

105TH CONGRESS
2D SESSION

H. R. 3597

To amend the Immigration and Nationality Act to prohibit discrimination in the issuance of nonimmigrant visas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 1998

Mrs. MEEK of Florida (for herself, Mr. FRANK of Massachusetts, and Mr. WATT of North Carolina) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to prohibit discrimination in the issuance of nonimmigrant visas, 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 “Fairness in Issuing
5 of Visas Act of 1998”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

8 (1) Section 202(a)(1) of the Immigration and
9 Nationality Act (8 U.S.C. 1152(a)(1)(A)) prohibits,

1 subject to certain statutory exceptions, discrimina-
2 tion in the issuance of an immigrant visa because of
3 a person's race, sex, nationality, place of birth, or
4 place of residence.

5 (2) In December 1997, the United States Dis-
6 trict Court for the District of Columbia found that,
7 in issuing nonimmigrant visas, consular officers use
8 profiles based principally on the race and national
9 origin of the applicant, thereby placing an additional
10 burden on applicants of particular nationalities and
11 races.

12 (3) The court found that the use of these pro-
13 files was discriminatory because they were based on
14 impermissible generalizations and stereotypes.

15 **SEC. 3. PROHIBITION ON DISCRIMINATION IN ISSUANCE OF**
16 **NONIMMIGRANT VISAS.**

17 Section 221 of the Immigration and Nationality Act
18 (8 U.S.C. 1201) is amended by adding at the end the fol-
19 lowing:

20 “(j) Except as otherwise specifically authorized by
21 law, no person shall receive any preference or priority or
22 be discriminated against in the issuance of a non-
23 immigrant visa because of the person's race, sex, national-
24 ity, place of birth, or place of residence.”.

1 **SEC. 4. REPORT.**

2 Not later than 1 year after the date of the enactment
3 of this Act, the Secretary of State shall report to the Con-
4 gress on the steps the Secretary has taken to eliminate
5 prohibited discrimination in the issuance of immigrant and
6 nonimmigrant visas.

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