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114TH CONGRESS
1ST SESSION

H. R. 2203

To remove the Kosovo Liberation Army from treatment as a terrorist organization, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 1, 2015

Mr. ENGEL (for himself and Mr. ADERHOLT) introduced the following bill; which was referred to the Committee on the Judiciary

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A BILL

To remove the Kosovo Liberation Army from treatment as a terrorist organization, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TREATMENT OF THE KOSOVO LIBERATION ARMY UNDER THE IMMIGRATION AND NATIONALITY ACT.

(a) REMOVAL OF THE KOSOVO LIBERATION ARMY FROM TREATMENT AS A TERRORIST ORGANIZATION.—

(1) IN GENERAL.—Subject to paragraph (2), the Kosovo Liberation Army shall not be considered to be a terrorist organization (as such term is de-

fined in section 212(a)(3)(B)(vi)(III) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(vi)(III))) for purposes of inadmissibility under section 212(a)(3)(B) of such Act.

(2) EXCEPTION.—The Secretary of State, after consultation with the Secretary of Homeland Security and the Attorney General, or the Secretary of Homeland Security, after consultation with the Secretary of State and the Attorney General, may suspend the application of paragraph (1) in such Secretary's sole and unreviewable discretion.

(b) RELIEF REGARDING ADMISSIBILITY OF NONIMMIGRANT ALIENS ASSOCIATED WITH THE KOSOVO LIBERATION ARMY.—

(1) IN GENERAL.—Subject to paragraph (2), section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)) shall not apply to an alien in connection with the alien's activities undertaken in association with the Kosovo Liberation Army—

(A) in a case in which the alien is applying for a nonimmigrant visa, unless the consular officer—

(i) knows, or has reasonable grounds to believe, that the alien poses a threat to

the safety and security of the United States; or

(ii) otherwise believes, in the discretion of the consular officer and based on the totality of the circumstances, that the visa should not be issued; or

(B) in a case in which the alien presents himself or herself for inspection and admission as a nonimmigrant to an immigration officer at a port of entry or is applying in the United States for nonimmigrant status, unless the Secretary of Homeland Security—

(i) knows, or has reasonable grounds to believe, that the alien poses a threat to the safety and security of the United States; or

(ii) otherwise believes, in the discretion of the Secretary and based on the totality of the circumstances, that the alien should not be admitted to the United States or granted nonimmigrant status.

(2) EXCEPTION.—The Secretary of State, after consultation with the Secretary of Homeland Security and the Attorney General, or the Secretary of Homeland Security, after consultation with the Sec-

retary of State and the Attorney General, may suspend the application of paragraph (1) on a case-by-case basis in such Secretary's sole and unreviewable discretion.

(3) CONSULTATION REQUIREMENT.—The Secretary of State and the Secretary of Homeland Security shall implement this subsection in consultation with the Attorney General.

(4) CONSTRUCTION.—Nothing in this subsection may be construed to alter an alien's burden of demonstrating admissibility under the immigration laws of the United States.

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