

108TH CONGRESS
2D SESSION

H. R. 5003

For the relief of Malachy McAllister, Nicola McAllister, and Sean Ryan
McAllister.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2004

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

A BILL

For the relief of Malachy McAllister, Nicola McAllister, and
Sean Ryan McAllister.

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 MALACHY**

4 **MCALLISTER, NICOLA MCALLISTER, AND**

5 **SEAN RYAN MCALLISTER.**

6 (a) IN GENERAL.—Notwithstanding subsections (a)
7 and (b) of section 201 of the Immigration and Nationality
8 Act, Malachy McAllister, Nicola McAllister, and Sean
9 Ryan McAllister shall each be eligible for issuance of an
10 immigrant visa or for adjustment of status to that of an

1 alien lawfully admitted for permanent residence upon fil-
2 ing an application for issuance of an immigrant visa under
3 section 204 of such Act or for adjustment of status to
4 lawful permanent resident.

5 (b) ADJUSTMENT OF STATUS.—If Malachy
6 McAllister, Nicola McAllister, or Sean Ryan McAllister en-
7 ters the United States before the filing deadline specified
8 in subsection (c), he or she shall be considered to have
9 entered and remained lawfully and shall, if otherwise eligi-
10 ble, be eligible for adjustment of status under section 245
11 of the Immigration and Nationality Act as of the date of
12 the enactment of this Act.

13 (c) WAIVER OF GROUNDS FOR REMOVAL OF, OR DE-
14 NIAL OF ADMISSION TO, MALACHY MCALLISTER, NICOLA
15 MCALLISTER, AND SEAN RYAN MCALLISTER.—

16 (1) IN GENERAL.—Notwithstanding sections
17 212(a) and 237(a) of the Immigration and Nation-
18 ality Act, Malachy McAllister, Nicola McAllister, and
19 Sean Ryan McAllister may not be removed from the
20 United States, or denied admission to the United
21 States, by reason of any act of any of such individ-
22 uals that is a ground for removal or denial of admis-
23 sion and is reflected in the records of the Depart-
24 ment of Homeland Security, or the Visa Office of

1 the Department of State, on the date of the enact-
2 ment of this Act.

3 (2) RESCISSION OF OUTSTANDING ORDER OF
4 REMOVAL.—The Secretary of Homeland Security
5 shall rescind any outstanding order of removal or de-
6 portation, or any finding of deportability, that has
7 been entered against Malachy McAllister, Nicola
8 McAllister, or Sean Ryan McAllister by reason of
9 any act described in paragraph (1).

10 (d) 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 (e) REDUCTION OF IMMIGRANT VISA NUMBER.—
16 Upon the granting of an immigrant visa or permanent res-
17 idence to Malachy McAllister, Nicola McAllister, and Sean
18 Ryan McAllister, the Secretary of State shall instruct the
19 proper officer to reduce by 3, during the current or next
20 following fiscal year, the total number of immigrant visas
21 that are made available to natives of the country of the
22 aliens' birth under section 203(a) of the Immigration and
23 Nationality Act or, if applicable, the total number of immi-
24 grant visas that are made available to natives of the coun-
25 try of the aliens' birth under section 202(e) of such Act.

1 (f) DENIAL OF PREFERENTIAL IMMIGRATION TREAT-
2 MENT FOR CERTAIN RELATIVES.—The natural parents,
3 brothers, and sisters of Malachy McAllister, Nicola
4 McAllister, and Sean Ryan McAllister shall not, by virtue
5 of such relationship, be accorded any right, privilege, or
6 status under the Immigration and Nationality Act.

○