

111TH CONGRESS
1ST SESSION

S. 1774

For the relief of Hotaru Nakama Ferschke.

IN THE SENATE OF THE UNITED STATES

OCTOBER 13, 2009

Mr. WEBB (for himself, Mr. ALEXANDER, Mr. CORKER, and Mr. UDALL of Colorado) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

For the relief of Hotaru Nakama Ferschke.

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. PERMANENT RESIDENT STATUS FOR HOTARU**
4 **NAKAMA FERSCHKE.**

5 (a) IN GENERAL.—Notwithstanding subsections (a)
6 and (b) of section 201 of the Immigration and Nationality
7 Act, Hotaru Nakama Ferschke shall be eligible for
8 issuance of an immigrant visa or for adjustment of status
9 to that of an alien lawfully admitted for permanent resi-
10 dence upon filing an application for issuance of an immi-

1 grant visa under section 204 of such Act or for adjustment
2 of status to lawful permanent resident.

3 (b) ADJUSTMENT OF STATUS.—If Hotaru Nakama
4 Ferschke enters the United States before the filing dead-
5 line specified in subsection (c), she shall be considered to
6 have entered and remained lawfully and shall, if otherwise
7 eligible, be eligible for adjustment of status under section
8 245 of the Immigration and Nationality Act as of the date
9 of the enactment of this Act.

10 (c) DEADLINE FOR APPLICATION AND PAYMENT OF
11 FEES.—Subsections (a) and (b) shall apply only if the ap-
12 plication for issuance of an immigrant visa or the applica-
13 tion for adjustment of status is filed with appropriate fees
14 within 2 years after the date of the enactment of this Act.

15 (d) REDUCTION OF IMMIGRANT VISA NUMBER.—
16 Upon the granting of an immigrant visa or permanent res-
17 idence to Hotaru Nakama Ferschke, the Secretary of
18 State shall instruct the proper officer to reduce by 1, dur-
19 ing the current or next following fiscal year, the total num-
20 ber of immigrant visas that are made available to natives
21 of the country of the alien's birth under section 203(a)
22 of the Immigration and Nationality Act or, if applicable,
23 the total number of immigrant visas that are made avail-

- 1 able to natives of the country of the alien's birth under
- 2 section 202(e) of such Act.

