

108TH CONGRESS
1ST SESSION

H. R. 723

To except spouses and children of Philippine servicemen in the United States Navy from bars to admission and relief under the Immigration and Nationality Act.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2003

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

A BILL

To except spouses and children of Philippine servicemen in the United States Navy from bars to admission and relief under the Immigration and Nationality Act.

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 “Military Families Uni-
5 fication Act of 2003”.

1 **SEC. 2. EXCEPTIONS FOR QUALIFYING RELATIVES OF PHIL-**2 **IPPINE SERVICEMEN IN THE UNITED STATES**3 **NAVY.**

4 (a) EXCEPTION TO THE BARS TO ADMISSION FOR
5 ALIENS UNLAWFULLY PRESENT IN THE UNITED
6 STATES.—No period of time during which an alien is a
7 qualifying relative of a Philippine enlistee shall be taken
8 into account in determining the period of unlawful pres-
9 ence in the United States under section 212(a)(9)(B)(i)
10 of the Immigration and Nationality Act (8 U.S.C.
11 1182(a)(9)(B)(i)).

12 (b) EXCEPTION TO THE PENALTIES FOR FAILURE
13 TO DEPART.—An alien permitted by the Attorney General
14 to depart voluntarily shall not be made ineligible for any
15 relief under the Immigration and Nationality Act by virtue
16 of remaining in the United States after the scheduled date
17 of departure if—

18 (1) the scheduled date of departure was on or
19 after April 1, 1997; and
20 (2) the alien was a qualifying relative of a Phil-
21 ippine enlistee on such scheduled date of departure
22 and is such a qualifying relative at the time of the
23 application for relief.

24 (c) WORK AUTHORIZATION.—The Attorney General
25 shall provide qualifying relatives of Philippine enlistees of
26 suitable age with work authorization (including an “em-

1 plement authorized" endorsement or other appropriate
2 work permit).

3 (d) PHILIPPINE ENLISTEES.—

4 (1) DEFINED.—For purposes of this section,
5 the term "Philippine enlistee" means an alien who—

6 (A) was recruited and enlisted in the
7 United States Navy pursuant to article XXVIII
8 of the March 14, 1947, United States-Phil-
9ippines Military Bases Agreement, as amended,
10 which expired on September 16, 1991;

11 (B) was born in and is a citizen of the
12 Philippines; and

13 (C) is on active duty for a fixed term of
14 enlistment (or reenlistment, if the individual's
15 enlistment in the United States Navy was pur-
16 suant to such Agreement) and is in good stand-
17 ing with honorable service.

18 (2) VERIFICATION OF STATUS.—In determining
19 whether an alien is a Philippine enlistee, the Attor-
20 ney General and the Secretary of State shall request
21 from the Secretary of Defense, through the Depart-
22 ment of the Navy, verification of such alien's date
23 of enlistment under such Agreement, the term of en-
24 listment, the current enlistment status, citizenship,
25 and claimed dependents.

1 (e) QUALIFYING RELATIVE DEFINED.—For purposes
2 of this section, the term “qualifying relative” means—

3 (1) a child (as defined in section 101(b)(1) of
4 the Immigration and Nationality Act, 8 U.S.C.
5 1101(b)(1)), or
6 (2) a spouse.

7 (f) EFFECTIVE DATE; SUNSET.—This section is ef-
8 fective on the date that is 45 days after the date of the
9 enactment of this Act and shall remain in effect through
10 December 31, 2008, and thereafter with respect to bene-
11 ficiaries who have unadjudicated applications for relief
12 filed on or before October 1, 2005.

○