Public Law 105–360
105th Congress

An Act

Nov. 10, 1998
[H.R. 4821]

To extend into fiscal year 1999 the visa processing period for diversity applicants whose visa processing was suspended during fiscal year 1998 due to embassy bombings.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION INTO FISCAL YEAR 1999 OF VISA PROCESSING PERIOD FOR DIVERSITY APPLICANTS WHOSE VISA PROCESSING WAS SUSPENDED DURING FISCAL YEAR 1998 DUE TO EMBASSY BOMBINGS.

(a) EXTENSION OF PERIOD.—

(1) IN GENERAL.—Notwithstanding clause (ii)(II) of section 204(a)(1)(G) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(G)), in the case of an alien described in paragraph (1) or (2) of subsection (b)—

(A) the petition filed for classification under section 203(c) of such Act (8 U.S.C. 1153(c)) for fiscal year 1998 is deemed approved for processing for fiscal year 1999, without the payment of an additional $75 filing fee; and

(B) the priority rank for such an alien for such classification for fiscal year 1999 is the earliest priority rank established for such classification for such fiscal year.

(2) VISAS CHARGED TO FISCAL YEAR 1999.—Immigrant visas made available pursuant paragraph (1) shall be charged to fiscal year 1999.

(b) ALIENS ELIGIBLE FOR BENEFITS.—

(1) PETITIONING ALIEN.—An alien described in this paragraph is an alien who—

(A) had a petition approved for processing under section 203(c) of the Immigration and Nationality Act (8 U.S.C. 1153(c)) for fiscal year 1998; and

(B)(i) had been scheduled for an immigrant visa interview on or after August 6, 1998, and before October 1, 1998, at the United States embassy in Nairobi, Kenya, at the United States embassy in Dar Es Salaam, Tanzania, or at any other United States visa processing post designated by the Secretary of State as a post at which immigrant visa services were suspended in fiscal year 1998 as a result of events related to the August 7, 1998, bombing of those embassies; or

(ii) had been interviewed for such a visa but refused issuance under section 221(g) of such Act (8 U.S.C. 1201(g)) during fiscal year 1998 at such an embassy or post.

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(2) FAMILY MEMBERS.—An alien described in this paragraph is an alien who—

(A) is a family member described in section 203(d) of the Immigration and Nationality Act (8 U.S.C. 1153(d)) of an alien described in paragraph (1); or

(B)(i) is a family member described in such section of an alien described in paragraph (1)(A); and

(ii) meets the requirement of clause (i) or (ii) of paragraph (1)(B).

Approved November 10, 1998.

LEGISLATIVE HISTORY—H.R. 4821:

CONGRESSIONAL RECORD, Vol. 144 (1998):
Oct. 15, considered and passed House.
Oct. 21, considered and passed Senate.