

AMENDMENT TO RULES COMMITTEE PRINT 117-

54

OFFERED BY MR. LANGEVIN OF RHODE ISLAND

Add at the end of title LVIII of division E the following:

1 **SEC. 58 ____ . ADMISSION OF ESSENTIAL SCIENTISTS AND**
2 **TECHNICAL EXPERTS TO PROMOTE AND PRO-**
3 **TECT NATIONAL SECURITY INNOVATION**
4 **BASE.**

5 (a) **SPECIAL IMMIGRANT STATUS.**—In accordance
6 with the procedures established under subsection (f)(1),
7 and subject to subsection (c)(1), the Secretary of Home-
8 land Security may provide an alien described in subsection
9 (b) (and the spouse and each child of the alien if accom-
10 panying or following to join the alien) with the status of
11 a special immigrant under section 101(a)(27) of the Immi-
12 gration and Nationality Act (8 U.S.C. 1101(a)(27)), if the
13 alien—

14 (1) submits a classification petition under sec-
15 tion 204(a)(1)(G)(i) of such Act (8 U.S.C.
16 1154(a)(1)(G)(i)); and

1 (2) is otherwise eligible to receive an immigrant
2 visa and is otherwise admissible to the United States
3 for lawful permanent residence.

4 (b) ALIENS DESCRIBED.—An alien is described in
5 this subsection if—

6 (1) the alien—

7 (A) is employed by a United States em-
8 ployer and engaged in work to promote and
9 protect the National Security Innovation Base;

10 (B) is engaged in basic or applied re-
11 search, funded by the Department of Defense,
12 through a United States institution of higher
13 education (as defined in section 101 of the
14 Higher Education Act of 1965 (20 U.S.C.
15 1001)); or

16 (C) possesses scientific or technical exper-
17 tise that will advance the development of crit-
18 ical technologies identified in the National De-
19 fense Strategy or the National Defense Science
20 and Technology Strategy, required by section
21 218 of the John S. McCain National Defense
22 Authorization Act for Fiscal Year 2019 (Public
23 Law 115–232; 132 Stat. 1679); and

24 (2) the Secretary of Defense issues a written
25 statement to the Secretary of Homeland Security

1 confirming that the admission of the alien is essen-
2 tial to advancing the research, development, testing,
3 or evaluation of critical technologies described in
4 paragraph (1)(C) or otherwise serves national secu-
5 rity interests.

6 (c) NUMERICAL LIMITATIONS.—

7 (1) IN GENERAL.—The total number of prin-
8 cipal aliens who may be provided special immigrant
9 status under this section may not exceed—

10 (A) 10 in each of fiscal years 2023
11 through 2032; and

12 (B) 100 in fiscal year 2033 and each fiscal
13 year thereafter.

14 (2) EXCLUSION FROM NUMERICAL LIMITA-
15 TION.—Aliens provided special immigrant status
16 under this section shall not be counted against the
17 numerical limitations under sections 201(d), 202(a),
18 and 203(b)(4) of the Immigration and Nationality
19 Act (8 U.S.C. 1151(d), 1152(a), and 1153(b)(4)).

20 (d) DEFENSE COMPETITION FOR SCIENTISTS AND
21 TECHNICAL EXPERTS.—Not later than 180 days after the
22 date of the enactment of this Act, the Secretary of Defense
23 shall develop and implement a process to select, on a com-
24 petitive basis from among individuals described in sub-
25 section (b), individuals for recommendation to the Sec-

1 retary of Homeland Security for special immigrant status
2 described in subsection (a).

3 (e) AUTHORITIES.—In carrying out this section, the
4 Secretary of Defense shall authorize appropriate personnel
5 of the Department of Defense to use all personnel and
6 management authorities available to the Department, in-
7 cluding the personnel and management authorities pro-
8 vided to the science and technology reinvention labora-
9 tories, the Major Range and Test Facility Base (as de-
10 fined in 196(i) of title 10, United States Code), and the
11 Defense Advanced Research Projects Agency.

12 (f) PROCEDURES.—Not later than 360 days after the
13 date of the enactment of this Act, the Secretary of Home-
14 land Security and Secretary of Defense shall jointly estab-
15 lish policies and procedures implementing the provisions
16 in this section, which shall include procedures for—

17 (1) processing of petitions for classification sub-
18 mitted under subsection (a)(1) and applications for
19 an immigrant visa or adjustment of status, as appli-
20 cable; and

21 (2) thorough processing of any required secu-
22 rity clearances.

23 (g) FEES.—The Secretary of Homeland Security
24 shall establish a fee—

1 (1) to be charged and collected to process an
2 application filed under this section; and

3 (2) that is set at a level that will ensure recov-
4 ery of the full costs of such processing and any addi-
5 tional costs associated with the administration of the
6 fees collected.

7 (h) IMPLEMENTATION REPORT REQUIRED.—Not
8 later than 180 days after the date of the enactment of
9 this Act, the Secretary of Homeland Security and Sec-
10 retary of Defense shall jointly submit to the appropriate
11 congressional committees a report that includes—

12 (1) a plan for implementing the authorities pro-
13 vided under this section; and

14 (2) identification of any additional authorities
15 that may be required to assist the Secretaries in
16 fully implementing section.

17 (i) PROGRAM EVALUATION AND REPORT.—

18 (1) EVALUATION.—The Comptroller General of
19 the United States shall conduct an evaluation of the
20 competitive program and special immigrant program
21 described in subsections (a) through (g).

22 (2) REPORT.—Not later than October 1, 2026,
23 the Comptroller General shall submit to the appro-
24 priate congressional committees a report on the re-

1 sults of the evaluation conducted under paragraph
2 (1).

3 (j) DEFINITIONS.—In this section:

4 (1) The term “appropriate congressional com-
5 mittees” means—

6 (A) the Committee on Armed Services and
7 the Committee on the Judiciary of the House of
8 Representatives; and

9 (B) the Committee on Armed Services and
10 the Committee on the Judiciary of the Senate.

11 (2) The term “National Security Innovation
12 Base” means the network of persons and organiza-
13 tions, including Federal agencies, institutions of
14 higher education, Federally funded research and de-
15 velopment centers, defense industrial base entities,
16 nonprofit organizations, commercial entities, and
17 venture capital firms that are engaged in the mili-
18 tary and non-military research, development, fund-
19 ing, and production of innovative technologies that
20 support the national security of the United States.

