AMENDMENT TO RULES COMMITTEE

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OFFERED BY MR. KINZINGER OF ILLINOIS

Page 1348, after line 23, insert the following:

SEC. 5806. ESTABLISHMENT OF INVESTOR VISA DENIALS DATABASE BY SECRETARY OF STATE.

(a) INVESTOR VISA DENIALS DATABASE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall establish an investor visa denials database. Initially, this database shall include records related to United States investor visa denials, for the purpose of coordinating with foreign states—

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

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

(C) to counter the tendency of foreign corrupt officials and criminals to “shop” for an investor visa.
(2) EXPANSION.—The Secretary of State shall expand the database to include foreign investor visa denials. Foreign states that provide records related to foreign investor visa denials for inclusion in the database shall gain access to records contained therein. Priority foreign states for inclusion in this database are—

(A) the foreign states of the European Union, which include Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, and Sweden; and

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

(3) ADMISSION.—Foreign states may of their own volition apply for access to, and inclusion in, the investor visa denials database. The Secretary of State may admit a foreign state to the database if the Secretary determines that—
(A) the foreign state will be honest and forthcoming with records regarding its foreign investor visa denials; and

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

(b) DEFINITIONS.—In this section:

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

(2) The term “foreign investor visa” means any visa or passport granted by a foreign investor visa program.

(3) The term “foreign investor visa denial” means the decision of a foreign state to deny an applicant a foreign investor visa because of involvement in corruption or serious human rights abuse.

(4) The term “foreign investor visa program” means any visa or passport program of a foreign state that provides a visa or citizenship in exchange for an investment of any size.

(5) The term “United States investor visa denial” means a decision to deny an applicant a visa under section 203(b)(5) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5)) because of in-
volvement in corruption or serious human rights abuse.