

114TH CONGRESS
2D SESSION

S. 2458

To amend section 217(a)(12) of the Immigration and Nationality Act, relating to the restriction of the use of the Visa Waiver Program for aliens who travel to certain countries.

IN THE SENATE OF THE UNITED STATES

JANUARY 20, 2016

Mr. CARDIN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend section 217(a)(12) of the Immigration and Nationality Act, relating to the restriction of the use of the Visa Waiver Program for aliens who travel to certain countries.

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. VISA WAIVER PROGRAM RESTRICTION.**

4 Section 217(a)(12) of the Immigration and Nation-
5 ality Act (8 U.S.C. 1187(a)(12)) is amended—

6 (1) in subparagraph (A)—

7 (A) in clause (i)(III), by striking “des-
8 ignated by the Secretary of Homeland Secu-

1 rity” and inserting “designated jointly by the
 2 Secretary of Homeland Security and the Sec-
 3 retary of State”; and

4 (B) in clause (ii)(III)—

5 (i) by inserting “jointly” after “des-
 6 ignated”; and

7 (ii) by inserting “and the Secretary of
 8 State” after “Homeland Security”;

9 (2) in subparagraph (B)—

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

12 (B) in clause (ii), by striking the period at
 13 the end and inserting “; or”; and

14 (C) by adding at the end the following:

15 “(iii) in order to perform official du-
 16 ties as an employee of an international or-
 17 ganization.”;

18 (3) in subparagraph (C)—

19 (A) by striking “Secretary of Homeland
 20 Security” and inserting “President”; and

21 (B) by striking “the Secretary” and insert-
 22 ing “the President”; and

23 (4) in subparagraph (D)—

24 (A) in clause (i), by striking “, in consulta-
 25 tion with the Secretary of State and” and in-

1 serting “and the Secretary of State, in con-
2 sultation with”;

3 (B) in clause (ii), by striking “the Sec-
4 retary” and inserting “the Secretary of Home-
5 land Security and the Secretary of State”; and

6 (C) in clause (iii), by striking “the Sec-
7 retary” and inserting “the Secretary of Home-
8 land Security and the Secretary of State”.

9 **SEC. 2. PHASE-IN OF NEW REQUIREMENTS.**

10 (a) IN GENERAL.—Except as provided in subsection
11 (b), the amendments made by section 203 of the Visa
12 Waiver Program Improvement and Terrorist Travel Pre-
13 vention Act of 2015 shall take effect on the date that is
14 180 days after the date of the enactment of such Act.

15 (b) EXTENSION.—The Secretary of Homeland Secu-
16 rity or the Secretary of State may waive the application
17 of section 217(a)(12) of the Immigration and Nationality
18 Act, as added by section 203 of the Visa Waiver Program
19 Improvement and Terrorist Travel Prevention Act of
20 2015, for a period of up to 90 days, if either Secretary
21 determines that such waiver is in the national security in-
22 terests of the United States.

1 **SEC. 3. SUNSET.**

2 Section 217(a)(12) of the Immigration and Nation-
3 ality Act (8 U.S.C. 1187(a)(12)) shall be repealed on De-
4 cember 18, 2020.

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