

HR 1162 IH

111th CONGRESS

1st Session

**H. R. 1162**

To amend the Immigration and Nationality Act to permit certain E-2 nonimmigrant investors to adjust status to lawful permanent resident status.

**IN THE HOUSE OF REPRESENTATIVES****February 24, 2009**

Mr. PUTNAM (for himself and Mrs. MYRICK) introduced the following bill; which was referred to the Committee on the Judiciary

**A BILL**

To amend the Immigration and Nationality Act to permit certain E-2 nonimmigrant investors to adjust status to lawful permanent resident status.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the `E-2 Nonimmigrant Investor Adjustment Act of 2009'.

**SEC. 2. ADJUSTMENT TO LAWFUL PERMANENT RESIDENT STATUS OF CERTAIN E-2 NONIMMIGRANT INVESTORS.**

(a) In General- Section 203(b)(5) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5)) is amended--

- (1) in subparagraph (A)(ii), by inserting `except as provided in subparagraph (E)(i)(II),' after `(ii)';
- (2) in subparagraph (C)(i), by inserting `and subparagraph (E)(i)(I)' after `Except as provided in this subparagraph'; and
- (3) by adding at the end the following new subparagraph:

`(E) SPECIAL RULES FOR CERTAIN E-2 NONIMMIGRANT INVESTORS-

`(i) IN GENERAL- In the case of an alien who has been present in the United States in the status of an alien described in section 101(a)(15)(E)(ii) for at least five years--

`(I) the amount of capital required under subparagraph (A) shall be \$200,000; and

`(II) the alien is deemed as satisfying the requirement of subparagraph (A)(ii) if the enterprise has created full-time employment for not fewer than two individuals (or five individuals for each year after the third year in such status) described in such subparagraph (A)(ii).

`(ii) LIMITATION- Not more than 3,000 visas may be made available under this paragraph to principal aliens described in clause (i) in any fiscal year.'.

(b) Effective Date- The amendments made by subsection (a) shall take effect on the date of the enactment

[+]  
FEEDBACK

of this Act. Periods of presence in the United States in the status of an alien described in section 101(a)(15)(E)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)(ii)) before such date shall be counted towards satisfying the time requirement specified in subparagraph (E) of section 203(b)(5) of such Act (8 U.S.C. 1153(b)(5)) (as added by paragraph (3) of subsection (a)).

(c) Immediate Eligibility of Adjustment of Status of Certain Long-Term E-2 Nonimmigrant Investors- An alien who has been present in the United States as an E-2 nonimmigrant investor for at least five years may be immediately eligible to adjust status to that of an alien lawfully admitted for permanent residence pursuant to the amendment made by subsection (a).

*END*

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