

105TH CONGRESS  
1ST SESSION

# H. R. 225

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

JANUARY 7, 1997

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 Canada or a coun-  
13           try that has been continuously designated  
14           as a pilot program country under section  
15           217(c) for the 5 years immediately preced-  
16           ing the time 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.

○