

117TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To amend the Immigration and Nationality Act to end the immigrant visa backlog, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Mr. DURBIN (for himself, Mr. LEAHY, Ms. HIRONO, Ms. CORTEZ MASTO, and Ms. DUCKWORTH) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Immigration and Nationality Act to end the immigrant visa backlog, and for other purposes.

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 “Resolving Extended  
5 Limbo for Immigrant Employees and Families Act” or the  
6 “RELIEF Act”.

1 **SEC. 2. NUMERICAL LIMITATION TO ANY SINGLE FOREIGN**  
2 **STATE.**

3 (a) IN GENERAL.—Section 202(a)(2) of the Immi-  
4 gration and Nationality Act (8 U.S.C. 1152(a)(2)) is  
5 amended—

6 (1) in the paragraph heading, by striking “AND  
7 EMPLOYMENT-BASED”;

8 (2) by striking “(3), (4), and (5),” and insert-  
9 ing “(3) and (4),”;

10 (3) by striking “subsections (a) and (b) of sec-  
11 tion 203” and inserting “section 203(a)”;

12 (4) by striking “7” and inserting “15”; and

13 (5) by striking “such subsections” and inserting  
14 “such section”.

15 (b) CONFORMING AMENDMENTS.—Section 202 of the  
16 Immigration and Nationality Act (8 U.S.C. 1152) is  
17 amended—

18 (1) in subsection (a)(3), by striking “both sub-  
19 sections (a) and (b) of section 203” and inserting  
20 “section 203(a)”;

21 (2) by striking subsection (a)(5); and

22 (3) by amending subsection (e) to read as fol-  
23 lows:

24 “(e) SPECIAL RULES FOR COUNTRIES AT CEILING.—  
25 If it is determined that the total number of immigrant  
26 visas made available under section 203(a) to natives of

1 any single foreign state or dependent area will exceed the  
2 numerical limitation specified in subsection (a)(2) in any  
3 fiscal year, in determining the allotment of immigrant visa  
4 numbers to natives under section 203(a), visa numbers  
5 with respect to natives of that state or area shall be allo-  
6 cated (to the extent practicable and otherwise consistent  
7 with this section and section 203) in a manner so that,  
8 except as provided in subsection (a)(4), the proportion of  
9 the visa numbers made available under each of paragraphs  
10 (1) through (4) of section 203(a) is equal to the ratio of  
11 the total number of visas made available under the respec-  
12 tive paragraph to the total number of visas made available  
13 under section 203(a).”.

14 (c) COUNTRY-SPECIFIC OFFSET.—Section 2 of the  
15 Chinese Student Protection Act of 1992 (8 U.S.C. 1255  
16 note) is amended—

17 (1) in subsection (a), in the matter preceding  
18 paragraph (1), by striking “subsection (e))” and in-  
19 serting “subsection (d))”;

20 (2) by striking subsection (d); and

21 (3) by redesignating subsection (e) as sub-  
22 section (d).

23 (d) EFFECTIVE DATE.—The amendments made by  
24 this section shall take effect as if enacted on September

1 30, 2021, and shall apply to fiscal years beginning with  
2 fiscal year 2022.

3 (e) TRANSITION RULES FOR EMPLOYMENT-BASED  
4 IMMIGRANTS.—

5 (1) IN GENERAL.—Subject to the succeeding  
6 paragraphs of this subsection and notwithstanding  
7 title II of the Immigration and Nationality Act (8  
8 U.S.C. 1151 et seq.), the following rules shall apply:

9 (A) For fiscal year 2022, 15 percent of the  
10 immigrant visas made available under each of  
11 paragraphs (2), (3), and (5) of section 203(b)  
12 of such Act (8 U.S.C. 1153(b)) shall be allotted  
13 to immigrants who are natives of a foreign  
14 state or dependent area that is not one of the  
15 two states with the largest aggregate numbers  
16 of natives who are beneficiaries of approved pe-  
17 titions for immigrant status under such para-  
18 graphs.

19 (B) For fiscal year 2023, 10 percent of the  
20 immigrant visas made available under each of  
21 such paragraphs shall be allotted to immigrants  
22 who are natives of a foreign state or dependent  
23 area that is not one of the two states with the  
24 largest aggregate numbers of natives who are

1 beneficiaries of approved petitions for immi-  
2 grant status under such paragraphs.

3 (C) For fiscal year 2024, 10 percent of the  
4 immigrant visas made available under each of  
5 such paragraphs shall be allotted to immigrants  
6 who are natives of a foreign state or dependent  
7 area that is not one of the two states with the  
8 largest aggregate numbers of natives who are  
9 beneficiaries of approved petitions for immi-  
10 grant status under such paragraphs.

11 (2) PER-COUNTRY LEVELS.—

12 (A) RESERVED VISAS.—With respect to  
13 the visas reserved under each of subparagraphs  
14 (A) through (C) of paragraph (1), the number  
15 of such visas made available to natives of any  
16 single foreign state or dependent area in the ap-  
17 propriate fiscal year may not exceed 25 percent  
18 (in the case of a single foreign state) or 2 per-  
19 cent (in the case of a dependent area) of the  
20 total number of such visas.

21 (B) UNRESERVED VISAS.—With respect to  
22 the immigrant visas made available under each  
23 of paragraphs (2), (3), and (5) of section  
24 203(b) of such Act (8 U.S.C. 1153(b)) and not  
25 reserved under paragraph (1), for each of fiscal

1           years 2022, 2023, and 2024, not more than 85  
2           percent shall be allotted to immigrants who are  
3           natives of any single foreign state.

4           (3) SPECIAL RULE TO PREVENT UNUSED  
5           VISAS.—If, with respect to fiscal year 2022, 2023, or  
6           2024, the operation of paragraphs (1) and (2) of  
7           this subsection would prevent the total number of  
8           immigrant visas made available under paragraph (2)  
9           or (3) of section 203(b) of such Act (8 U.S.C.  
10          1153(b)) from being issued, such visas may be  
11          issued during the remainder of such fiscal year with-  
12          out regard to paragraphs (1) and (2) of this sub-  
13          section.

14          (4) TRANSITION RULE FOR CURRENTLY AP-  
15          PROVED BENEFICIARIES.—

16                (A) IN GENERAL.—Notwithstanding sec-  
17                tion 202 of the Immigration and Nationality  
18                Act, as amended by this Act, immigrant visas  
19                under section 203(b) of the Immigration and  
20                Nationality Act (8 U.S.C. 1153(b)) shall be al-  
21                located such that no alien described in subpara-  
22                graph (B) receives a visa later than the alien  
23                otherwise would have received said visa had this  
24                Act not been enacted.

1           (B) ALIEN DESCRIBED.—An alien is de-  
2           scribed in this subparagraph if the alien is the  
3           beneficiary of a petition for an immigrant visa  
4           under section 203(b) of the Immigration and  
5           Nationality Act (8 U.S.C. 1153(b)) that was  
6           approved prior to the date of enactment of this  
7           Act.

8           (5) RULES FOR CHARGEABILITY.—Section  
9           202(b) of such Act (8 U.S.C. 1152(b)) shall apply  
10          in determining the foreign state to which an alien is  
11          chargeable for purposes of this subsection.

12          (6) ENSURING AVAILABILITY OF IMMIGRANT  
13          VISAS.—For each of fiscal years 2022 through 2026,  
14          notwithstanding sections 201 and 202 of the Immi-  
15          gration and Nationality Act (8 U.S.C. 1151, 1152),  
16          as amended by this Act, additional immigrant visas  
17          under section 203 of the Immigration and Nation-  
18          ality Act (8 U.S.C. 1153) shall be made available  
19          and allocated—

20                 (A) such that no alien who is a beneficiary  
21                 of a petition for an immigrant visa under such  
22                 section 203 receives a visa later than the alien  
23                 otherwise would have received such visa had  
24                 this Act not been enacted; and

1 (B) to permit all visas to be distributed in  
2 accordance with this section.

3 **SEC. 3. ENDING IMMIGRANT VISA BACKLOG.**

4 (a) IN GENERAL.—In addition to any immigrant visa  
5 made available under the Immigration and Nationality Act  
6 (8 U.S.C. 1101 et seq.), as amended by this Act, subject  
7 to paragraphs (1) and (2), the Secretary of State shall  
8 make immigrant visas available to—

9 (1) aliens who are beneficiaries of petitions filed  
10 under subsection (b) of section 203 of such Act (8  
11 U.S.C. 1153) before the date of the enactment of  
12 this Act; and

13 (2) aliens who are beneficiaries of petitions filed  
14 under subsection (a) of such section before the date  
15 of the enactment of this Act.

16 (b) ALLOCATION OF VISAS.—The visas made avail-  
17 able under this section shall be allocated as follows:

18 (1) EMPLOYMENT-SPONSORED IMMIGRANT  
19 VISAS.—In each of fiscal years 2022 through 2026,  
20 the Secretary of State shall allocate to aliens de-  
21 scribed in subsection (a)(1) a number of immigrant  
22 visas equal to  $\frac{1}{5}$  of the number of aliens described  
23 in such subsection the visas of whom have not been  
24 issued as of the date of the enactment of this Act.



1           (2) FAMILY-SPONSORED IMMIGRANT VISAS.—In  
2           each of fiscal years 2022 through 2026, the Sec-  
3           retary of State shall allocate to aliens described in  
4           subsection (a)(2) a number of immigrant visas equal  
5           to  $\frac{1}{5}$  of the difference between—

6                   (A) the number of aliens described in such  
7                   subsection the visas of whom have not been  
8                   issued as of the date of the enactment of this  
9                   Act; and

10                   (B) the number of aliens described in sub-  
11                   section (a)(1).

12           (c) ORDER OF ISSUANCE FOR PREVIOUSLY FILED  
13           APPLICATIONS.—The visas made available under this sec-  
14           tion shall be issued in accordance with section 202 of the  
15           Immigration and Nationality Act (8 U.S.C. 1152), as  
16           amended by this Act, in the order in which the petitions  
17           under section 203 of such Act (8 U.S.C. 1153) were filed.

18           **SEC. 4. KEEPING AMERICAN FAMILIES TOGETHER.**

19           (a) RECLASSIFICATION OF SPOUSES AND MINOR  
20           CHILDREN OF LAWFUL PERMANENT RESIDENTS AS IM-  
21           MEDIATE RELATIVES AND EXEMPTION OF DERIVA-  
22           TIVES.—The Immigration and Nationality Act (8 U.S.C.  
23           1101 et seq.) is amended—

24                   (1) in section 201(b) (8 U.S.C. 1151(b))—

1 (A) in paragraph (1), by adding at the end  
2 the following:

3 “(F) Aliens who derive status under section  
4 203(d).”; and

5 (B) by amending paragraph (2) to read as  
6 follows:

7 “(2)(A) IMMEDIATE RELATIVES.—Aliens who  
8 are immediate relatives.

9 “(B) DEFINITION OF IMMEDIATE RELATIVE.—  
10 In this paragraph, the term ‘immediate relative’  
11 means—

12 “(i) a child, spouse, or parent of a citizen  
13 of the United States, except that in the case of  
14 such a parent such citizen shall be at least 21  
15 years of age;

16 “(ii) a child or spouse of an alien lawfully  
17 admitted for permanent residence;

18 “(iii) a child or spouse of an alien de-  
19 scribed in clause (i), who is accompanying or  
20 following to join the alien;

21 “(iv) a child or spouse of an alien de-  
22 scribed in clause (ii), who is accompanying or  
23 following to join the alien;

24 “(v) an alien admitted under section  
25 211(a) on the basis of a prior issuance of a visa

1 to the alien's accompanying parent who is an  
2 immediate relative; and

3 “(vi) an alien born to an alien lawfully ad-  
4 mitted for permanent residence during a tem-  
5 porary visit abroad.

6 “(C) TREATMENT OF SPOUSE AND CHILDREN  
7 OF DECEASED CITIZEN OR LAWFUL PERMANENT  
8 RESIDENT.—If an alien who was the spouse or child  
9 of a citizen of the United States or of an alien law-  
10 fully admitted for permanent residence and was not  
11 legally separated from the citizen or lawful perma-  
12 nent resident at the time of the citizen's or lawful  
13 permanent resident's death files a petition under  
14 section 204(a)(1)(B), the alien spouse (and each  
15 child of the alien) shall remain, for purposes of this  
16 paragraph, an immediate relative during the period  
17 beginning on the date of the citizen's or permanent  
18 resident's death and ending on the date on which  
19 the alien spouse remarries.

20 “(D) PROTECTION OF VICTIMS OF ABUSE.—An  
21 alien who has filed a petition under clause (iii) or  
22 (iv) of section 204(a)(1)(A) shall remain, for pur-  
23 poses of this paragraph, an immediate relative if the  
24 United States citizen or lawful permanent resident

1 spouse or parent loses United States citizenship on  
2 account of the abuse.”; and

3 (2) in section 203(a) (8 U.S.C. 1153(a))—

4 (A) in paragraph (1), by striking “23,400”  
5 and inserting “111,334”; and

6 (B) by amending paragraph (2) to read as  
7 follows:

8 “(2) UNMARRIED SONS AND UNMARRIED  
9 DAUGHTERS OF LAWFUL PERMANENT RESIDENTS.—  
10 Qualified immigrants who are the unmarried sons or  
11 unmarried daughters (but are not the children) of  
12 aliens lawfully admitted for permanent residence  
13 shall be allocated visas in a number not to exceed  
14 26,266, plus—

15 “(A) the number of visas by which the  
16 worldwide level exceeds 226,000; and

17 “(B) the number of visas not required for  
18 the class specified in paragraph (1).”.

19 (b) PROTECTING CHILDREN FROM AGING OUT.—  
20 Section 203(h) of the Immigration and Nationality Act (8  
21 U.S.C. 1153(h)) is amended—

22 (1) by amending paragraph (1) to read as fol-  
23 lows:

24 “(1) IN GENERAL.—For purposes of subsection  
25 (d), a determination of whether an alien satisfies the

1 age requirement in the matter preceding subpara-  
2 graph (A) of section 101(b)(1) shall be made using  
3 the age of the alien on the date on which the peti-  
4 tion is filed with the Secretary of Homeland Security  
5 under section 204.”;

6 (2) by amending paragraph (2) to read as fol-  
7 lows:

8 “(2) PETITIONS DESCRIBED.—A petition de-  
9 scribed in this paragraph is a petition filed under  
10 section 204 for classification of—

11 “(A) the alien’s parent under subsection  
12 (a), (b), or (c); or

13 “(B) the alien as an immediate relative  
14 based on classification as a child of—

15 “(i) a citizen of the United States; or

16 “(ii) a lawful permanent resident.”;

17 (3) in paragraph (3), by striking “subsections  
18 (a)(2)(A) and” and inserting “subsection”; and

19 (4) by adding at the end the following:

20 “(5) TREATMENT FOR NONIMMIGRANT CAT-  
21 EGORIES PURPOSES.—An alien dependent treated as  
22 a child for immigrant visa purposes under this sub-  
23 section shall be treated as a dependent child for non-  
24 immigrant categories.”.

25 (c) CONFORMING AMENDMENTS.—

1           (1) DEFINITIONS.—Section 101(a)(15)(K)(ii) of  
2 the Immigration and Nationality Act (8 U.S.C.  
3 1101(a)(15)(K)(ii)) is amended by striking “section  
4 201(b)(2)(A)(i)” and inserting “section 201(b)(2)  
5 (other than clause (v) or (vi) of subparagraph (B))”.

6           (2) RULES FOR DETERMINING WHETHER CER-  
7 TAIN ALIENS ARE IMMEDIATE RELATIVES.—Section  
8 201(f) of the Immigration and Nationality Act (8  
9 U.S.C. 1151(f)) is amended—

10           (A) in paragraph (1), by striking “para-  
11 graphs (2) and (3),” and inserting “paragraph  
12 (2),”;

13           (B) by striking paragraph (2);

14           (C) by redesignating paragraphs (3) and  
15 (4) as paragraphs (2) and (3), respectively; and

16           (D) in paragraph (3), as so redesignated,  
17 by striking “through (3)” and inserting “and  
18 (2)”.

19           (3) PER COUNTRY LEVEL.—Section  
20 202(a)(1)(A) of the Immigration and Nationality  
21 Act (8 U.S.C. 1152(a)(1)(A)) is amended by striking  
22 “section 201(b)(2)(A)(i)” and inserting “section  
23 201(b)(2) (other than clause (v) or (vi) of subpara-  
24 graph (B))”.

1           (4) NUMERICAL LIMITATION TO ANY SINGLE  
2 FOREIGN STATE.—Section 202(a)(4) (8 U.S.C.  
3 1152(a)(4)) is amended—

4           (A) by striking subparagraphs (A) and  
5 (B);

6           (B) by redesignating subparagraphs (C)  
7 and (D) as subparagraphs (A) and (B), respec-  
8 tively; and

9           (C) in subparagraph (A), as so redesign-  
10 nated—

11           (i) by striking the undesignated mat-  
12 ter following clause (ii);

13           (ii) by striking clause (ii);

14           (iii) in clause (i), by striking “, or”  
15 and inserting a period; and

16           (iv) in the matter preceding clause (i),  
17 by striking “section 203(a)(2)(B) may not  
18 exceed” and all that follows through “23  
19 percent” in clause (i) and inserting “sec-  
20 tion 203(a)(2) may not exceed 23 per-  
21 cent”.

22           (5) PROCEDURES FOR GRANTING IMMIGRANT  
23 STATUS.—Section 204 of the Immigration and Na-  
24 tionality Act (8 U.S.C. 1154) is amended—

25           (A) in subsection (a)—

- 1 (i) in paragraph (1)—
- 2 (I) in subparagraph (A)—
- 3 (aa) in clause (i), by striking
- 4 “section 201(b)(2)(A)(i)” and in-
- 5 serting “clause (i) or (ii) of sec-
- 6 tion 201(b)(2)(B)”;
- 7 (bb) in clause (ii), by strik-
- 8 ing “the second sentence of sec-
- 9 tion 201(b)(2)(A)(i)” and insert-
- 10 ing “section 201(b)(2)(C)”;
- 11 (cc) by amending clause (iii)
- 12 to read as follows:

13 “(iii)(I) An alien who is described in clause

14 (ii) may file a petition with the Secretary of

15 Homeland Security under this subparagraph for

16 classification of the alien (and any child of the

17 alien) if the alien demonstrates to the Secretary

18 that—

19 “(aa) the marriage or the intent to

20 marry the citizen of the United States or

21 lawful permanent resident was entered into

22 in good faith by the alien; and

23 “(bb) during the marriage or relation-

24 ship intended by the alien to be legally a

25 marriage, the alien or a child of the alien



1 has been battered or has been the subject  
2 of extreme cruelty perpetrated by the  
3 alien's spouse or intended spouse.

4 “(II) For purposes of subclause (I), an  
5 alien described in this subclause is an alien—

6 “(aa)(AA) who is the spouse of a cit-  
7 izen of the United States or lawful perma-  
8 nent resident;

9 “(BB) who believed that he or she  
10 had married a citizen of the United States  
11 or lawful permanent resident and with  
12 whom a marriage ceremony was actually  
13 performed and who otherwise meets any  
14 applicable requirements under this Act to  
15 establish the existence of and bona fides of  
16 a marriage, but whose marriage is not le-  
17 gitimate solely because of the bigamy of  
18 such citizen of the United States or lawful  
19 permanent resident; or

20 “(CC) who was a bona fide spouse of  
21 a citizen of the United States or a lawful  
22 permanent resident within the past 2 years  
23 and whose spouse died within the past 2  
24 years, whose spouse renounced citizenship  
25 status or renounced or lost status as a law-

1           ful permanent resident within the past 2  
2           years related to an incident of domestic vi-  
3           olence, or who demonstrates a connection  
4           between the legal termination of the mar-  
5           riage within the past 2 years and battering  
6           or extreme cruelty by a spouse who is a  
7           citizen of the United States or a lawful  
8           permanent resident spouse;

9                   “(bb) who is a person of good moral  
10           character;

11                   “(cc) who is eligible to be classified as  
12           an immediate relative under section  
13           201(b)(2)(B) or who would have been so  
14           classified but for the bigamy of the citizen  
15           of the United States or lawful permanent  
16           resident that the alien intended to marry;  
17           and

18                   “(dd) who has resided with the alien’s  
19           spouse or intended spouse.”;

20                           (dd) by amending clause (iv)  
21                   to read as follows:

22                   “(iv) An alien who is the child of a citizen  
23           or lawful permanent resident of the United  
24           States, or who was a child of a United States  
25           citizen or lawful permanent resident parent who

1 within the past 2 years lost or renounced citi-  
2 zenship status related to an incident of domes-  
3 tic violence, and who is a person of good moral  
4 character, who is eligible to be classified as an  
5 immediate relative under section 201(b)(2)(B),  
6 and who resides, or has resided in the past,  
7 with the citizen or lawful permanent resident  
8 parent may file a petition with the Secretary of  
9 Homeland Security under this subparagraph for  
10 classification of the alien (and any child of the  
11 alien) under such section if the alien dem-  
12 onstrates to the Secretary that the alien has  
13 been battered by or has been the subject of ex-  
14 treme cruelty perpetrated by the alien’s citizen  
15 or lawful permanent resident parent. For pur-  
16 poses of this clause, residence includes any pe-  
17 riod of visitation.”; and

18 (ee) in clause (v)(I), in the  
19 matter preceding item (aa), by  
20 inserting “or lawful permanent  
21 resident” after “citizen”;

22 (ff) in clause (vi), by strik-  
23 ing “renunciation of citizenship”  
24 and all that follows through “citi-  
25 zenship status” and inserting

1 “renunciation of citizenship or  
2 lawful permanent resident status,  
3 death of the abuser, divorce, or  
4 changes to the abuser’s citizen-  
5 ship or lawful permanent resident  
6 status”; and

7 (gg) in clause (vii), by strik-  
8 ing “section 201(b)(2)(A)(i)”  
9 each place it appears and insert-  
10 ing “section 201(b)(2)(B)”;

11 (II) by amending subparagraph  
12 (B) to read as follows:

13 “(B)(i)(I) Except as provided in subclause  
14 (II), any alien lawfully admitted for permanent  
15 residence claiming that an alien is entitled to a  
16 classification by reason of the relationship de-  
17 scribed in section 203(a)(2) may file a petition  
18 with the Attorney General for such classifica-  
19 tion.

20 “(II) Subclause (I) shall not apply in the  
21 case of an alien lawfully admitted for perma-  
22 nent residence who has been convicted of a  
23 specified offense against a minor (as defined in  
24 subparagraph (A)(viii)(II)), unless the Sec-  
25 retary of Homeland Security, in the Secretary’s

1           sole and unreviewable discretion, determines  
2           that such person poses no risk to the alien with  
3           respect to whom a petition described in sub-  
4           clause (I) is filed.

5           “(ii) An alien who was the child of a lawful per-  
6           manent resident who within the past 2 years lost  
7           lawful permanent resident status due to an incident  
8           of domestic violence, and who is a person of good  
9           moral character, who is eligible for classification  
10          under section 203(a)(2), and who resides, or has re-  
11          sided in the past, with the alien’s permanent resi-  
12          dent alien parent may file a petition with the Sec-  
13          retary of Homeland Security under this subpara-  
14          graph for classification of the alien (and any child  
15          of the alien) under such section if the alien dem-  
16          onstrates to the Secretary that the alien has been  
17          battered by or has been the subject of extreme cru-  
18          elty perpetrated by the alien’s permanent resident  
19          parent.

20          “(iii)(I) For purposes of a petition filed or ap-  
21          proved under clause (ii), the loss of lawful perma-  
22          nent resident status by a parent after the filing of  
23          a petition under that clause shall not adversely af-  
24          fect approval of the petition, and for an approved  
25          petition, shall not affect the alien’s ability to adjust

1 status under subsections (a) and (c) of section 245  
2 or obtain status as a lawful permanent resident  
3 based on an approved self-petition under clause (ii).

4 “(II) Upon the lawful permanent resident par-  
5 ent becoming or establishing the existence of United  
6 States citizenship through naturalization, acquisition  
7 of citizenship, or other means, any petition filed with  
8 the Secretary of Homeland Security and pending or  
9 approved under clause (ii) on behalf of an alien who  
10 has been battered or subjected to extreme cruelty  
11 shall be deemed reclassified as a petition filed under  
12 subparagraph (A) even if the acquisition of citizen-  
13 ship occurs after the termination of parental  
14 rights.”; and

15 (III) in subparagraph (D)(i)(I),  
16 by striking “paragraph (1), (2), or  
17 (3)” and inserting “paragraph (1) or  
18 (3)”;

19 (ii) in paragraph (2)—

20 (I) by striking “spousal second  
21 preference petition” each place it ap-  
22 pears and inserting “petition for the  
23 spouse of an alien lawfully admitted  
24 for permanent residence”;

1 (II) in the undesignated matter  
2 following subparagraph (A)(ii), by  
3 striking “preference status under sec-  
4 tion 203(a)(2)” and inserting “classi-  
5 fication as an immediate relative  
6 under section 201(b)(2)(B)(ii)”;

7 (B) in subsection (c)(1), by striking “or  
8 preference status”; and

9 (C) in subsection (k)(1), by striking  
10 “203(a)(2)(B)” and inserting “203(a)(2)”.

11 (6) EXCLUDABLE ALIENS.—Section  
12 212(d)(12)(B) of the Immigration and Nationality  
13 Act (8 U.S.C. 1182(d)(12)(B)) is amended by strik-  
14 ing “section 201(b)(2)(A)” and inserting “section  
15 201(b)(2) (other than subparagraph (B)(vi))”.

16 (7) ADMISSION OF NONIMMIGRANTS.—Section  
17 214(r)(3)(A) of the Immigration and Nationality Act  
18 (8 U.S.C. 1184(r)(3)(A)) is amended by striking  
19 “section 201(b)(2)(A)(i)” and inserting “section  
20 201(b)(2) (other than clause (v) or (vi) of subpara-  
21 graph (B)).”

22 (8) DEFINITION OF ALIEN SPOUSE.—Section  
23 216(h)(1)(A) of the Immigration and Nationality  
24 Act (8 U.S.C. 1186a(h)(1)(A)) is amended by insert-

1       ing “or an alien lawfully admitted for permanent  
2       residence” after “United States”.

3           (9) REFUGEE CRISIS IN IRAQ ACT OF 2007.—  
4       Section 1243(a)(4) of the Refugee Crisis in Iraq Act  
5       of 2007 (Public Law 110–118; 8 U.S.C. 1157 note)  
6       is amended by striking “section 201(b)(2)(A)(i)”  
7       and inserting “section 201(b)(2) (other than clause  
8       (v) or (vi) of subparagraph (B))”.

9           (10) PROCESSING OF VISA APPLICATIONS.—  
10      Section 233(b)(1) of the Department of State Au-  
11      thorization Act, Fiscal Year 2003 (Public Law 107–  
12      228; 8 U.S.C. 1201 note) is amended by striking  
13      “section 201(b)(2)(A)(i)” and inserting “section  
14      201(b)(2) (other than clause (v) or (vi) of subpara-  
15      graph (B))”.