

House Approves Legislation to Extend Waiver Program for Foreign Physicians

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The House of Representatives, on June 25, passed legislation that would renew and extend for another two years the "Conrad State 20" program, which allows states to request waivers of the two-year home residence requirement of INA § 212(e) for certain J-1 physicians who agree to work in medically underserved areas for a period of at least three years. The legislation (H.R. 4858), sponsored by Representative Jerry Moran (R-KS), would reinstate the waiver program, which expired on May 31, and would extend the program for another two years, through June 1, 2004. The bill would also increase the number of physicians that a state may sponsor annually from 20 to 30. Finally, the effective date of the bill would be retroactive to May 31, 2002, the date the program expired. The House approved the bill by a vote of 407-7.

Senators Sam Brownback (R-Ks) and Kent Conrad (D-ND) have introduced similar legislation in the Senate (S. 2674). Like, H.R. 4858, S. 2674 would increase the number of available waivers to 30 per state. The Senate bill, however, would make the waiver program permanent.

The Conrad State 20 program was created by the Immigration and Nationality Technical Corrections Act of 1994 (Pub. L. No. 103-416) and extended under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Pub. L. No. 104-208).