

106TH CONGRESS  
1ST SESSION

# H. R. 184

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

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1999

Mr. McCOLLUM (for himself, Mr. FOLEY, Mrs. THURMAN, and Mr. ABERCROMBIE) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

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

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. SHORT TITLE.**

4 This Act may be cited as the "Retiree Visa Act of  
5 1999".

1 **SEC. 2. NONIMMIGRANT ALIEN STATUS FOR CERTAIN**  
2 **OLDER ALIENS.**

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

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

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

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

11 “(T) subject to section 214(m), an alien seeking  
12 to enter the United States temporarily to visit for  
13 pleasure, and having a residence in a foreign country  
14 which the alien has no intention of abandoning,  
15 who—

16 “(i) the Attorney General determines—

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

19 “(II) is a citizen of Canada or a coun-  
20 try that has been continuously designated  
21 as a pilot program country under section  
22 217(c) for the 5 years immediately preced-  
23 ing the time of application for admission;

24 “(III) either owns a residence in the  
25 United States, in the alien’s own name, or

1           has a spouse who owns such a residence;  
2           and

3                   “(IV) will have health coverage,  
4           throughout the period the alien will be in  
5           the United States, consistent with section  
6           214(m)(5); or

7                   “(ii) is the alien spouse of an alien de-  
8           scribed in clause (i), is accompanying, or follow-  
9           ing to join, the alien, and otherwise meets the  
10          requirements specified in clause (i).”.

11          (b) ADMISSION OF NONIMMIGRANTS.—Section 214 of  
12 the Immigration and Nationality Act (8 U.S.C. 1184) is  
13 amended—

14           (1) by redesignating the subsection (j), added  
15          by section 130003(b)(2) of the Violent Crime Con-  
16          trol and Law Enforcement Act of 1994 (Public Law  
17          103–322; 108 Stat. 2025), and the subsection (k),  
18          added by section 220(b) of the Immigration and Na-  
19          tionality Technical Amendments Act of 1994 (Public  
20          Law 103–416; 108 Stat. 4319), as subsections (k)  
21          and (l), respectively; and

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

23                   “(m)(1) In the case of a nonimmigrant described in  
24 section 101(a)(15)(T), the period of authorized admission  
25 as such a nonimmigrant may not be less than 4 years.

1 A visa issued under such section may be renewed for an  
2 unlimited number of additional periods (each such period  
3 to be not less than 4 years), but only where the visa appli-  
4 cation is filed in the country of the nonimmigrant’s citi-  
5 zenship.

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

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

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

15 “(i) any grant, contract, loan, professional li-  
16 cense, or commercial license provided by an agency  
17 of the United States or a State or local government  
18 or by appropriated funds of the United States or a  
19 State or local government; and

20 “(ii) any retirement, welfare, health, disability,  
21 public or assisted housing, postsecondary education,  
22 food assistance, unemployment benefit, or any other  
23 similar benefit for which payments of assistance are  
24 provided to an individual, household, or family eligi-  
25 bility unit by an agency of the United States or a

1 State or local government or by appropriated funds  
2 of the United States or a State or local government.

3 “(4) A visa shall not be issued under the provisions  
4 of section 101(a)(15)(T) unless the alien demonstrates to  
5 the satisfaction of the consular officer and the Attorney  
6 General that the alien has, and will have throughout the  
7 period the alien is in the United States, an annual gross  
8 income that equals or exceeds the amount that is two  
9 times the official poverty line (as defined by the Director  
10 of the Office of Management and Budget, as revised annu-  
11 ally by the Secretary of Health and Human Services, in  
12 accordance with section 673(2) of the Omnibus Budget  
13 Reconciliation Act of 1981 (42 U.S.C. 9902)) that is ap-  
14 plicable to a family unit of a size equal to the number  
15 of members of the alien’s household (including family and  
16 non-family dependents).

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

23 “(A) will have coverage, throughout the period  
24 the alien is in the United States, under an adequate  
25 health insurance policy (at least comparable to cov-

1 erage provided under the medicare program under  
2 title XVIII of the Social Security Act); and

3 “(B) will have coverage, throughout the period  
4 the alien is in the United States, with respect to  
5 long-term health needs (at least comparable to such  
6 coverage provided under the medicaid program  
7 under title XIX of such Act for a State in which the  
8 alien, or a spouse of the alien, owns a residence.”.

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

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