

117TH CONGRESS
1ST SESSION

H. R. 3513

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 25, 2021

Mr. KINZINGER (for himself, Mr. BLUMENAUER, Mr. MOULTON, Mr. CRENSHAW, Mr. BACON, Mr. YOUNG, Ms. HERRERA BEUTLER, Mr. CROW, Mr. NADLER, Mr. WALTZ, Mr. GALLEGO, Ms. LOFGREN, Mr. MAST, Mr. LAMB, Mr. CONNOLLY, Mr. MEIJER, Mr. PETERS, Mrs. MURPHY of Florida, Mr. MALINOWSKI, Mr. SCHIFF, Mr. BERA, Mr. KIM of New Jersey, Ms. NORTON, Mr. MCGOVERN, Ms. SCHAKOWSKY, Ms. STRICKLAND, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. WELCH, Mr. KHANNA, Ms. JACOBS of California, Ms. DELBENE, Mr. RYAN, and Ms. OMAR) 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 2021”.

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 2021.—

13 “(i) IN GENERAL.—In addition to any
14 unused balance under subparagraph (F),
15 for fiscal year 2021, 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, 2023.

23 “(iii) APPLICATION.—For purposes of
24 this subparagraph, not later than Decem-
25 ber 31, 2023, 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 2021, 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 2021.”;

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 2021.”.

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.”.

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