

117TH CONGRESS
1ST SESSION

H. R. 4142

To require the Secretary of State to establish an investor visa denials database, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2021

Mr. KINZINGER (for himself, Mr. MALINOWSKI, Mr. COHEN, Mr. FITZPATRICK, Mr. MELJER, Ms. JACKSON LEE, Ms. KAPTUR, Ms. PORTER, Mr. PHILLIPS, and Ms. SALAZAR) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require the Secretary of State to establish an investor visa denials database, and for other purposes.

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 “Golden Visa Account-
5 ability Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) FOREIGN STATE.—The term “foreign state”
2 has the meaning given such term in section 1603 of
3 title 28, United States Code.

4 (2) FOREIGN INVESTOR VISA.—The term “for-
5 eign investor visa” means any visa or passport
6 granted by a foreign investor visa program.

7 (3) FOREIGN INVESTOR VISA DENIAL.—The
8 term “foreign investor visa denial” means the deci-
9 sion of a foreign state to deny an applicant a foreign
10 investor visa because of involvement in corruption or
11 serious human rights abuse.

12 (4) FOREIGN INVESTOR VISA PROGRAM.—The
13 term “foreign investor visa program” means any
14 visa or passport program of a foreign state that pro-
15 vides a visa or citizenship in exchange for an invest-
16 ment of any size.

17 (5) UNITED STATES INVESTOR VISA DENIAL.—
18 The term “United States investor visa denial”
19 means a decision to deny an applicant a visa under
20 section 203(b)(5) of the Immigration and Nation-
21 ality Act (8 U.S.C. 1153(b)(5)) because of involve-
22 ment in corruption or serious human rights abuse.

23 **SEC. 3. INVESTOR VISA DENIALS DATABASE.**

24 (a) IN GENERAL.—Not later than 180 days after the
25 date of the enactment of this Act, the Secretary of State

1 shall establish an investor visa denials database. Initially,
2 this database shall include records related to United
3 States investor visa denials, for the purpose of coordi-
4 nating with foreign states—

5 (1) to prevent the abuse of investor visas by
6 foreign corrupt officials or criminals;

7 (2) to ensure that the proceeds of corruption
8 are not used to purchase an investor visa; and

9 (3) to counter the tendency of foreign corrupt
10 officials and criminals to “shop” for an investor
11 visa.

12 (b) EXPANSION.—The Secretary of State shall ex-
13 pand the database to include foreign investor visa denials.
14 Foreign states that provide records related to foreign in-
15 vestor visa denials for inclusion in the database shall gain
16 access to records contained therein. Priority foreign states
17 for inclusion in this database are—

18 (1) the foreign states of the European Union,
19 which include Austria, Belgium, Bulgaria, Croatia,
20 Republic of Cyprus, Czech Republic, Denmark, Es-
21 tonia, Finland, France, Germany, Greece, Hungary,
22 Ireland, Italy, Latvia, Lithuania, Luxembourg,
23 Malta, Netherlands, Poland, Portugal, Romania,
24 Slovakia, Slovenia, Spain, and Sweden; and

1 (2) the foreign states of the Five Eyes, which
2 include Australia, Canada, New Zealand, and the
3 United Kingdom.

4 (c) ADMISSION.—Foreign states may of their own vo-
5 lition apply for access to, and inclusion in, the investor
6 visa denials database. The Secretary of State may admit
7 a foreign state to the database if the Secretary determines
8 that—

9 (1) the foreign state will be honest and forth-
10 coming with records regarding its foreign investor
11 visa denials; and

12 (2) the foreign investor visa program is at risk
13 of abuse by foreign corrupt officials.

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