

111TH CONGRESS
2^D SESSION

H. R. 5595

To amend section 214(b) of the Immigration and Nationality Act to create, for an alien seeking to enter the United States as a nonimmigrant to care for a relative with a serious health condition, an exemption from the presumption that the alien is an immigrant.

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2010

Mr. ELLISON introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To amend section 214(b) of the Immigration and Nationality Act to create, for an alien seeking to enter the United States as a nonimmigrant to care for a relative with a serious health condition, an exemption from the presumption that the alien is an immigrant.

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

3 **SECTION 1. EXEMPTION FROM PRESUMPTION THAT AN**
4 **ALIEN IS AN IMMIGRANT.**

5 Section 214(b) of the Immigration and Nationality
6 Act (8 U.S.C. 1184(b)) is amended—

1 (1) by striking “(b) Every alien (other than”
2 and inserting the following:

3 “(b)(1) Every alien (except for a nonimmigrant de-
4 scribed in paragraph (2),”;

5 (2) by striking “and other than” and inserting
6 “and”; and

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

8 “(2) An alien is described in this paragraph if the
9 alien—

10 “(A) is a family member of an individual who—

11 “(i) is suffering from a serious health con-
12 dition (as such term is defined in section
13 101(11) of the Family and Medical Leave Act
14 of 1993 (29 U.S.C. 2611(11)); and

15 “(ii) is a citizen of the United States or an
16 alien lawfully admitted to the United States for
17 permanent residence;

18 “(B) seeks to enter the United States to pro-
19 vide care to the individual described in subparagraph
20 (A); and

21 “(C) submits an attestation from a health care
22 provider (as such term is defined in section 101(6)
23 of the Family and Medical Leave Act of 1993 (29
24 U.S.C. 2611(6)) of the individual described in sub-
25 paragraph (A) that includes—

1 “(i) a diagnosis statement, which includes
2 the treatment being provided; and

3 “(ii) the expected time period during which
4 such care will be required.”.

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