

105TH CONGRESS
1ST SESSION

S. 1420

To amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to provide for full reimbursement of States and localities for costs related to providing emergency medical treatment to individuals injured while entering the United States illegally.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 7, 1997

Mrs. FEINSTEIN (for herself and Mr. KYL) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to provide for full reimbursement of States and localities for costs related to providing emergency medical treatment to individuals injured while entering the United States illegally.

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. AMENDMENT OF THE ILLEGAL IMMIGRATION**
2 **REFORM AND IMMIGRANT RESPONSIBILITY**
3 **ACT OF 1996.**

4 Section 563 of the Illegal Immigration Reform and
5 Immigrant Responsibility Act of 1996 is amended to read
6 as follows:

7 **“SEC. 563. REIMBURSEMENT OF STATES AND LOCALITIES**
8 **FOR EMERGENCY MEDICAL SERVICES.**

9 “(a) Subject to the availability of appropriations, the
10 Attorney General shall fully reimburse States and political
11 subdivisions of States for their costs of providing medical
12 services, including ambulatory services, related to an
13 emergency medical condition of an individual who—

14 “(1) is injured while, or being pursued imme-
15 diately after, crossing a land or sea border of the
16 United States without inspection or at any time or
17 place other than as designated by the Attorney Gen-
18 eral; and

19 “(2) is under the custody of the State or sub-
20 division pursuant to a transfer, request, or other ac-
21 tion by a Federal authority.

22 “(b) There is established in the general fund of the
23 Treasury a separate account out of which the Attorney
24 General shall provide reimbursement under this section.

1 “(c) Reimbursement under this section shall not be
2 taken out of monies appropriated for the Immigration and
3 Naturalization Service.

4 “(d) There are authorized to be appropriated for fis-
5 cal years 1998–2002 an amount not to exceed
6 \$18,000,000 annually for the purpose of carrying out this
7 section.

8 “(e) The Attorney General shall report to the Judici-
9 ary and Appropriations Committees of the House of Rep-
10 resentatives and the Senate annually on the implementa-
11 tion of this section.

12 “(f) By March 1, 1998, the Attorney General shall
13 submit a written report to the Judiciary Committees of
14 the House of Representatives and Senate on the policy and
15 practice, including custody practice, of the United States
16 Border Patrol with respect to injured aliens.

17 “(g) For purposes of this section, the term ‘emer-
18 gency medical condition’ has the same meaning as that
19 term has under section 562 of the Illegal Immigration Re-
20 form and Immigrant Responsibility Act of 1996.”.

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