

R 291847Z JAN 02  
FM SECSTATE WASHDC  
TO ALL DIPLOMATIC AND CONSULAR POSTS  
SPECIAL EMBASSY PROGRAM  
POUCH BELGRADE  
POUCH DUSHANBE  
POUCH LAHORE

UNCLAS STATE 017328

VISAS

E.O. 12958: N/A

TAGS: CVIS

**SUBJECT: HR 2277 (PL 107-124) AND HR 2278 (PL 107-125) Signed Into Law**

**1. Summary:** HR 2277 and HR 2278 were signed into law and provide for employment authorization for spouses of E-1 and E-2 visa holders, as well as for the spouses of L-1 visa holders. HR 2278 also reduces the qualifying period of employment for some L-1 visa applicants. End summary.

**2.** On January 16, 2002, the President signed into law HR 2277 which has become PL 107-124. This new law provides for work authorization for nonimmigrant spouses of treaty traders and treaty investors, (E-1 and E-2). The following has been added to section 214(e) of the Immigration and Nationality Act (INA), thereby amending this section of law:

"(6) In the case of an alien spouse admitted under section 101(a)(15)(E) of the INA, who is accompanying or following to join a principal alien admitted under such section, the Attorney General shall authorize the alien spouse to engage in employment in the United States and provide the spouse with an 'employment authorized' endorsement or other appropriate work permit."

**3.** HR 2278 was also signed into law, becoming PL 107-125, and providing for work authorization for nonimmigrant spouses (L-2) of intracompany transferees. It also reduces the period of time from one year to six months during which intracompany transferees have to be continuously employed before applying for admission to the United States if the employer has obtained approval of a blanket petition from INS.

**4. Section 214(c)(2) of the INA has been amended by adding the following:**

"(E) In the case of an alien spouse admitted under Section 101(a)(15)(L), who is accompanying or following to join a principal alien admitted under such section, the Attorney General shall authorize the alien spouse to engage in employment in the United States and provide the spouse with an 'employment authorized' endorsement or other

appropriate work permit."

**5. Reduction of Required Period of Prior Continuous Employment for Certain Intracompany Transferees.**

**Section 214(c)(2)(A) of the Immigration and Nationality Act has been amended by adding the following:**

"In the case of an alien seeking admission under Section 101(a)(15)(L), the one-year period of continuous employment required under such section is deemed to be reduced to a 6-month period

if the importing employer has filed a blanket petition under this subparagraph and met the requirements for expedited processing of aliens covered under such petition."

**6. CA/VO is in the process of amending the regs and notes which will appear in INSERTS 7. Conoffs should address any questions they may have to CA/VO/L/A.**

POWELL