

A LETTER REGARDING SECTION 245(i) OF  
THE IMMIGRATION AND NATIONALITY ACT

---

COMMUNICATION

FROM

**THE PRESIDENT OF THE UNITED STATES**

TRANSMITTING

A LETTER IN SUPPORT OF LEGISLATION TO EXTEND THE WINDOW CREATED UNDER SECTION 245(i) OF THE IMMIGRATION AND NATIONALITY ACT DURING WHICH QUALIFIED IMMIGRANTS MAY OBTAIN LEGAL RESIDENCE IN THE UNITED STATES WITHOUT BEING FORCED TO FIRST LEAVE THE COUNTRY AND THEIR FAMILIES FOR SEVERAL YEARS



MAY 1, 2001.—Referred to the Committee on the Judiciary and ordered to be printed

---

U.S. GOVERNMENT PRINTING OFFICE



THE WHITE HOUSE,  
Washington, May 1, 2001.

Hon. J. DENNIS HASTERT,  
*Speaker of the House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER: I am a strong proponent of government policies that recognize the importance of families and that help to strengthen them. To the extent possible, I believe that our immigration policies should reflect that philosophy. That is why I support legislation to extend the window created under section 245(i) of the Immigration and Nationality Act during which qualified immigrants may obtain legal residence in the United States without being forced to first leave the country and their families for several years.

According to agency estimates, there are more than 500,000 undocumented immigrants in the country who are eligible to become legal permanent residents, primarily because of their family relationship with a citizen or legal permanent resident. However, the law generally requires them to go back to their home country to obtain a visa, and once they do so, they are barred from returning to the United States for up to 10 years. Many choose to risk remaining here illegally rather than to be separated from their families for those many years. This issue has been the subject of discussion in the Working Group that Attorney General Ashcroft and Secretary of State Powell co-chair with officials of the Mexican government, and should be addressed to ensure a more orderly, legal, and humane migration flow between our countries.

I encourage the Congress to consider whether there was adequate time for persons eligible under section 245(i) to apply for adjustment of status before the filing deadline expired yesterday. Information indicates an estimated 200,000 were eligible to file but did not meet the deadline. Preliminary reports suggest that many applicants were unable to complete their paperwork in time, due in part to the fact that the rules explaining how the provision would be applied were not issued until late March. It remains in our national interest to legitimize those resident immigrants, eligible for legal status, and to welcome them as full participants of our society. But we will only be able to do this if the path to legalization encourages family reunification. For this reason, I would support legislation that temporarily extends the recently expired April 30, 2001, filing deadline, while maintaining the requirement that the applicant was physically present in the United States on December 21, 2000.

I look forward to working with you on this important legislation.  
Sincerely,

GEORGE BUSH.

○

(1)