

108TH CONGRESS
2D SESSION

H. R. 4018

To amend the Immigration and Nationality Act to assure that immigrants do not have to wait longer for an immigrant visa as a result of a reclassification from family second preference to family first preference because of the naturalization of a parent or spouse.

IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 2004

Mr. CASE introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to assure that immigrants do not have to wait longer for an immigrant visa as a result of a reclassification from family second preference to family first preference because of the naturalization of a parent or spouse.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PREVENTING IMMIGRANTS FROM WAITING**
2 **LONGER FOR IMMIGRANT VISAS AS A RESULT**
3 **OF RECLASSIFICATION FROM FAMILY SEC-**
4 **OND PREFERENCE TO FAMILY FIRST PREF-**
5 **ERENCE.**

6 (a) IN GENERAL.—Section 203 of the Immigration
7 and Nationality Act (8 U.S.C. 1153) is amended by add-
8 ing at the end the following new subsection:

9 “(i) ASSURING IMMIGRANTS DO NOT HAVE TO WAIT
10 LONGER FOR AN IMMIGRANT VISA AS A RESULT OF RE-
11 CLASSIFICATION FROM FAMILY SECOND PREFERENCE TO
12 FAMILY FIRST PREFERENCE.—Notwithstanding any
13 other provision of law, in the case of a petition that has
14 been approved to accord preference status under sub-
15 section (a)(2)(A) may be deemed to provide continued en-
16 titlement to status under that subsection in the case of
17 any alien petitioner who is subsequently naturalized as a
18 United States citizen, if a visa is not immediately available
19 to the beneficiary under subsection (a)(1).”.

20 (b) EFFECTIVE DATE.—The amendment made by
21 subsection (a) takes effect on the date of the enactment
22 of this Act and applies to petitions filed before, on, or after
23 such date, without regard to when an alien petitioner was
24 naturalized as a citizen of the United States.

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