

108TH CONGRESS
1ST SESSION

H. R. 3306

To amend the Immigration and Nationality Act to remove from an alien the initial burden of establishing that he or she is entitled to non-immigrant status under section 101(a)(15)(B) of such Act, in the case of certain aliens seeking to enter the United States for a temporary stay occasioned by the serious illness or death of a United States citizen or an alien lawfully admitted for permanent residence, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 16, 2003

Mr. CASE (for himself, Mr. ABERCROMBIE, Ms. BORDALLO, Ms. MILLENDER-McDONALD, Mr. SERRANO, Ms. ROYBAL-ALLARD, and Mr. HONDA) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to remove from an alien the initial burden of establishing that he or she is entitled to nonimmigrant status under section 101(a)(15)(B) of such Act, in the case of certain aliens seeking to enter the United States for a temporary stay occasioned by the serious illness or death of a United States citizen or an alien lawfully admitted for permanent residence, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Compassionate Visitor
3 Visa Act”.

4 **SEC. 2. ELIMINATION OF INITIAL BURDEN OF ESTAB-**
5 **LISHING ENTITLEMENT TO NONIMMIGRANT**
6 **STATUS FOR CERTAIN ALIENS SEEKING**
7 **ENTRY DUE TO TEMPORARY FAMILY OBLIGA-**
8 **TION.**

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

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

12 (2) by striking “101(a)(15))” and inserting
13 “101(a)(15) or paragraph (2))”; and

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

15 “(2) In the case of an alien seeking nonimmigrant
16 status under section 101(a)(15)(B) in order to enter the
17 United States for a temporary stay occasioned by, and re-
18 lating to, the serious illness or death of a United States
19 citizen, or an alien lawfully admitted for permanent resi-
20 dence, who is a grandchild, grandparent, parent, sibling,
21 spouse, or child of the applicant (or other emergency or
22 compelling circumstances involving such a citizen or per-
23 manent resident alien as the Secretary of Homeland Secu-
24 rity may establish by regulation), the applicant shall be
25 presumed to be entitled to such nonimmigrant status un-
26 less the consular officer, at the time of application for a

1 visa, or the immigration officer, at the time of application
2 for admission, determines, based on specific facts, that the
3 applicant—

4 “(A) is inadmissible to the United States
5 under section 212(a); or

6 “(B) does not intend to depart from the
7 United States after the expiration of the period
8 of authorized admission”.

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