

109TH CONGRESS
1ST SESSION

H. R. 3819

For the relief of Vicente Beltran Luna.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 2005

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

A BILL

For the relief of Vicente Beltran Luna.

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. FINDINGS.**

4 The Congress makes the following findings:

5 (1) Vicente Beltran Luna, at the age of 25,
6 came to the United States from San Miguel Allende,
7 Mexico, and began work for a dairy in Floresville,
8 Texas, in August 1998.

9 (2) Vicente Beltran Luna and five other indi-
10 viduals lived in a shed at the dairy that formerly
11 housed chickens and dogs.

1 (3) On March 16, 2000, as Vicente Beltran
2 Luna was removing his belongings from the shed,
3 where living conditions were deplorable, an explosion
4 and fire erupted from methane fumes that leaked
5 from a septic tank pipe.

6 (4) Vicente Beltran Luna suffered third-degree
7 burns over fifty-five percent of his body, which has
8 required numerous painful surgeries, skin grafts,
9 corrective eyelid surgery, and the amputation of all
10 but three fingers.

11 (5) Vicente Beltran Luna still needs to receive
12 extensive surgeries and rehabilitation.

13 (6) In a legal settlement with the dairy, Vicente
14 Beltran Luna was awarded sufficient funds to en-
15 sure his financial solvency for the remainder of his
16 life.

17 (7) Granting Vicente Beltran Luna permanent
18 legal residency in the United States would allow him
19 to receive the follow-up medical attention that he
20 continues to need, without imposing any financial
21 burden on the taxpayer.

22 **SEC. 2. PERMANENT RESIDENT STATUS FOR VICENTE**
23 **BELTRAN LUNA.**

24 (a) IN GENERAL.—Notwithstanding subsections (a)
25 and (b) of section 201 of the Immigration and Nationality

1 Act, Vicente Beltran Luna shall be eligible for issuance
2 of an immigrant visa or for adjustment of status to that
3 of an alien lawfully admitted for permanent residence
4 upon filing an application for issuance of an immigrant
5 visa under section 204 of such Act or for adjustment of
6 status to lawful permanent resident.

7 (b) ADJUSTMENT OF STATUS.—If Vicente Beltran
8 Luna enters the United States before the filing deadline
9 specified in subsection (c), he shall be considered to have
10 entered and remained lawfully and shall, if otherwise eligi-
11 ble, be eligible for adjustment of status under section 245
12 of the Immigration and Nationality Act as of the date of
13 the enactment of this Act.

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

19 (d) REDUCTION OF IMMIGRANT VISA NUMBER.—
20 Upon the granting of an immigrant visa or permanent res-
21 idence to Vicente Beltran Luna, the Secretary of State
22 shall instruct the proper officer to reduce by 1, during the
23 current or next following fiscal year, the total number of
24 immigrant visas that are made available to natives of the
25 country of the alien's birth under section 203(a) of the

1 Immigration and Nationality Act or, if applicable, the
2 total number of immigrant visas that are made available
3 to natives of the country of the alien's birth under section
4 202(e) of such Act.

5 (e) DENIAL OF PREFERENTIAL IMMIGRATION
6 TREATMENT FOR CERTAIN RELATIVES.—The natural
7 parents, brothers, and sisters of Vicente Beltran Luna
8 shall not, by virtue of such relationship, be accorded any
9 right, privilege, or status under the Immigration and Na-
10 tionality Act.

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