

115TH CONGRESS  
2D SESSION

# S. 2793

To amend the Afghan Allies Protection Act of 2009.

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IN THE SENATE OF THE UNITED STATES

MAY 7, 2018

Mrs. SHAHEEN (for herself, Mr. TILLIS, Mr. REED, Mr. WICKER, Mr. BLUMENTHAL, Mr. GARDNER, and Mr. KAINE) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## 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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