

111TH CONGRESS  
1ST SESSION

# H. R. 4026

To provide for the withholding of United States assistance to a foreign country in an amount equal to 110 percent of the total amount of costs incurred by United States hospitals and other medical facilities for the long-term care of aliens unlawfully present in the United States from that country during the preceding fiscal year, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 4, 2009

Mr. SPACE introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

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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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Preventing All Your  
3 Bucks from Aiding non-Citizens is Key Act” or “PAY-  
4 BACK Act”.

5 **SEC. 2. WITHHOLDING OF FOREIGN ASSISTANCE TO CER-**  
6 **TAIN FOREIGN COUNTRIES.**

7 (a) IN GENERAL.—Subject to subsection (c), of the  
8 funds appropriated under titles III through VI by an Act  
9 making appropriations for the Department of State, for-  
10 eign operations, and related programs that are made avail-  
11 able for assistance for a foreign country for a fiscal year,  
12 an amount equal to 110 percent of the total amount of  
13 costs incurred by United States hospitals and other med-  
14 ical facilities for the long-term care of aliens unlawfully  
15 present in the United States from that country during the  
16 preceding fiscal year shall be withheld from obligation for  
17 assistance for the central government of such country  
18 until the President submits a certification to Congress  
19 stating that such costs are fully paid.

20 (b) AVAILABILITY OF FUNDS.—Notwithstanding any  
21 other provision of law, funds withheld from obligation pur-  
22 suant to subsection (a) may be made available to the head  
23 of U.S. Customs and Border Protection to be used for the  
24 protection of the border and prevention of illegal immigra-  
25 tion.

1 (c) LIMITATION.—Subsection (a) shall not include  
2 amounts that have been withheld under any other provi-  
3 sion of law.

4 (d) WAIVER.—The President may waive the require-  
5 ments set forth in subsection (a) with respect to a par-  
6 ticular country if the President determines that it is in  
7 the national interests of the United States to do so.

8 (e) SENSE OF CONGRESS.—It is the sense of Con-  
9 gress that with respect to a foreign country for which the  
10 United States—

11 (1) does not provide assistance under the provi-  
12 sions of law described in subsection (a) for a fiscal  
13 year, and

14 (2) owes amounts as a result of loans, credits,  
15 or other financial obligations for the fiscal year,  
16 the President should seek to obtain from that country a  
17 reduction in such United States debt in an amount equal  
18 to 110 percent of the total amount of costs incurred by  
19 United States hospitals and other medical facilities for the  
20 long-term care of aliens unlawfully present in the United  
21 States from that country during the preceding fiscal year.

22 (f) RULE OF CONSTRUCTION.—Nothing in this Act  
23 shall be construed to change any provision of law in effect  
24 on the date of the enactment of this Act regarding the

1 long-term care of individuals lawfully present in the  
2 United States.

