

103D CONGRESS
1ST SESSION

S. 115

For the relief of Timothy Bostock.

IN THE SENATE OF THE UNITED STATES

JANUARY 21 (legislative day, JANUARY 5), 1993

Mr. INOUE introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

For the relief of Timothy Bostock.

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. TEMPORARY RESIDENT STATUS FOR BENE-**
4 **FICIARY.**

5 (a) TEMPORARY RESIDENCE.—Notwithstanding sec-
6 tion 212(a)(23) of the Immigration and Nationality Act
7 (8 U.S.C. 1182(a)(23)) or any other provision of that Act,
8 Timothy Bostock shall be issued a visa and admitted to
9 the United States to the status of an alien lawfully admit-
10 ted to the United States for temporary residence if—

11 (1) he is found to be otherwise admissible as an
12 immigrant under the provisions of that Act; and

1 (2) a petition for immediate relative status is
2 filed on his behalf with the Attorney General by a
3 United States citizen spouse of the alien within 60
4 days after the date of enactment of this Act.

5 (b) PREVIOUSLY KNOWN GROUND FOR EXCLU-
6 SION.—The exemption under subsection (a) shall apply
7 only to grounds for exclusion of which the Department of
8 State or the Department of Justice had knowledge before
9 the date of enactment of this Act.

10 (c) ADJUSTMENT TO PERMANENT STATUS.—The At-
11 torney General shall, at the end of the 3-year period begin-
12 ning on the date on which the beneficiary was granted law-
13 ful temporary residence status under subsection (a), ad-
14 just the status of the beneficiary to that of an alien law-
15 fully admitted for permanent residence if—

16 (1) the Attorney General finds that the bene-
17 ficiary has exhibited conduct during such period
18 which demonstrates good moral character (including
19 community ties and the performance of community
20 service, prescribed by the Attorney General at the
21 time of adjustment of status under subsection (a),
22 directed toward publicizing the dangers of using con-
23 trolled substances);

1 (2) the beneficiary establishes that he has re-
2 sided continuously in the United States since the
3 date he was granted such temporary status; and

4 (3) the beneficiary establishes that he—

5 (A) is admissible to the United States as
6 an immigrant, and

7 (B) has not been convicted of any felony or
8 three or more misdemeanors committed in the
9 United States.

10 (d) TREATMENT OF BRIEF, CASUAL, AND INNOCENT
11 ABSENCES.—During the period the beneficiary is in tem-
12 porary status under subsection (a), the beneficiary shall
13 not be considered to have failed to maintain continuous
14 residence in the United States for the purposes of sub-
15 section (c) by virtue of brief, casual, and innocent absences
16 from the United States.

17 (e) AFFIDAVITS.—The Attorney General may require
18 the beneficiary to submit affidavits for the purposes of the
19 determinations made under subsection (c).

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