

109TH CONGRESS
1ST SESSION

H. R. 4448

To amend the Immigration and Nationality Act to permit the admission to the United States of nonimmigrant students and visitors who are the spouses and children of United States permanent resident aliens, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 6, 2005

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

A BILL

To amend the Immigration and Nationality Act to permit the admission to the United States of nonimmigrant students and visitors who are the spouses and children of United States permanent resident aliens, 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. ADMISSION OF CERTAIN “B” AND “F” VISA NON-**
2 **IMMIGRANTS WHO ARE SPOUSES OR CHIL-**
3 **DREN OF UNITED STATES PERMANENT RESI-**
4 **DENT ALIENS.**

5 Section 212 of the Immigration and Nationality Act
6 (8 U.S.C. 1182) is amended—

7 (1) by redesignating the subsection (t) added by
8 section 1(b)(2) of Public Law 108–449 (118 Stat.
9 3469) as a subsection (u); and

10 (2) by adding at the end the following:

11 “(v)(1) Notwithstanding any other provision of law,
12 no alien—

13 “(A) who is—

14 “(i) the spouse or child of an alien lawfully
15 admitted for permanent residence to the United
16 States; and

17 “(ii) not eligible to enter the United States
18 as an immigrant except by reason of being such
19 a spouse or child; and

20 “(B) who seeks admission to the United States
21 for purposes of visiting the permanent resident
22 spouse or parent or for studying in the United
23 States; and

24 “(C) who is otherwise qualified;

25 may be denied issuance of a visa, or may be denied admis-
26 sion to the United States, as a nonimmigrant alien de-

1 scribed in section 101(a)(15)(B) who is coming to the
2 United States temporarily for pleasure or as a non-
3 immigrant alien described in section 101(a)(15)(F).

4 “(2) Whenever an alien described in paragraph (1)
5 seeks admission to the United States as a nonimmigrant
6 alien described in section 101(a)(15)(B) who is coming
7 temporarily for pleasure or as a nonimmigrant alien de-
8 scribed in section 101(a)(15)(F), the fact that a petition
9 has been filed on the alien’s behalf for classification of
10 the alien as an alien lawfully admitted for permanent resi-
11 dence shall not constitute evidence of the alien’s intention
12 to abandon his or her foreign residence.”.

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