

116TH CONGRESS
1ST SESSION

S. 2863

To amend the Immigration and Nationality Act to modify the eligibility criteria for E visas.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 14, 2019

Mr. LEE (for himself and Mr. GRASSLEY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to modify the eligibility criteria for E visas.

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 “E Visa Integrity Act
5 of 2019”.

6 **SEC. 2. MODIFICATION OF ELIGIBILITY CRITERIA FOR E**
7 **VISAS.**

8 Section 101(a)(15)(E) of the Immigration and Na-
9 tionality Act (8 U.S.C. 1101(a)(15)(E)) is amended to
10 read as follows:

1 “(E) an alien entitled to enter the United
2 States under and in pursuance of the provisions of
3 a treaty of commerce and navigation between the
4 United States and the foreign state of which the
5 alien is a national (or, in the case of an alien who
6 acquired the relevant nationality through a financial
7 investment, the foreign state of which the alien is a
8 national and in which the alien has been domiciled
9 for a continuous period of not less than 3 years at
10 any point before applying for a nonimmigrant visa
11 under this subparagraph) and the spouse and chil-
12 dren of any such alien if accompanying or following
13 to join the alien—

14 “(i) solely to carry on substantial trade, in-
15 cluding trade in services or trade in technology,
16 principally between the United States and the
17 foreign state of which the alien is a national;

18 “(ii) solely to develop and direct the oper-
19 ations of an enterprise in which the alien has
20 invested, or is actively in the process of invest-
21 ing, a substantial and economically impactful
22 amount of capital; or

23 “(iii) solely to perform services in a spe-
24 cialty occupation in the United States if the
25 alien is a national of the Commonwealth of

1 Australia and with respect to whom the Sec-
2 retary of Labor determines and certifies to the
3 Secretary of Homeland Security and the Sec-
4 retary of State that the intending employer has
5 filed with the Secretary of Labor an attestation
6 under section 212(t)(1).”.

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