

***In the Senate of the United States,***

*November 19, 2004.*

*Resolved,* That the bill from the House of Representatives (H.R. 2655) entitled “An Act to amend and extend the Irish Peace Process Cultural and Training Program Act of 1998.”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. AMENDMENT AND EXTENSION OF IRISH PEACE***

2 ***PROCESS CULTURAL AND TRAINING PRO-***

3 ***GRAM.***

4 *(a) IRISH PEACE PROCESS CULTURAL AND TRAINING*

5 *PROGRAM ACT.—*

6 *(1) PROGRAM PARTICIPANT REQUIREMENTS.—*

7 *Section 2(a) of the Irish Peace Process Cultural and*

8 *Training Program Act of 1998 (8 U.S.C. 1101 note)*

9 *is amended by adding at the end the following:*

10 *“(5) PROGRAM PARTICIPANT REQUIREMENTS.—*

11 *An alien entering the United States as a participant*

1        *in the program shall satisfy the following require-*  
2        *ments:*

3                *“(A) The alien shall be a citizen of the*  
4                *United Kingdom or the Republic of Ireland.*

5                *“(B) The alien shall be between 21 and 35*  
6                *years of age on the date of departure for the*  
7                *United States.*

8                *“(C) The alien shall have resided continu-*  
9                *ously in a designated county for not less than 18*  
10               *months before such date.*

11               *“(D) The alien shall have been continuously*  
12               *unemployed for not less than 12 months before*  
13               *such date.*

14               *“(E) The alien may not have a degree from*  
15               *an institution of higher education.”.*

16               *(2) EXTENSION OF PROGRAM.—Section 2 of the*  
17               *Irish Peace Process Cultural and Training Program*  
18               *Act of 1998 (8 U.S.C. 1101 note) is amended—*

19                        *(A) in subsection (a)(3), by striking “the*  
20                        *third program year and for the 4 subsequent*  
21                        *years,” and inserting “each program year,”; and*

22                        *(B) by amending subsection (d) to read as*  
23                        *follows:*

24                *“(d) SUNSET.—*

1           “(1) *Effective October 1, 2008, the Irish Peace*  
2           *Process Cultural and Training Program Act of 1998*  
3           *is repealed.*

4           “(2) *Effective October 1, 2008, section*  
5           *101(a)(15)(Q) of the Immigration and Nationality*  
6           *Act (8 U.S.C. 1101(a)(15)(Q)) is amended—*

7                     “(A) *by striking ‘or’ at the end of clause (i);*

8                     “(B) *by striking ‘(i)’ after ‘(Q)’; and*

9                     “(C) *by striking clause (ii).”.*

10           (3) *COST-SHARING.—Section 2 of the Irish Peace*  
11           *Process Cultural and Training Program Act of 1998*  
12           *(8 U.S.C. 1101 note), as amended by paragraph (2),*  
13           *is further amended—*

14                     (A) *by redesignating subsections (c) and (d)*  
15                     *as subsections (d) and (e), respectively; and*

16                     (B) *by inserting after subsection (b), the fol-*  
17                     *lowing new subsection:*

18                     “(c) *COST-SHARING.—The Secretary of State shall*  
19           *verify that the United Kingdom and the Republic of Ireland*  
20           *continue to pay a reasonable share of the costs of the admin-*  
21           *istration of the cultural and training programs carried out*  
22           *pursuant to this Act.”.*

23           (4) *TECHNICAL AMENDMENTS.—The Irish Peace*  
24           *Process Cultural and Training Program Act of 1998*  
25           *(8 U.S.C. 1101 note) is amended—*

1           (A) by striking “Attorney General” each  
2 place such term appears and inserting “Sec-  
3 retary of Homeland Security”; and

4           (B) by striking “Immigration and Natu-  
5 ralization Service” each place such term appears  
6 and inserting “Department of Homeland Secu-  
7 rity”.

8 (b) IMMIGRATION AND NATIONALITY ACT.—

9           (1) REQUIREMENTS FOR NONIMMIGRANT STA-  
10 TUS.—Section 101(a)(15)(Q) of the Immigration and  
11 Nationality Act (8 U.S.C. 1101(a)(15)(Q)) is  
12 amended—

13           (A) by striking “Attorney General” each  
14 place such term appears and inserting “Sec-  
15 retary of Homeland Security”; and

16           (B) in clause (ii)(I)—

17           (i) by striking “35 years of age or  
18 younger having a residence” and inserting  
19 “citizen of the United Kingdom or the Re-  
20 public of Ireland, 21 to 35 years of age, un-  
21 employed for not less than 12 months, and  
22 having a residence for not less than 18  
23 months”; and

24           (ii) by striking “36 months)” and in-  
25 serting “24 months)”.

1           (2) *FOREIGN RESIDENCE REQUIREMENT.*—*Sec-*  
2           *tion 212 of the Immigration and Nationality Act (8*  
3           *U.S.C. 1182) is amended—*

4                     *(A) by redesignating the subsection (p) as*  
5                     *added by section 1505(f) of Public Law 106–386*  
6                     *(114 Stat. 1526) as subsection (s); and*

7                     *(B) by adding at the end the following:*

8           “*(t)(1) Except as provided in paragraph (2), no person*  
9           *admitted under section 101(a)(15)(Q)(ii)(I), or acquiring*  
10           *such status after admission, shall be eligible to apply for*  
11           *nonimmigrant status, an immigrant visa, or permanent*  
12           *residence under this Act until it is established that such*  
13           *person has resided and been physically present in the per-*  
14           *son’s country of nationality or last residence for an aggre-*  
15           *gate of at least 2 years following departure from the United*  
16           *States.*

17           “*(2) The Secretary of Homeland Security may waive*  
18           *the requirement of such 2-year foreign residence abroad if*  
19           *the Secretary determines that—*

20                     “*(A) departure from the United States would*  
21                     *impose exceptional hardship upon the alien’s spouse*  
22                     *or child (if such spouse or child is a citizen of the*  
23                     *United States or an alien lawfully admitted for per-*  
24                     *manent residence); or*

1           “(B) *the admission of the alien is in the public*  
2           *interest or the national interest of the United*  
3           *States.*”.

Attest:

*Secretary.*

108TH CONGRESS  
2D SESSION

**H. R. 2655**

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**AMENDMENT**