

107TH CONGRESS
2^D SESSION

H. R. 3714

To amend the Immigration and Nationality Act to facilitate entry into the United States by nonimmigrant aliens for brief temporary stays for the serious illness or death of a member of the alien's immediate family.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2002

Mr. HASTINGS of Florida introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to facilitate entry into the United States by nonimmigrant aliens for brief temporary stays for the serious illness or death of a member of the alien's immediate family.

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. ALIEN NONIMMIGRANT VISAS FOR BRIEF TEM-**
2 **PORARY STAYS FOR THE SERIOUS ILLNESS**
3 **OR DEATH OF AN IMMEDIATE FAMILY MEM-**
4 **BER.**

5 (a) AMENDMENT TO IMMIGRATION AND NATION-
6 ALITY ACT.—Section 214(b) of the Immigration and Na-
7 tionality Act (8 U.S.C. 1184(b)) is amended—

8 (1) by striking “(b)” and inserting “(b)(1)”;

9 (2) by striking “101(a)(15)” and inserting
10 “101(a)(15) or paragraph (2)”; and

11 (3) by adding at the end the following:

12 “(2)(A) In the case of an alien seeking nonimmigrant
13 status under section 101(a)(15)(B) in order to enter the
14 United States for a brief temporary stay occasioned by
15 the serious illness or death of an immediate family mem-
16 ber the alien shall be presumed to be entitled to such non-
17 immigrant status unless the consular officer, at the time
18 of application for a visa, or the immigration officer, at
19 the time of application for admission, determines, based
20 on specific facts, that the alien—

21 “(i) is inadmissible to the United States under
22 section 212(a); or

23 “(ii) does not intend to depart from the United
24 States after the expiration of the alien’s period of
25 authorized admission.”.

1 “(B) In the case of an alien where the consular officer
2 makes a determination under subparagraph (A)(ii), the
3 alien may submit an application for such a visa for expedited review by the consular officer if the alien obtains
4 a sponsor who is a United States citizen or permanent
5 resident alien who agrees to be responsible for the departure of the alien at the expiration of the alien’s period
6 of authorized admission. Such agreement may include the
7 payment of a bond.

10 “(C) For purposes of this subparagraph, the term
11 ‘immediate family member’ includes a spouse, parent, son,
12 daughter, brother, or sister of an alien.”.

13 (b) TRACKING OF ALIEN ADMISSIONS AND DEPARTURES.—The Attorney General shall establish procedures
14 to track and match alien admissions and departures under
15 nonimmigrant visas granted pursuant to the authorities
16 of section 214(b)(2) of the Immigration and Nationality
17 Act as amended by subsection (a).

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