AMENDMENT TO RULES COMMITTEE PRINT 116-19

OFFERED BY MR. LIPINSKI OF ILLINOIS

Add at the end of subtitle F of title XII the following:

SEC. 12. DESIGNATION OF PROGRAM COUNTRIES.

(a) IN GENERAL.—Section 217(c) of the Immigration and Nationality Act (8 U.S.C. 1187(c)) is amended—

(1) in paragraph (2)(A)—

(A) in the heading for the subparagraph, by inserting after “LOW NONIMMIGRANT VISA REFUSAL RATE” the following: “; LOW VISA OVERSTAY RATE”;

(B) in clause (i), by striking “or” at the end;

(C) in clause (ii), by striking the period and inserting “; or”; and

(D) by adding at the end the following:

“(iii) in the case of any other country—

“(I) the visa overstay rate (as such term is defined in paragraph (8)) for that country was not more than 2
percent during the previous 2 fiscal years;

“(II) the country is a signatory to and has committed, during the previous two fiscal years, sufficient resources to support its obligations under the Wales Summit Declaration, issued at the meeting of the North Atlantic Council in Wales on September 5, 2014; and

“(III) the Department of State has not, in the previous fiscal year, issued a travel advisory other than ‘exercise normal precautions’ for travel to the country.”.

(2) in paragraph (3), to read as follows:

“(3) CONTINUING AND SUBSEQUENT QUALIFICATIONS.—For each fiscal year after the initial period—

“(A) CONTINUING QUALIFICATION.—In the case of a country which was a program country in the previous fiscal year, a country may not be designated as a program country unless—

“(i) the sum of—
“(I) the total of the number of nationals of that country who were denied admission at the time of arrival or withdrew their application for admission during such previous fiscal year as a nonimmigrant visitor, and

“(II) the total number of nationals of that country who were admitted as nonimmigrant visitors during such previous fiscal year and who violated the terms of such admission,

was less than 2 percent of the total number of nationals of that country who applied for admission as nonimmigrant visitors during such previous fiscal year; or

“(ii) in the case of that country—

“(I) the visa overstay rate (as such term is defined in paragraph (8)) for that country was not more than 2 percent during the previous 2 fiscal years;

“(II) the country is a signatory to and has committed, during the previous two fiscal years, sufficient resources to support its obligations
under the Wales Summit Declaration,

issued at the meeting of the North Atlantic Council in Wales on September 5, 2014; and

“(III) the Department of State has not, in the previous fiscal year, issued a travel advisory other than ‘exercise normal precautions’ for travel to the country.

“(B) NEW COUNTRIES.—In the case of another country, the country may not be designated as a program country unless one of the following requirements under clause (i) or (ii) is met:

“(i) LOW NONIMMIGRANT VISA REFUSAL RATE.—The average number of refusals of nonimmigrant visitor visas for nationals of that country—

“(I) during the two previous full fiscal years was less than 2 percent of the total number of nonimmigrant visitor visas for nationals of that country which were granted or refused during those years; and
“(II) during either of such two previous full fiscal years was less than 2.5 percent of the total number of nonimmigrant visitor visas for nationals of that country which were granted or refused during that year.

“(ii) Low Visa Overstay Rate.—In the case of that country—

“(I) the visa overstay rate (as such term is defined in paragraph (8)) for that country was not more than 2 percent during the previous 2 fiscal years;

“(II) the country is a signatory to and has committed, during the previous two fiscal years, sufficient resources to support its obligations under the Wales Summit Declaration, issued at the meeting of the North Atlantic Council in Wales on September 5, 2014; and

“(III) the Department of State has not, in the previous fiscal year, issued a travel advisory other than
‘exercise normal precautions’ for travel to the country.”.

(b) Rule of Construction.—Nothing in this section or the amendments made by this section may be construed to require or direct the termination of the designation of a country as a program country under section 217 of the Immigration and Nationality Act (8 U.S.C. 1187).