

Union Calendar No. 405106TH CONGRESS
2^D SESSION**H. R. 2961****[Report No. 106-721]**

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 nonimmigrant aliens who require medical treatment in the United States and were admitted under the Visa Waiver Pilot Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 1999

Mr. BENTSEN (for himself, Mr. ARCHER, Mr. FRANK of Massachusetts, Mrs. MORELLA, Mr. LAMPSON, Mrs. NORTHUP, Mr. GREEN of Texas, Mr. BRADY of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. REYES, and Mr. GONZALEZ) introduced the following bill; which was referred to the Committee on the Judiciary

JULY 11, 2000

Additional sponsor: Mr. BACHUS

JULY 11, 2000

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

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 nonimmigrant aliens who require medical

treatment in the United States and were admitted under the Visa Waiver Pilot Program, 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 “International Patient
5 Act of 1999”.

6 **SEC. 2. THREE-YEAR PILOT PROGRAM TO EXTEND THE PE-**
7 **RIOD FOR VOLUNTARY DEPARTURE FOR**
8 **CERTAIN NONIMMIGRANT ALIENS REQUIR-**
9 **ING MEDICAL TREATMENT WHO WERE AD-**
10 **MITTED TO THE UNITED STATES UNDER THE**
11 **VISA WAIVER PILOT PROGRAM.**

12 (a) IN GENERAL.—Section 240B(a)(2) of the Immi-
13 gration and Nationality Act (8 U.S.C. 1229c(a)(2)) is
14 amended to read as follows:

15 “(2) PERIOD.—

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

20 “(B) 3-YEAR PILOT PROGRAM WAIVER.—
21 During the period January 1, 2000, through
22 December 31, 2002 and subject to subpara-
23 graphs (C) and (D)(ii), the Attorney General
24 may, in the discretion of the Attorney General

1 for humanitarian purposes, waive application of
2 subparagraph (A) in the case of an alien—

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

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

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

1 tify the Service when the alien is re-
2 leased or treatment is terminated; and

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

11 “(ii) who—

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

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

19 “(C) WAIVER LIMITATIONS.—

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

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

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

9 “(II) Not more than 2 adults may be
10 granted a waiver under subparagraph
11 (B)(ii) in a case in which—

12 “(aa) the principal alien de-
13 scribed in subparagraph (B)(i) is a
14 dependent under the age of 18; or

15 “(bb) 1 such adult is age 55 or
16 older or is physically handicapped.

17 “(D) REPORT TO CONGRESS; SUSPENSION
18 OF WAIVER AUTHORITY.—

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

24 “(ii) Notwithstanding any other provi-
25 sion of law, the authority of the Attorney

1 General under subparagraph (B) shall be
2 suspended during any period in which an
3 annual report under clause (i) is past due
4 and has not been submitted.”.

Union Calendar No. 405

106TH CONGRESS
2D SESSION

H. R. 2961

[Report No. 106-721]

A BILL

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.

JULY 11, 2000

Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed