

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:

1 **SEC. 12___. DESIGNATION OF PROGRAM COUNTRIES.**

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

4 (1) in paragraph (2)(A)—

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

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

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

13 (D) by adding at the end the following:

14 “(iii) in the case of any other coun-
15 try—

16 “(I) the visa overstay rate (as
17 such term is defined in paragraph (8))
18 for that country was not more than 2

1 percent during the previous 2 fiscal
2 years;

3 “(II) the country is a signatory
4 to and has committed, during the pre-
5 vious two fiscal years, sufficient re-
6 sources to support its obligations
7 under the Wales Summit Declaration,
8 issued at the meeting of the North At-
9 lantic Council in Wales on September
10 5, 2014; and

11 “(III) the Department of State
12 has not, in the previous fiscal year,
13 issued a travel advisory other than
14 ‘exercise normal precautions’ for trav-
15 el to the country.”

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

17 “(3) CONTINUING AND SUBSEQUENT QUALI-
18 FICATIONS.—For each fiscal year after the initial pe-
19 riod—

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

25 “(i) the sum of—

1 “(I) the total of the number of
2 nationals of that country who were de-
3 nied admission at the time of arrival
4 or withdrew their application for ad-
5 mission during such previous fiscal
6 year as a nonimmigrant visitor, and

7 “(II) the total number of nation-
8 als of that country who were admitted
9 as nonimmigrant visitors during such
10 previous fiscal year and who violated
11 the terms of such admission,

12 was less than 2 percent of the total num-
13 ber of nationals of that country who ap-
14 plied for admission as nonimmigrant visi-
15 tors during such previous fiscal year; or

16 “(ii) in the case of that country—

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

22 “(II) the country is a signatory
23 to and has committed, during the pre-
24 vious two fiscal years, sufficient re-
25 sources to support its obligations

1 under the Wales Summit Declaration,
2 issued at the meeting of the North At-
3 lantic Council in Wales on September
4 5, 2014; and

5 “(III) the Department of State
6 has not, in the previous fiscal year,
7 issued a travel advisory other than
8 ‘exercise normal precautions’ for trav-
9 el to the country.

10 “(B) NEW COUNTRIES.—In the case of an-
11 other country, the country may not be des-
12 ignated as a program country unless one of the
13 following requirements under clause (i) or (ii) is
14 met:

15 “(i) LOW NONIMMIGRANT VISA RE-
16 FUSAL RATE.—The average number of re-
17 fusals of nonimmigrant visitor visas for na-
18 tionals of that country—

19 “(I) during the two previous full
20 fiscal years was less than 2 percent of
21 the total number of nonimmigrant vis-
22 itor visas for nationals of that country
23 which were granted or refused during
24 those years; and

1 “(II) during either of such two
2 previous full fiscal years was less than
3 2.5 percent of the total number of
4 nonimmigrant visitor visas for nation-
5 als of that country which were grant-
6 ed or refused during that year.

7 “(ii) LOW VISA OVERSTAY RATE.—In
8 the case of that country—

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

14 “(II) the country is a signatory
15 to and has committed, during the pre-
16 vious two fiscal years, sufficient re-
17 sources to support its obligations
18 under the Wales Summit Declaration,
19 issued at the meeting of the North At-
20 lantic Council in Wales on September
21 5, 2014; and

22 “(III) the Department of State
23 has not, in the previous fiscal year,
24 issued a travel advisory other than

1 ‘exercise normal precautions’ for trav-
2 el to the country.”.

3 (b) RULE OF CONSTRUCTION.—Nothing in this sec-
4 tion or the amendments made by this section may be con-
5 strued to require or direct the termination of the designa-
6 tion of a country as a program country under section 217
7 of the Immigration and Nationality Act (8 U.S.C. 1187).

