

116TH CONGRESS
1ST SESSION

H. R. 2796

To amend the Afghan Allies Protection Act of 2009 to make 4,000 visas available for the Afghan Special Immigrant Visa program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2019

Mr. BLUMENAUER (for himself, Mr. KINZINGER, Mr. MOULTON, Mr. STIVERS, Mr. NADLER, Ms. STEFANIK, Ms. LOFGREN, Ms. HERRERA BEUTLER, Mr. DOGGETT, Mr. MAST, Mr. CROW, Mr. WALTZ, Ms. OMAR, Mr. HUNTER, Mr. MCGOVERN, Mr. YOUNG, Mr. WELCH, Mr. HURD of Texas, Mr. HASTINGS, Mr. JOHNSON of Ohio, Mr. RYAN, Mr. WATKINS, Mr. PETERS, Mr. WRIGHT, Mr. RASKIN, Mr. RESCHENTHALER, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. WENSTRUP, Ms. NORTON, and Mr. GALLAGHER) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Afghan Allies Protection Act of 2009 to make 4,000 visas available for the Afghan Special Immigrant Visa program, 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 “Afghan Allies Protec-
5 tion Act of 2019”.

1 **SEC. 2. SPECIAL IMMIGRANT VISAS FOR AFGHAN ALLIES.**

2 (a) IN GENERAL.—Section 602(b)(2)(A)(ii) of the
3 Afghan Allies Protection Act of 2009 (8 U.S.C. 1101
4 note) is amended, in the matter preceding subclause (I),
5 by inserting “for the first time” after “submitting a peti-
6 tion”.

7 (b) NUMERICAL LIMITATIONS.—Section 602(b)(3) of
8 the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101
9 note) is amended—

10 (1) by striking subparagraph (A) and inserting
11 the following:

12 “(A) FISCAL YEAR 2019.—

13 “(i) IN GENERAL.—In addition to any
14 unused balance under subparagraph (F),
15 for fiscal year 2019, not more than 4,000
16 principal aliens may be granted special im-
17 migrant status under this subsection.

18 “(ii) PERIOD OF EMPLOYMENT.—For
19 purposes of this subparagraph, the period
20 of employment referred to in paragraph
21 (2)(A)(ii) shall end not later than Decem-
22 ber 31, 2021.

23 “(iii) APPLICATION.—For purposes of
24 this subparagraph, not later than Decem-
25 ber 31, 2021, a principal alien seeking spe-
26 cial immigrant status under this subsection

1 shall submit an application to the Chief of
2 Mission.”;

3 (2) by striking subparagraph (C) and inserting
4 the following:

5 “(C) CARRY FORWARD.—If the numerical
6 limitation described in subparagraph (A)(i) is
7 not reached for fiscal year 2019, the numerical
8 limitation for each subsequent fiscal year shall
9 be established at a number equal to the dif-
10 ference between—

11 “(i) the numerical limitation described
12 in subparagraph (A)(i); and

13 “(ii) the number of principal aliens
14 granted special immigrant status under
15 this subsection during each fiscal year be-
16 ginning in fiscal year 2019.”;

17 (3) in subparagraph (D), by striking “notwith-
18 standing the provisions of paragraph (C),”; and

19 (4) in subparagraph (F), as amended by this
20 Act,—

21 (A) by redesignating clauses (i) through
22 (iii) as subclauses (I) through (III), respec-
23 tively, and indenting appropriately;

24 (B) in the matter preceding subclause (I)
25 (as so redesignated), in the second sentence, by

1 striking “For purposes” and inserting the fol-
 2 lowing:

3 “(ii) REQUIREMENTS.—For pur-
 4 poses”;

5 (C) in the matter preceding clause (ii) (as
 6 so designated)—

7 (i) by striking “exhausted,,” and in-
 8 serting “exhausted,”; and

9 (ii) by striking “In addition” and in-
 10 serting the following:

11 “(i) IN GENERAL.—In addition”; and
 12 (D) by adding at the end the following:

13 “(iii) UNUSED VISAS.—Any unused
 14 balance under this subparagraph shall be
 15 added to the number under subparagraph
 16 (A)(i) for use in fiscal year 2019.”.

17 (c) CONVERSION OF PETITIONS.—Section 2 of Public
 18 Law 110–242 (8 U.S.C. 1101 note) is amended by strik-
 19 ing subsection (b) and inserting the following:

20 “(b) DURATION.—The authority under subsection (a)
 21 shall expire on the date on which the numerical limitation
 22 specified under section 1244 of the National Defense Au-
 23 thorization Act for Fiscal Year 2008 (Public Law 110–
 24 181; 8 U.S.C. 1157 note) is reached.”.

1 **SEC. 3. SIV PROGRAM REPORTING REQUIREMENT.**

2 (a) IN GENERAL.—Not later than 180 days after the
3 date of the enactment of this Act, the Inspector General
4 of the Department of State shall submit a report, with
5 a classified annex if necessary, to—

6 (1) the Committee on the Judiciary, the Com-
7 mittee on Foreign Relations, and the Committee on
8 Armed Services of the Senate; and

9 (2) the Committee on the Judiciary, the Com-
10 mittee on Foreign Affairs, and the Committee on
11 Armed Services of the House of Representatives.

12 (b) CONTENTS.—The report submitted under sub-
13 section (a) shall evaluate the obstacles to effective protec-
14 tion of Afghan and Iraqi allies through the special immi-
15 grant visa programs and suggestions for improvements in
16 future programs, including information relating to—

17 (1) the hiring of locally employed staff and con-
18 tractors;

19 (2) documenting the identity and employment
20 of locally employed staff and contractors of the
21 United States Government, including the possibility
22 of establishing a central database of employees of
23 the United States Government and its contractors;

24 (3) the protection and safety of employees of lo-
25 cally employed staff and contractors;

1 (4) means of expediting processing at all stages
2 of the process for applicants, including consideration
3 of reducing required forms;

4 (5) appropriate staffing levels for expedited
5 processing domestically and abroad;

6 (6) the effect of uncertainty of visa availability
7 on visa processing;

8 (7) the cost and availability of medical examina-
9 tions; and

10 (8) means to reduce delays in interagency proc-
11 essing and security checks.

12 (c) CONSULTATION.—In preparing the report under
13 subsection (a), the Inspector General shall consult with—

14 (1) the Department of State, Bureau of Con-
15 sular Affairs, Visa Office;

16 (2) the Department of State, Bureau of Near
17 Eastern Affairs and South and Central Asian Af-
18 fairs, Executive Office;

19 (3) the United States embassy in Kabul, Af-
20 ghanistan, Consular Section;

21 (4) the United States embassy in Baghdad,
22 Iraq, Consular Section;

23 (5) the Department of Homeland Security, U.S.
24 Citizenship and Immigration Services;

25 (6) the Department of Defense; and

1 (7) nongovernmental organizations providing
2 legal aid in the special immigrant visa application
3 process.

4 Wherever possible, the Inspector General shall consult
5 with both current and former employees of these offices.

○