

106TH CONGRESS  
2D SESSION

# H. R. 2961

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## AN ACT

To amend the Immigration and Nationality Act to authorize a 3-year pilot program under which the Attorney General may extend the period for voluntary departure in the case of certain non-immigrant aliens who require medical treatment in the United States and were admitted under the visa waiver pilot program, and for other purposes.



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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 “International Patient  
5 Act of 2000”.

6 **SEC. 2. THREE-YEAR PILOT PROGRAM TO EXTEND VOL-**  
7 **UNTARY DEPARTURE PERIOD FOR CERTAIN**  
8 **NONIMMIGRANT ALIENS REQUIRING MED-**  
9 **ICAL TREATMENT WHO WERE ADMITTED**  
10 **UNDER VISA WAIVER PILOT PROGRAM.**

11       Section 240B(a)(2) of the Immigration and Nation-  
12 ality Act (8 U.S.C. 1229c(a)(2)) is amended to read as  
13 follows:

14               “(2) PERIOD.—

15                       “(A) IN GENERAL.—Subject to subpara-  
16 graph (B), permission to depart voluntarily  
17 under this subsection shall not be valid for a  
18 period exceeding 120 days.

19                       “(B) 3-YEAR PILOT PROGRAM WAIVER.—  
20 During the period October 1, 2000, through  
21 September 30, 2003, and subject to subpara-  
22 graphs (C) and (D)(ii), the Attorney General  
23 may, in the discretion of the Attorney General  
24 for humanitarian purposes, waive application of  
25 subparagraph (A) in the case of an alien—

1           “(i) who was admitted to the United  
2 States as a nonimmigrant visitor (de-  
3 scribed in section 101(a)(15)(B)) under  
4 the provisions of the visa waiver pilot pro-  
5 gram established pursuant to section 217,  
6 seeks the waiver for the purpose of con-  
7 tinuing to receive medical treatment in the  
8 United States from a physician associated  
9 with a health care facility, and submits to  
10 the Attorney General—

11           “(I) a detailed diagnosis state-  
12 ment from the physician, which in-  
13 cludes the treatment being sought and  
14 the expected time period the alien will  
15 be required to remain in the United  
16 States;

17           “(II) a statement from the health  
18 care facility containing an assurance  
19 that the alien’s treatment is not being  
20 paid through any Federal or State  
21 public health assistance, that the  
22 alien’s account has no outstanding  
23 balance, and that such facility will no-  
24 tify the Service when the alien is re-  
25 leased or treatment is terminated; and

1           “(III) evidence of financial ability  
2           to support the alien’s day-to-day ex-  
3           penses while in the United States (in-  
4           cluding the expenses of any family  
5           member described in clause (ii)) and  
6           evidence that any such alien or family  
7           member is not receiving any form of  
8           public assistance; or

9           “(ii) who—

10           “(I) is a spouse, parent, brother,  
11           sister, son, daughter, or other family  
12           member of a principal alien described  
13           in clause (i); and

14           “(II) entered the United States  
15           accompanying, and with the same sta-  
16           tus as, such principal alien.

17           “(C) WAIVER LIMITATIONS.—

18           “(i) Waivers under subparagraph (B)  
19           may be granted only upon a request sub-  
20           mitted by a Service district office to Serv-  
21           ice headquarters.

22           “(ii) Not more than 300 waivers may  
23           be granted for any fiscal year for a prin-  
24           cipal alien under subparagraph (B)(i).

1 “(iii)(I) Except as provided in sub-  
2 clause (II), in the case of each principal  
3 alien described in subparagraph (B)(i) not  
4 more than one adult may be granted a  
5 waiver under subparagraph (B)(ii).

6 “(II) Not more than two adults may  
7 be granted a waiver under subparagraph  
8 (B)(ii) in a case in which—

9 “(aa) the principal alien de-  
10 scribed in subparagraph (B)(i) is a  
11 dependent under the age of 18; or

12 “(bb) one such adult is age 55 or  
13 older or is physically handicapped.

14 “(D) REPORT TO CONGRESS; SUSPENSION  
15 OF WAIVER AUTHORITY.—

16 “(i) Not later than March 30 of each  
17 year, the Commissioner shall submit to the  
18 Congress an annual report regarding all  
19 waivers granted under subparagraph (B)  
20 during the preceding fiscal year.

21 “(ii) Notwithstanding any other provi-  
22 sion of law, the authority of the Attorney  
23 General under subparagraph (B) shall be  
24 suspended during any period in which an

1                   annual report under clause (i) is past due  
2                   and has not been submitted.”.

Passed the House of Representatives July 18, 2000.

Attest:

*Clerk.*