

114TH CONGRESS  
1ST SESSION

# S. 1300

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## AN ACT

To amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa fees in certain situations.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Adoptive Family Relief  
3 Act”.

4 **SEC. 2. WAIVER OF FEES FOR RENEWAL OF IMMIGRANT**  
5 **VISA FOR ADOPTED CHILD IN CERTAIN SITU-**  
6 **ATIONS.**

7 Section 221(c) of the Immigration and Nationality  
8 Act (8 U.S.C. 1201(c)) is amended to read as follows:

9 “(c) PERIOD OF VALIDITY; RENEWAL OR REPLACE-  
10 MENT.—

11 “(1) IMMIGRANT VISAS.—An immigrant visa  
12 shall be valid for such period, not exceeding six  
13 months, as shall be by regulations prescribed, except  
14 that any visa issued to a child lawfully adopted by  
15 a United States citizen and spouse while such citizen  
16 is serving abroad in the United States Armed  
17 Forces, or is employed abroad by the United States  
18 Government, or is temporarily abroad on business,  
19 shall be valid until such time, for a period not to ex-  
20 ceed three years, as the adoptive citizen parent re-  
21 turns to the United States in due course of his serv-  
22 ice, employment, or business.

23 “(2) NONIMMIGRANT VISAS.—A nonimmigrant  
24 visa shall be valid for such periods as shall be by  
25 regulations prescribed. In prescribing the period of  
26 validity of a nonimmigrant visa in the case of na-

1        tionals of any foreign country who are eligible for  
2        such visas, the Secretary of State shall, insofar as  
3        practicable, accord to such nationals the same treat-  
4        ment upon a reciprocal basis as such foreign country  
5        accords to nationals of the United States who are  
6        within a similar class; except that in the case of  
7        aliens who are nationals of a foreign country and  
8        who either are granted refugee status and firmly re-  
9        settled in another foreign country or are granted  
10       permanent residence and residing in another foreign  
11       country, the Secretary of State may prescribe the  
12       period of validity of such a visa based upon the  
13       treatment granted by that other foreign country to  
14       alien refugees and permanent residents, respectively,  
15       in the United States.

16            “(3) VISA REPLACEMENT.—An immigrant visa  
17       may be replaced under the original number during  
18       the fiscal year in which the original visa was issued  
19       for an immigrant who establishes to the satisfaction  
20       of the consular officer that the immigrant—

21            “(A) was unable to use the original immi-  
22       grant visa during the period of its validity be-  
23       cause of reasons beyond his control and for  
24       which he was not responsible;

1           “(B) is found by a consular officer to be  
2           eligible for an immigrant visa; and

3           “(C) pays again the statutory fees for an  
4           application and an immigrant visa.

5           “(4) FEE WAIVER.—If an immigrant visa was  
6           issued, on or after March 27, 2013, for a child who  
7           has been lawfully adopted, or who is coming to the  
8           United States to be adopted, by a United States cit-  
9           izen, any statutory immigrant visa fees relating to a  
10          renewal or replacement of such visa may be waived  
11          or, if already paid, may be refunded upon request,  
12          subject to such criteria as the Secretary of State  
13          may prescribe, if—

14          “(A) the immigrant child was unable to  
15          use the original immigrant visa during the pe-  
16          riod of its validity as a direct result of extraor-  
17          dinary circumstances, including the denial of an  
18          exit permit; and

1                   “(B) if such inability was attributable to  
2                   factors beyond the control of the adopting par-  
3                   ent or parents and of the immigrant.”.

Passed the Senate July 14, 2015.

Attest:

*Secretary.*

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