

105TH CONGRESS
1ST SESSION

H. R. 2728

To extend the provisions of the Chinese Student Protection Act of 1992
to certain aliens who entered the United States without inspection.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 23, 1997

Ms. VELÁZQUEZ (for herself, Mr. UNDERWOOD, Mr. TOWNS, Mr. ABERCROMBIE, Mrs. MINK of Hawaii, Mr. SERRANO, Mrs. MEEK of Florida, Mr. DELLUMS, Mr. GONZALEZ, Mr. OWENS, Mr. FLAKE, Mr. STARK, Ms. KILPATRICK, Mr. LANTOS, Mr. YATES, Mr. MANTON, Mr. GUTIERREZ, Ms. SANCHEZ, and Mr. POSHARD) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To extend the provisions of the Chinese Student Protection
Act of 1992 to certain aliens who entered the United
States without inspection.

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 “Chinese Student Pro-
5 tection Act of 1997”.

1 **SEC. 2. APPLICATION OF CHINESE STUDENT PROTECTION**
2 **ACT TO CERTAIN ALIENS WHO ENTERED**
3 **WITHOUT INSPECTION.**

4 (a) IN GENERAL.—Subject to this Act, the provisions
5 of the Chinese Student Protection Act of 1992 (Public
6 Law 102–404, October 9, 1992) shall be effective with re-
7 spect to and shall apply to an alien who is described under
8 subsection (b) of such Act and who was or would have
9 been considered ineligible for adjustment of status under
10 such Act by the Immigration and Naturalization Service
11 because the alien entered the United States without in-
12 spection.

13 (b) APPLICATION PERIOD.—For purposes of the ap-
14 plication of the Chinese Student Protection Act of 1992
15 under this Act, the term “application period” shall be the
16 90 day period beginning on the date of the enactment of
17 this Act.

18 (c) WAIVER.—The requirement under section 245(a)
19 of the Immigration and Nationality Act that an alien be
20 inspected and admitted or paroled into the United States
21 to be eligible for adjustment of status under such section
22 shall not apply to aliens described under subsection (a).

23 (d) FEE.—Notwithstanding any other provision of
24 law, an alien applying for adjustment of status under this
25 Act, shall remit with such application a sum equalling five
26 times the fee required for the processing of applications

1 under section 245 of the Immigration and Nationality Act
2 as of the date of a receipt of the application.

3 (e) NO OFFSET IN NUMBER OF VISAS AVAILABLE.—

4 Notwithstanding any other provision of law, when an alien
5 is granted the status of having been lawfully admitted for
6 permanent residence pursuant to this Act, the Secretary
7 of State shall not be required to reduce the number of
8 immigrant visas authorized to be issued under the Immi-
9 gration and Nationality Act.

10 (f) APPLICABLE PROVISIONS.—Subsection (c)(1) of
11 the Chinese Student Protection Act of 1992 shall not
12 apply to adjustment of status under this Act.

○