

108TH CONGRESS
1ST SESSION

H. R. 3075

To amend the Immigration and Nationality Act to bar the admission of aliens from countries determined to be state sponsors of terrorism, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 11, 2003

Mr. BARRETT of South Carolina introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to bar the admission of aliens from countries determined to be state sponsors of terrorism, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “Stop Terrorist Entry
5 Program Act of 2003”.

6 **SEC. 2. TREATMENT OF NATIONALS OF STATE SPONSORS**
7 **OF TERRORISM.**

8 (a) IN GENERAL.—

1 (1) AMENDMENT.—Chapter 9 of title II of the
 2 Immigration and Nationality Act (8 U.S.C. 1351 et
 3 seq.) is amended by adding at the end the following
 4 new section:

5 “TREATMENT OF NATIONALS OF STATE SPONSORS OF
 6 TERRORISM

7 “SEC. 295. (a) IN GENERAL.—No nonimmigrant or
 8 immigrant visa may be issued, or nonimmigrant or immi-
 9 grant status otherwise provided, other than a visa or sta-
 10 tus described in section 101(a)(15)(A) or 201(b)(2)(A)(i),
 11 to any alien who is a national of, or residing in, a country
 12 that is determined to be a state sponsor of terrorism, ex-
 13 cept the Secretary of Homeland Security (or the consular
 14 officer, in the case of an application for a visa) may, on
 15 a case-by-case basis, waive the application of this sub-
 16 section in the case of an alien who—

17 “(1) requires examination or treatment for an
 18 emergency medical condition (as defined in section
 19 562(d) of the Illegal Immigration Reform and Immi-
 20 gration Responsibility Act of 1996 (8 U.S.C.
 21 1396(d)); or

22 “(2) is eligible for admission as a refugee under
 23 section 207 or for asylum under section 208.

24 “(b) STATE SPONSOR OF TERRORISM DEFINED.—

25 “(1) IN GENERAL.—In this section, the term
 26 ‘state sponsor of terrorism’ means any country the

1 government of which has been determined by the
2 Secretary of State under any of the laws specified in
3 paragraph (2) to have repeatedly provided support
4 for acts of terrorism. Such term shall apply to a
5 country beginning on the date on which such deter-
6 mination takes effect and ending on the date on
7 which such determination is withdrawn, terminated,
8 revoked, or otherwise ceases to be effective.

9 “(2) LAWS UNDER WHICH DETERMINATIONS
10 WERE MADE.—The laws specified in this paragraph
11 are the following:

12 “(A) Section 6(j)(1)(A) of the Export Ad-
13 ministration Act of 1979 (or successor statute).

14 “(B) Section 40(d) of the Arms Export
15 Control Act.

16 “(C) Section 620A(a) of the Foreign As-
17 sistance Act of 1961.”.

18 (2) CLERICAL AMENDMENT.—The table of con-
19 tents of the Immigration and Nationality Act is
20 amended by inserting after the item relating to sec-
21 tion 294 the following:

“295. Treatment of nationals of state sponsors of terrorism.”.

22 (3) EFFECTIVE DATE.—The amendments made
23 by this subsection shall take effect on the date of the
24 enactment of this Act and shall apply to visas
25 issued, or status provided, on and after such date.

1 (b) APPLICATION TO ADMITTED NONIMMIGRANTS.—

2 In the case of a nonimmigrant alien lawfully admitted into
3 the United States who would have been ineligible to be
4 granted such nonimmigrant status if the amendments
5 made by subsection (a) had been in effect on the date on
6 which such status was granted, notwithstanding any other
7 provision of law, the period of authorized admission as
8 such a nonimmigrant shall terminate 60 days after the
9 date of the enactment of this Act, unless the Secretary
10 of Homeland Security makes an individualized determina-
11 tion described in section 295(a) of the Immigration and
12 Nationality Act (as added by subsection (a)) with respect
13 to the alien.

14 (c) REPEAL.—Section 306 of the Enhanced Border
15 Security and Visa Entry Reform Act of 2002 (Public Law
16 107–173) is repealed.

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