12 whom a marriage ceremony was actually
13 performed and who otherwise meets any
14 applicable requirements under this Act to
15 establish the existence of and bona fides of
16 a marriage, but whose marriage is not le-
17 gitimate solely because of the bigamy of
18 such citizen of the United States or lawful
19 permanent resident; or

20 “(CC) who was a bona fide spouse of
21 a citizen of the United States or a lawful
22 permanent resident within the past 2 years
23 and whose spouse died within the past 2
24 years, whose spouse renounced citizenship
25 status or renounced or lost status as a law-

1 ful permanent resident within the past 2
2 years related to an incident of domestic vi-
3 olence, or who demonstrates a connection
4 between the legal termination of the mar-
5 riage within the past 2 years and battering
6 or extreme cruelty by a spouse who is a
7 citizen of the United States or a lawful
8 permanent resident spouse;

9 “(bb) who is a person of good moral
10 character;

11 “(cc) who is eligible to be classified as
12 an immediate relative under section
13 201(b)(2)(B) or who would have been so
14 classified but for the bigamy of the citizen
15 of the United States or lawful permanent
16 resident that the alien intended to marry;
17 and

18 “(dd) who has resided with the alien’s
19 spouse or intended spouse.”;

20 (dd) by amending clause (iv)

21 to read as follows:

22 “(iv) An alien who is the child of a citizen
23 or lawful permanent resident of the United
24 States, or who was a child of a United States
25 citizen or lawful permanent resident parent who

1 within the past 2 years lost or renounced citi-
 2 zenship status related to an incident of domes-
 3 tic violence, and who is a person of good moral
 4 character, who is eligible to be classified as an
 5 immediate relative under section 201(b)(2)(B),
 6 and who resides, or has resided in the past,
 7 with the citizen or lawful permanent resident
 8 parent may file a petition with the Secretary of
 9 Homeland Security under this subparagraph for
 10 classification of the alien (and any child of the
 11 alien) under such section if the alien dem-
 12 onstrates to the Secretary that the alien has
 13 been battered by or has been the subject of ex-
 14 treme cruelty perpetrated by the alien's citizen
 15 or lawful permanent resident parent. For pur-
 16 poses of this clause, residence includes any pe-
 17 riod of visitation.”; and

18 (ee) in clause (v)(I), in the
 19 matter preceding item (aa), by
 20 inserting “or lawful permanent
 21 resident” after “citizen”;

22 (ff) in clause (vi), by strik-
 23 ing “renunciation of citizenship”
 24 and all that follows through “citi-
 25 zenship status” and inserting

1 “renunciation of citizenship or
 2 lawful permanent resident status,
 3 death of the abuser, divorce, or
 4 changes to the abuser’s citizen-
 5 ship or lawful permanent resident
 6 status”; and

7 (gg) in clause (vii), by strik-
 8 ing “section 201(b)(2)(A)(i)”
 9 each place it appears and insert-
 10 ing “section 201(b)(2)(B)”;

11 (II) by amending subparagraph
 12 (B) to read as follows:

13 “(B)(i)(I) Except as provided in subclause
 14 (II), any alien lawfully admitted for permanent
 15 residence claiming that an alien is entitled to a
 16 classification by reason of the relationship de-
 17 scribed in section 203(a)(2) may file a petition
 18 with the Attorney General for such classifica-
 19 tion.

20 “(II) Subclause (I) shall not apply in the
 21 case of an alien lawfully admitted for perma-
 22 nent residence who has been convicted of a
 23 specified offense against a minor (as defined in
 24 subparagraph (A)(viii)(II)), unless the Sec-
 25 retary of Homeland Security, in the Secretary’s

1 sole and unreviewable discretion, determines
2 that such person poses no risk to the alien with
3 respect to whom a petition described in sub-
4 clause (I) is filed.

5 “(ii) An alien who was the child of a lawful per-
6 manent resident who within the past 2 years lost
7 lawful permanent resident status due to an incident
8 of domestic violence, and who is a person of good
9 moral character, who is eligible for classification
10 under section 203(a)(2), and who resides, or has re-
11 sided in the past, with the alien’s permanent resi-
12 dent alien parent may file a petition with the Sec-
13 retary of Homeland Security under this subpara-
14 graph for classification of the alien (and any child
15 of the alien) under such section if the alien dem-
16 onstrates to the Secretary that the alien has been
17 battered by or has been the subject of extreme cru-
18 elty perpetrated by the alien’s permanent resident
19 parent.

20 “(iii)(I) For purposes of a petition filed or ap-
21 proved under clause (ii), the loss of lawful perma-
22 nent resident status by a parent after the filing of
23 a petition under that clause shall not adversely af-
24 fect approval of the petition, and for an approved
25 petition, shall not affect the alien’s ability to adjust

1 status under subsections (a) and (c) of section 245
 2 or obtain status as a lawful permanent resident
 3 based on an approved self-petition under clause (ii).

4 “(II) Upon the lawful permanent resident par-
 5 ent becoming or establishing the existence of United
 6 States citizenship through naturalization, acquisition
 7 of citizenship, or other means, any petition filed with
 8 the Secretary of Homeland Security and pending or
 9 approved under clause (ii) on behalf of an alien who
 10 has been battered or subjected to extreme cruelty
 11 shall be deemed reclassified as a petition filed under
 12 subparagraph (A) even if the acquisition of citizen-
 13 ship occurs after the termination of parental
 14 rights.”; and

15 (III) in subparagraph (D)(i)(I),
 16 by striking “paragraph (1), (2), or
 17 (3)” and inserting “paragraph (1) or
 18 (3)”; and

19 (ii) in paragraph (2)—

20 (I) by striking “spousal second
 21 preference petition” each place it ap-
 22 pears and inserting “petition for the
 23 spouse of an alien lawfully admitted
 24 for permanent residence”; and

1 (II) in the undesignated matter
 2 following subparagraph (A)(ii), by
 3 striking “preference status under sec-
 4 tion 203(a)(2)” and inserting “classi-
 5 fication as an immediate relative
 6 under section 201(b)(2)(B)(ii)”;

7 (B) in subsection (c)(1), by striking “or
 8 preference status”; and

9 (C) in subsection (k)(1), by striking
 10 “203(a)(2)(B)” and inserting “203(a)(2)”.

11 (6) EXCLUDABLE ALIENS.—Section
 12 212(d)(12)(B) of the Immigration and Nationality
 13 Act (8 U.S.C. 1182(d)(12)(B)) is amended by strik-
 14 ing “section 201(b)(2)(A)” and inserting “section
 15 201(b)(2) (other than subparagraph (B)(vi))”.

16 (7) ADMISSION OF NONIMMIGRANTS.—Section
 17 214(r)(3)(A) of the Immigration and Nationality Act
 18 (8 U.S.C. 1184(r)(3)(A)) is amended by striking
 19 “section 201(b)(2)(A)(i)” and inserting “section
 20 201(b)(2) (other than clause (v) or (vi) of subpara-
 21 graph (B)).”

22 (8) DEFINITION OF ALIEN SPOUSE.—Section
 23 216(h)(1)(A) of the Immigration and Nationality
 24 Act (8 U.S.C. 1186a(h)(1)(A)) is amended by insert-

1 ing “or an alien lawfully admitted for permanent
2 residence” after “United States”.

3 (9) REFUGEE CRISIS IN IRAQ ACT OF 2007.—
4 Section 1243(a)(4) of the Refugee Crisis in Iraq Act
5 of 2007 (Public Law 110–118; 8 U.S.C. 1157 note)
6 is amended by striking “section 201(b)(2)(A)(i)”
7 and inserting “section 201(b)(2) (other than clause
8 (v) or (vi) of subparagraph (B))”.

9 (10) PROCESSING OF VISA APPLICATIONS.—
10 Section 233(b)(1) of the Department of State Au-
11 thorization Act, Fiscal Year 2003 (Public Law 107–
12 228; 8 U.S.C. 1201 note) is amended by striking
13 “section 201(b)(2)(A)(i)” and inserting “section
14 201(b)(2) (other than clause (v) or (vi) of subpara-
15 graph (B))”.

○