

Public Law 107-274  
107th Congress

An Act

To establish new nonimmigrant classes for border commuter students.

Nov. 2, 2002

[H.R. 4967]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Border  
Commuter  
Student Act of  
2002.

8 USC 1101 note.

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Border Commuter Student Act of 2002”.

**SEC. 2. ESTABLISHMENT OF BORDER COMMUTER NONIMMIGRANT CLASS.**

(a) **CLASS FOR ACADEMIC OR LANGUAGE STUDIES.**—Section 101(a)(15)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)) is amended by striking “and (ii)” and all that follows through the end of subparagraph (F) and inserting the following: “(ii) the alien spouse and minor children of any alien described in clause (i) if accompanying or following to join such an alien, and (iii) an alien who is a national of Canada or Mexico, who maintains actual residence and place of abode in the country of nationality, who is described in clause (i) except that the alien’s qualifications for and actual course of study may be full or part-time, and who commutes to the United States institution or place of study from Canada or Mexico;”.

(b) **CLASS FOR VOCATIONAL OR NONACADEMIC STUDIES.**—Section 101(a)(15)(M) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(M)) is amended by striking “and (ii)” and all that follows through the end of subparagraph (M) and inserting the following: “(ii) the alien spouse and minor children of any alien described in clause (i) if accompanying or following to join such an alien, and (iii) an alien who is a national of Canada or Mexico, who maintains actual residence and place of abode in the country of nationality, who is described in clause (i) except that the alien’s course of study may be full or part-time, and who commutes to the United States institution or place of study from Canada or Mexico;”.

(c) **LIMITATION.**—Section 214(m) of the Immigration and Nationality Act (8 U.S.C. 1184(m); as redesignated by section 107(e)(2)(A) of Public Law 106-386) is amended by striking “section

101(a)(15)(F)(i)” both places it appears and inserting “clause (i) or (iii) of section 101(a)(15)(F)”.

Approved November 2, 2002.

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**LEGISLATIVE HISTORY—H.R. 4967:**

**HOUSE REPORTS:** No. 107-753 (Comm. on the Judiciary).

**CONGRESSIONAL RECORD, Vol. 148 (2002):**

Oct. 15, considered and passed House.

Oct. 16, considered and passed Senate.