

104TH CONGRESS
2D SESSION

H. R. 4210

To amend the Immigration and Nationality Act to permit certain aliens who are at least 55 years of age to obtain a 4-year nonimmigrant visitor's visa.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 1996

Mr. McCOLLUM introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to permit certain aliens who are at least 55 years of age to obtain a 4-year nonimmigrant visitor's visa.

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. NONIMMIGRANT ALIEN STATUS FOR CERTAIN**
4 **OLDER ALIENS.**

5 (a) DEFINITIONS.—Section 101(a)(15) of the Immi-
6 gration and Nationality Act (8 U.S.C. 1101(a)(15)) is
7 amended

8 (1) in subparagraph (R), by striking “or” at
9 the end;

1 (2) in subparagraph (S), by striking the period
2 at the end and inserting “; or”; and

3 (3) by adding at the end the following:

4 “(T) subject to section 214(m), an alien seeking
5 to enter the United States temporarily to visit for
6 pleasure, and having a residence in a foreign country
7 which the alien has no intention of abandoning,
8 who—

9 “(i) the Attorney General determines—

10 “(I) is at least 55 years of age at the
11 time of application for admission;

12 “(II) is a citizen of a country that has
13 been continuously designated as a pilot
14 program country under section 217(e) for
15 the 5 years immediately preceding the time
16 of application for admission;

17 “(III) either owns a residence in the
18 United States, in the alien’s own name, or
19 has a spouse who owns such a residence;
20 and

21 “(IV) will have health coverage,
22 throughout the period the alien will be in
23 the United States, consistent with section
24 214(m)(5); or

1 “(ii) is the alien spouse of an alien de-
2 scribed in clause (i), is accompanying, or follow-
3 ing to join, the alien, and otherwise meets the
4 requirements specified in clause (i).”.

5 (b) ADMISSION OF NONIMMIGRANTS.—Section 214 of
6 the Immigration and Nationality Act (8 U.S.C. 1184) is
7 amended—

8 (1) by redesignating the subsection (j), added
9 by section 130003(b)(2) of the Violent Crime Con-
10 trol and Law Enforcement Act of 1994 (Public Law
11 103–322; 108 Stat. 2025), and the subsection (k),
12 added by section 220(b) of the Immigration and Na-
13 tionality Technical Amendments Act of 1994 (Public
14 Law 103–416; 108 Stat. 4319), as subsections (k)
15 and (l), respectively; and

16 (2) by adding at the end the following:

17 “(m)(1) In the case of a nonimmigrant described in
18 section 101(a)(15)(T), the period of authorized admission
19 as such a nonimmigrant may not exceed 4 years. A visa
20 issued under such section may be renewed for an unlimited
21 number of additional periods (each such period not to ex-
22 ceed 4 years), but only where the application for admission
23 is filed in the country of the nonimmigrant’s citizenship.

1 “(2) The Attorney General may not authorize a non-
2 immigrant described in such section to engage in employ-
3 ment in the United States.

4 “(3)(A) A nonimmigrant described in such section
5 shall not be eligible for any Federal, State, or local public
6 benefit, except short-term, non-cash, in-kind emergency
7 disaster relief.

8 “(B) For purposes of subparagraph (A), the term
9 ‘Federal, State, or local public benefit’ means—

10 “(i) any grant, contract, loan, professional li-
11 cense, or commercial license provided by an agency
12 of the United States or a State or local government
13 or by appropriated funds of the United States or a
14 State or local government; and

15 “(ii) any retirement, welfare, health, disability,
16 public or assisted housing, postsecondary education,
17 food assistance, unemployment benefit, or any other
18 similar benefit for which payments of assistance are
19 provided to an individual, household, or family eligi-
20 bility unit by an agency of the United States or a
21 State or local government or by appropriated funds
22 of the United States or a State or local government.

23 “(4) A visa shall not be issued under the provisions
24 of section 101(a)(15)(T) unless the alien demonstrates to
25 the satisfaction of the consular officer and the Attorney

1 General that the alien has, and will have throughout the
2 period the alien is in the United States, an annual gross
3 income that equals or exceeds the amount that is two
4 times the official poverty line (as defined by the Director
5 of the Office of Management and Budget, as revised annu-
6 ally by the Secretary of Health and Human Services, in
7 accordance with section 673(2) of the Omnibus Budget
8 Reconciliation Act of 1981 (42 U.S.C. 9902)) that is ap-
9 plicable to a family unit of a size equal to the number
10 of members of the alien’s household (including family and
11 non-family dependents).

12 “(5) Any alien who seeks admission as a non-
13 immigrant described in section 101(a)(15)(T) is inadmis-
14 sible unless the alien demonstrates at the time of issuance
15 of the visa (and at the time of admission) to the satisfac-
16 tion of the consular officer and the Attorney General that
17 the alien—

18 “(A) will have coverage, throughout the period
19 the alien is in the United States, under an adequate
20 health insurance policy (at least comparable to cov-
21 erage provided under the medicare program under
22 title XVIII of the Social Security Act); and

23 “(B) will have coverage, throughout the period
24 the alien is in the United States, with respect to
25 long-term health needs (at least comparable to such

1 coverage provided under the medicaid program
2 under title XIX of such Act for a State in which the
3 alien, or a spouse of the alien, owns a residence.”.

4 (c) EFFECTIVE DATE.—The amendments made by
5 subsections (a) and (b) shall take effect on the date that
6 is one year after the date of the enactment of this Act.

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