

## Committee Print

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(Providing for reconciliation pursuant to S. Con. Res. 14, the  
Concurrent Resolution on the Budget for Fiscal Year 2022)

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1    **TITLE VI—COMMITTEE ON THE**  
2                                   **JUDICIARY**

3                   **Subtitle A—Immigration**  
4                                   **Provisions**

5    **SECTION 60001. LAWFUL PERMANENT RESIDENCE FOR**  
6                                   **CERTAIN ENTRANTS.**

7           (a) IN GENERAL.—Chapter 5 of title II of the Immi-  
8    gration and Nationality Act (8 U.S.C. 1255 et seq.) is  
9    amended by inserting after section 245A the following:

10   **“SEC. 245B. ADJUSTMENT OF STATUS OF CERTAIN EN-**  
11                                   **TRANTS.**

12           “(a) IN GENERAL.—Notwithstanding sections 201,  
13    202, 203, and 245(c), and subject to subsection (c), the  
14    Secretary of Homeland Security shall adjust to the status  
15    of an alien lawfully admitted for permanent residence, an  
16    alien described in subsection (b), if such alien—

17                   “(1) submits an application for adjustment of  
18           status in accordance with procedures established by  
19           the Secretary;

1           “(2) in addition to any administrative proc-  
2           essing fee, pays a supplemental fee of \$1,500; and

3           “(3) completes, to the satisfaction of the Sec-  
4           retary—

5                   “(A) security and law enforcement back-  
6                   ground checks; and

7                   “(B) a medical examination consistent with  
8                   section 221(d).

9           “(b) ALIENS DESCRIBED.—An alien described in this  
10          subsection is an alien who—

11                   “(1)(A) has been continuously physically  
12                   present in the United States since January 1, 2021;

13                   “(B) was 18 years of age or younger on the  
14                   date on which the alien entered the United States  
15                   and has continuously resided in the United States  
16                   since such entry; and

17                   “(C) demonstrates—

18                           “(i) a record of honorable service in the  
19                           Uniformed Services of the United States;

20                           “(ii) attainment of, or completion of at  
21                           least 2 years, in good standing, of a program  
22                           leading to—

23                                   “(I) a degree from a United States in-  
24                                   stitution of higher education; or

1                   “(II) a postsecondary credential from  
2                   an area career and technical education  
3                   school in the United States;

4                   “(iii) during the 3-year period immediately  
5                   preceding the date on which the alien submits  
6                   an application for adjustment of status under  
7                   this section, a consistent record of earned in-  
8                   come in the United States; or

9                   “(iv)(I) enrollment in a program described  
10                  in clause (ii); and

11                  “(II) current employment or participation  
12                  in an internship, apprenticeship, or similar  
13                  training program;

14                  “(2)(A) has been continuously physically  
15                  present in the United States since January 1, 2021;  
16                  and

17                  “(B) has demonstrated a consistent record of  
18                  earned income in the United States in an occupation  
19                  described in the guidance of the Department of  
20                  Homeland Security entitled ‘Advisory Memorandum  
21                  on Ensuring Essential Critical Infrastructure Work-  
22                  ers’ Ability to Work During the COVID–19 Re-  
23                  sponse’, issued on August 10, 2021, during the pe-  
24                  riod beginning on January 31, 2020, and ending on  
25                  August 24, 2021;

1           “(3)(A) has been continuously physically  
2 present in the United States for not less than 3  
3 years; and

4           “(B)(i) is a national of a foreign state (or a  
5 part of a foreign state) (or in the case of an alien  
6 having no nationality, is a person who last habitually  
7 resided in such state) with a designation under sub-  
8 section (b) of section 244 on January 1, 2017;

9           “(ii) notwithstanding paragraphs (1)(A)(iv) and  
10 (3)(C) of subsection (c) of section 244, had or was  
11 otherwise eligible for temporary protected status  
12 under section 244 on that date; and

13           “(iii) has not engaged in conduct since that  
14 date that would render the alien ineligible for tem-  
15 porary protected status under section 244(c)(2); or

16           “(4)(A) has been continuously physically  
17 present in the United States for not less than 3  
18 years; and

19           “(B)(i) was eligible for deferred enforced depar-  
20 ture as of January 20, 2021; and

21           “(ii) has not engaged in conduct since that date  
22 that would render the alien ineligible for deferred  
23 enforced departure.

24           “(c) GROUNDS OF INELIGIBILITY.—

1           “(1) IN GENERAL.—Subject to paragraphs (2)  
2           and (3), an alien seeking adjustment of status under  
3           this section shall demonstrate that the alien—

4                   “(A) is not inadmissible under paragraph  
5                   (2), (3), (6)(E), (6)(G), (8), (10)(A), (10)(C),  
6                   or (10)(D) of section 212(a);

7                   “(B) has not ordered, incited, assisted, or  
8                   otherwise participated in the persecution of any  
9                   person on account of race, religion, nationality,  
10                  membership in a particular social group, or po-  
11                  litical opinion;

12                  “(C) has not been convicted of—

13                          “(i) any offense under Federal or  
14                          State law, other than a State offense for  
15                          which an essential element is the alien’s  
16                          immigration status, that is punishable by a  
17                          maximum term of imprisonment of more  
18                          than 1 year; or

19                          “(ii) 3 or more offenses under Federal  
20                          or State law, other than State offenses for  
21                          which an essential element is the alien’s  
22                          immigration status, for which the alien was  
23                          convicted on different dates for each of the  
24                          3 offenses and imprisoned for an aggregate  
25                          of 90 days or more; and

1           “(D) has registered under the Military Se-  
2           lective Service Act (50 U.S.C. 3801 et seq.), if  
3           the alien is subject to registration under that  
4           Act.

5           “(2) WAIVER.—With respect to any benefit  
6           under this section, the Secretary of Homeland Secu-  
7           rity may waive the grounds of inadmissibility under  
8           paragraph (2), (6)(E), (6)(G), or (10)(D) of section  
9           212(a)—

10           “(A) for humanitarian purposes or family  
11           unity; or

12           “(B) if a waiver is otherwise in the public  
13           interest.

14           “(3) TREATMENT OF EXPUNGED CONVIC-  
15           TIONS.—For purposes of paragraph (1), the Sec-  
16           retary—

17           “(A) may not automatically treat an ex-  
18           punged conviction as a conviction; and

19           “(B) shall evaluate expunged convictions  
20           on a case-by-case basis according to the nature  
21           and severity of the underlying offense to deter-  
22           mine whether, under the circumstances, the  
23           alien should be eligible for adjustment of status.

24           “(d) LIMITATION ON REMOVAL.—

1           “(1) IN GENERAL.—With respect to an alien  
2 who is in removal proceedings or subject to a final  
3 order of removal or an order of voluntary departure,  
4 the Secretary of Homeland Security shall provide  
5 the alien with a reasonable opportunity to apply for  
6 relief under this section if the alien—

7           “(A) requests an opportunity to so apply;

8           or

9           “(B) appears to be prima facie eligible for  
10 such relief.

11           “(2) STAY OF REMOVAL FOR CERTAIN CHIL-  
12 DREN.—The Secretary of Homeland Security shall  
13 stay the removal of an alien who—

14           “(A) meets the requirements of subpara-  
15 graphs (A) and (B) of subsection (b)(1);

16           “(B) subject to paragraphs (2) and (3) of  
17 subsection (c), is not subject to a ground of in-  
18 eligibility under paragraph (1) of such sub-  
19 section; and

20           “(C) is enrolled in—

21           “(i) an early childhood education pro-  
22 gram;

23           “(ii) an elementary school;

24           “(iii) a secondary school; or

1 “(iv) an education program assisting  
2 students in obtaining a high school di-  
3 ploma or its equivalent.

4 “(e) EFFECTIVE DATE.—The section shall take effect  
5 on the earlier of—

6 “(1) the date that is 180 days after the date of  
7 the enactment of this section; or

8 “(2) May 1, 2022.”.

9 (b) CONFORMING AMENDMENT.—The table of con-  
10 tents for the Immigration and Nationality Act (8 U.S.C.  
11 1101 et seq.) is amended by inserting after the item relat-  
12 ing to 245A the following:

“Sec. 245B. Adjustment of status of certain entrants.”.

13 **SEC. 60002. RECAPTURE OF UNUSED IMMIGRANT VISA**  
14 **NUMBERS.**

15 (a) RECAPTURE OF UNUSED IMMIGRANT VISA NUM-  
16 BERS.—

17 (1) ENSURING FUTURE USE OF ALL IMMIGRANT  
18 VISAS.—Section 201(e)(1)(B)(ii) of the Immigration  
19 and Nationality Act (8 U.S.C. 1151(e)(1)(B)(ii)) is  
20 amended to read as follows:

21 “(ii) In no case shall the number com-  
22 puted under subparagraph (A) be less than  
23 the sum of—

24 “(I) 226,000; and

1                   “(II) the number computed  
2                   under paragraph (3).”.

3                   (2) RECAPTURING UNUSED VISAS.—Section 201  
4                   of the Immigration and Nationality Act (8 U.S.C.  
5                   1151) is amended by adding at the end the fol-  
6                   lowing:

7                   “(g) RECAPTURING UNUSED VISAS.—

8                   “(1) FAMILY-SPONSORED VISAS.—

9                   “(A) IN GENERAL.—Notwithstanding the  
10                  numerical limitations set forth in this section or  
11                  in sections 202 or 203, beginning in fiscal year  
12                  2022, the number of family-sponsored immi-  
13                  grant visas that may be issued under section  
14                  203(a) shall be increased by the number com-  
15                  puted under subparagraph (B).

16                  “(B) UNUSED VISAS.—The number com-  
17                  puted under this subparagraph is the dif-  
18                  ference, if any, between—

19                  “(i) the difference, if any, between—

20                  “(I) the sum of the worldwide  
21                  levels established under section  
22                  201(c)(1) for fiscal years 1992  
23                  through 2021; and

1                   “(II) the number of visas issued  
2                   under section 203(a) during such fis-  
3                   cal years; and

4                   “(ii) the number of visas resulting  
5                   from the calculation under clause (i) issued  
6                   under section 203(a) after fiscal year  
7                   2021.

8                   “(2) EMPLOYMENT-BASED VISAS.—

9                   “(A) IN GENERAL.—Notwithstanding the  
10                  numerical limitations set forth in this section or  
11                  in sections 202 or 203, beginning in fiscal year  
12                  2022, the number of employment-based immi-  
13                  grant visas that may be issued under section  
14                  203(b) shall be increased by the number com-  
15                  puted under subparagraph (B).

16                  “(B) UNUSED VISAS.—The number com-  
17                  puted under this paragraph is the difference, if  
18                  any, between—

19                  “(i) the difference, if any, between—

20                  “(I) the sum of the worldwide  
21                  levels established under section  
22                  201(d)(1) for fiscal years 1992  
23                  through 2021; and

1                   “(II) the number of visas issued  
2                   under section 203(b) during such fis-  
3                   cal years; and

4                   “(ii) the number of visas resulting  
5                   from the calculation under clause (i) issued  
6                   under section 203(b) after fiscal year  
7                   2021.

8                   “(3) DIVERSITY VISAS.—Notwithstanding sec-  
9                   tion 204(a)(1)(I)(ii)(II), an immigrant visa for an  
10                  alien selected in accordance with section 203(e)(2) in  
11                  fiscal year 2017, 2018, 2019, 2020, or 2021 shall  
12                  remain available to such alien (and the spouse and  
13                  children of such alien) if—

14                  “(A) the alien was refused a visa, pre-  
15                  vented from seeking admission, or denied ad-  
16                  mission to the United States solely because of  
17                  Executive Order 13769, Executive Order  
18                  13780, Presidential Proclamation 9645, or  
19                  Presidential Proclamation 9983; or

20                  “(B) because of restrictions or limitations  
21                  on visa processing, visa issuance, travel, or  
22                  other effects associated with the COVID–19  
23                  public health emergency—

24                  “(i) the alien was unable to receive a  
25                  visa interview despite submitting an Online

1           Immigrant Visa and Alien Registration  
2           Application (Form DS-260) to the Sec-  
3           retary of State; or

4                   “(ii) the alien was unable to seek ad-  
5           mission or was denied admission to the  
6           United States despite being approved for a  
7           visa under section 203(c).”.

8   **SEC. 60003. ADJUSTMENT OF STATUS.**

9           Section 245 of the Immigration and Nationality Act  
10   (8 U.S.C. 1255) is amended by adding at the end the fol-  
11   lowing:

12           “(n) VISA AVAILABILITY.—

13                   “(1) IN GENERAL.—Notwithstanding section  
14           (a)(3), the Secretary of Homeland Security may ac-  
15           cept for filing, an application for adjustment of sta-  
16           tus from an alien (and the spouse and children of  
17           such alien) if such alien—

18                           “(A) is the beneficiary of an approved peti-  
19           tion under section 204(a)(1);

20                           “(B) pays a supplemental fee of \$1,500,  
21           plus \$250 for each derivative beneficiary; and

22                           “(C) is otherwise eligible for such adjust-  
23           ment.

24                   “(2) EXEMPTION.—The Secretary of State shall  
25           exempt an alien (and the spouse and children of

1 such alien) from the numerical limitations described  
2 in sections 201, 202, and 203 and the Secretary of  
3 Homeland Security may adjust the status of such  
4 alien (and the spouse and children of such alien) to  
5 lawful permanent resident if such alien submits or  
6 has submitted an application for adjustment of sta-  
7 tus and—

8 “(A) such alien—

9 “(i) is the beneficiary of an approved  
10 petition under subparagraph (A)(i) or  
11 (B)(i)(I) of section 204(a)(1) that bears a  
12 priority date that is more than 2 years be-  
13 fore the date the alien requests a waiver of  
14 the numerical limitations; and

15 “(ii) pays a supplemental fee of  
16 \$2,500;

17 “(B) such alien—

18 “(i) is the beneficiary of an approved  
19 petition under subparagraph (E) or (F) of  
20 section 204(a)(1) that bears a priority date  
21 that is more than 2 years before the date  
22 the alien requests a waiver of the numer-  
23 ical limitations; and

24 “(ii) pays a supplemental fee of  
25 \$5,000; or

1 “(C) such alien—

2 “(i) is the beneficiary of an approved  
3 petition under subparagraph (H) of section  
4 204(a)(1) that bears a priority date that is  
5 more than 2 years before the date the alien  
6 requests a waiver of the numerical limita-  
7 tions; and

8 “(ii) pays a supplemental fee of  
9 \$50,000.

10 “(3) EFFECTIVE DATE.—

11 “(A) IN GENERAL.—The provisions of this  
12 subsection—

13 “(i) shall take effect on the earlier of  
14 the date that is—

15 “(I) 180 days after the date of  
16 the enactment of this subsection; or

17 “(II) May 1, 2022; and

18 “(ii) except as provided in subpara-  
19 graph (B), shall cease to have effect on  
20 September 30, 2031.

21 “(B) CONTINUATION.—Paragraph (2)  
22 shall continue in effect with respect to an alien  
23 who requested a waiver of the numerical limita-  
24 tions and paid the requisite fee prior to the  
25 date described in subparagraph (A)(ii), until

1           the Secretary of Homeland Security renders a  
2           final administrative decision on such applica-  
3           tion.”.

4 **SEC. 60004. ADDITIONAL SUPPLEMENTAL FEES.**

5           (a) **TREASURY.**—The supplemental fees described in  
6 subsection (b) of this section, and in sections 245B(a)(2)  
7 and 245(n) of the Immigration and Nationality Act, as  
8 added by this subtitle, shall be deposited in the general  
9 fund of the Treasury of the United States.

10          (b) **SUPPLEMENTAL PETITION FEE.**—Section  
11 204(a)(1) of the Immigration and Nationality Act (8  
12 U.S.C. 1154(a)(1)) is amended—

13           (1) in subparagraph (A)(i), by adding at the  
14 end the following: “A petition for classification by  
15 reason of a relationship described in paragraph (1),  
16 (3), or (4) of section 203(a) shall be accompanied by  
17 a supplemental fee in the amount of \$100.”;

18           (2) in subparagraph (B)(i)(I), by adding at the  
19 end the following: “Such petition shall be accom-  
20 panied by a supplemental fee in the amount of  
21 \$100.”;

22           (3) in subparagraph (E), by adding at the end  
23 the following: “Such petition shall be accompanied  
24 by a supplemental fee in the amount of \$800.”;

1 (4) in subparagraph (F), by adding at the end  
2 the following: “Such petition shall be accompanied  
3 by a supplemental fee in the amount of \$800.”; and

4 (5) in subparagraph (H), by adding at the end  
5 the following: “Such petition shall be accompanied  
6 by a supplemental fee in the amount of \$15,000.”.

7 **SEC. 60005. U.S. CITIZENSHIP AND IMMIGRATION SERVICES.**

8 In addition to amounts otherwise available, there is  
9 appropriated to U.S. Citizenship and Immigration Serv-  
10 ices for fiscal year 2022, out of any money in the Treasury  
11 not otherwise appropriated, \$2,800,000,000, to remain  
12 available until expended, for the purpose of increasing the  
13 capacity of U.S. Citizenship and Immigration Services to  
14 efficiently adjudicate applications described in sections  
15 245B and 245(n) of the Immigration and Nationality Act,  
16 as added by sections 60001 and 60003 of this Act, respec-  
17 tively, and to reduce case processing backlogs.

18 **Subtitle B—Community Violence**  
19 **Prevention**

20 **SEC. 61001. FUNDING FOR COMMUNITY-BASED VIOLENCE**  
21 **INTERVENTION INITIATIVES.**

22 (a) IN GENERAL.—In addition to amounts otherwise  
23 available, there is appropriated to the Attorney General  
24 for fiscal year 2022, out of any money in the Treasury  
25 not otherwise appropriated, \$2,500,000,000, to remain

1 available until September 30, 2031, for the purposes de-  
2 scribed in subsection (b).

3 (b) USE OF FUNDING.—The Attorney General, act-  
4 ing through the Assistant Attorney General of the Office  
5 of Justice Programs, the Director of the Office of Commu-  
6 nity Oriented Policing Services, and the Director of the  
7 Office on Violence Against Women, shall use amounts ap-  
8 propriated by subsection (a)—

9 (1) to award competitive grants or contracts to  
10 units of local government, States, Indian Tribes,  
11 nonprofit community-based organizations, victim  
12 services providers, or other entities as determined by  
13 the Attorney General, to support evidence-informed  
14 intervention strategies to reduce community violence;

15 (2) to support training, technical assistance, re-  
16 search, evaluation, and data collection on strategies  
17 to effectively reduce community violence and ensure  
18 public safety; and

19 (3) to support research, evaluation, and data  
20 collection on the differing impact of community vio-  
21 lence on demographic categories.

22 (c) EXPENDITURE REQUIREMENT.—All expenditures  
23 made pursuant to subsection (a) shall be made on or be-  
24 fore September 30, 2031.