

115TH CONGRESS
2D SESSION

H. R. 5694

To amend the Afghan Allies Protection Act of 2009.

IN THE HOUSE OF REPRESENTATIVES

MAY 7, 2018

Mr. KINZINGER (for himself, Mr. BLUMENAUER, Mr. MOULTON, and Mr. STIVERS) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Afghan Allies Protection Act of 2009.

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 Amendments Act of 2018”.

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

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

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

4 (1) by striking subparagraph (A) and inserting
5 the following:

6 “(A) FISCAL YEAR 2019.—

7 “(i) IN GENERAL.—In addition to any
8 unused balance under subparagraph (F),
9 for fiscal year 2019, not more than 4,000
10 principal aliens may be granted special im-
11 migrant status under this subsection.

12 “(ii) PERIOD OF EMPLOYMENT.—For
13 purposes of this subparagraph, the period
14 of employment referred to in paragraph
15 (2)(A)(ii) shall end not later than Decem-
16 ber 31, 2021.

17 “(iii) APPLICATION.—For purposes of
18 this subparagraph, not later than Decem-
19 ber 31, 2021, a principal alien seeking spe-
20 cial immigrant status under this subsection
21 shall submit an application to the Chief of
22 Mission.”;

23 (2) by striking subparagraph (C) and inserting
24 the following:

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

7 “(i) the numerical limitation described
8 in subparagraph (A)(i); and

9 “(ii) the number of principal aliens
10 granted special immigrant status under
11 this subsection during each fiscal year be-
12 ginning in fiscal year 2019.”;

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

15 (4) in subparagraph (F)—

16 (A) in clause (i), by striking “2020” and
17 inserting “2020;”;

18 (B) in clause (ii), by striking “2020” and
19 inserting “2020;”;

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

23 (D) in the matter preceding subclause (I)
24 (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 (E) 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 (F) 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 (d) REPORT REFORM.—Section 602 of the Afghan
2 Allies Protection Act of 2009 (8 U.S.C. 1101 note) is
3 amended—

4 (1) in subsection (b)—

5 (A) by striking paragraph (10);

6 (B) by redesignating paragraphs (11)
7 through (16) as paragraphs (10) through (15),
8 respectively;

9 (C) in paragraph (11)(A) (as so redesign-
10 ated), by striking “the National Defense Au-
11 thorization Act for Fiscal Year 2014” and in-
12 serting “this Act”;

13 (D) in paragraph (12) (as so redesign-
14 ated), by striking “paragraph (12)(B)” and
15 inserting “paragraph (11)(B)”; and

16 (E) in paragraph (13) (as so redesign-
17 ated), in the matter preceding subparagraph
18 (A), by striking “a report to the” and all that
19 follows through “House of Representatives”
20 and inserting “a report to the appropriate com-
21 mittees of Congress”;

22 (2) by striking subsection (c); and

23 (3) by redesignating subsection (d) as sub-
24 section (c).

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