

Calendar No. 609

105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 378**

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IN THE SENATE OF THE UNITED STATES

JULY 16, 1997

Received; read twice and referred to the Committee on the Judiciary

SEPTEMBER 24, 1998

Reported by Mr. HATCH, without amendment

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**AN ACT**

For the relief of Heraclio Tolley.

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. IMMEDIATE RELATIVE STATUS FOR HERACLIO**

4 **TOLLEY.**

5 (a) IN GENERAL.—Heraclio Tolley shall be classified  
6 as a child under section 101(b)(1)(E) of the Immigration  
7 and Nationality Act for purposes of approval of a relative  
8 visa petition filed under section 204 of such Act by his  
9 adoptive parent and the filing of an application for an im-  
10 migrant visa or adjustment of status.

1           (b) ADJUSTMENT OF STATUS.—If Heraclio Tolley  
2 enters the United States before the filing deadline speci-  
3 fied in subsection (c), he shall be considered to have en-  
4 tered and remained lawfully and shall, if otherwise eligible,  
5 be eligible for adjustment of status under section 245 of  
6 the Immigration and Nationality Act as of the date of the  
7 enactment of this Act.

8           (c) DEADLINE FOR APPLICATION AND PAYMENT OF  
9 FEES.—Subsections (a) and (b) shall apply only if the pe-  
10 tition and the application for issuance of an immigrant  
11 visa or the application for adjustment of status are filed  
12 with appropriate fees within 2 years after the date of the  
13 enactment of this Act.

14          (d) REDUCTION OF IMMIGRANT VISA NUMBER.—  
15 Upon the granting of an immigrant visa or permanent res-  
16 idence to Heraclio Tolley, the Secretary of State shall in-  
17 struct the proper officer to reduce by 1, for the current  
18 or next following fiscal year, the worldwide level of family-  
19 sponsored immigrants under section 201(c)(1)(A) of the  
20 Immigration and Nationality Act.

21          (e) DENIAL OF PREFERENTIAL IMMIGRATION  
22 TREATMENT FOR CERTAIN RELATIVES.—The natural  
23 parents, brothers, and sisters of Heraclio Tolley shall not,

1 by virtue of such relationship, be accorded any right, privi-  
2 lege, or status under the Immigration and Nationality Act.

Passed the House of Representatives July 15, 1997.

Attest:

ROBIN H. CARLE,

*Clerk.*



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