

**Union Calendar No. 405**106<sup>TH</sup> CONGRESS  
2<sup>D</sup> 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.

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**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

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**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.”.



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