

AMENDMENT TO RULES COMMITTEE PRINT 118-

36

OFFERED BY MRS. MILLER-MEEKS OF IOWA

Add at the end of title XVII the following:

1 **Subtitle D—Fulfilling Promises to**
2 **Afghan Allies**

3 **SEC. 1761. DEFINITIONS.**

4 In this subtitle:

5 (1) APPROPRIATE COMMITTEES OF CON-
6 GRESS.—The term “appropriate committees of Con-
7 gress” means—

8 (A) the Committee on the Judiciary of the
9 Senate;

10 (B) the Committee on Foreign Relations of
11 the Senate;

12 (C) the Committee on Armed Services of
13 the Senate;

14 (D) the Committee on Appropriations of
15 the Senate;

16 (E) the Committee on Homeland Security
17 and Governmental Affairs of the Senate;

18 (F) the Committee on the Judiciary of the
19 House of Representatives;

1 (G) the Committee on Foreign Affairs of
2 the House of Representatives;

3 (H) the Committee on Armed Services of
4 the House of Representatives;

5 (I) the Committee on Appropriations of the
6 House of Representatives; and

7 (J) the Committee on Homeland Security
8 of the House of Representatives.

9 (2) IMMIGRATION LAWS.—The term “immigra-
10 tion laws” has the meaning given such term in sec-
11 tion 101(a)(17) of the Immigration and Nationality
12 Act (8 U.S.C. 1101(a)(17)).

13 (3) SECRETARY.—The term “Secretary” means
14 the Secretary of Homeland Security.

15 (4) SPECIAL IMMIGRANT STATUS.—The term
16 “special immigrant status” means special immigrant
17 status provided under—

18 (A) the Afghan Allies Protection Act of
19 2009 (8 U.S.C. 1101 note; Public Law 111–8);

20 (B) section 1059 of the National Defense
21 Authorization Act for Fiscal Year 2006 (8
22 U.S.C. 1101 note; Public Law 109–163); or

23 (C) subparagraph (N) of section
24 101(a)(27) of the Immigration and Nationality

1 Act (8 U.S.C. 1101(a)(27)), as added by sec-
2 tion 1766(a).

3 (5) SPECIFIED APPLICATION.—The term “spec-
4 ified application” means—

5 (A) a pending, documentarily complete ap-
6 plication for special immigrant status; and

7 (B) a case in processing in the United
8 States Refugee Admissions Program for an in-
9 dividual who has received a Priority 1 or Pri-
10 ority 2 referral to such program.

11 (6) UNITED STATES REFUGEE ADMISSIONS
12 PROGRAM.—The term “United States Refuge Ad-
13 missions Program” means the program to resettle
14 refugees in the United States pursuant to the au-
15 thorities provided in sections 101(a)(42), 207, and
16 412 of the Immigration and Nationality Act (8
17 U.S.C. 1101(a)(42), 1157, and 1522).

18 **SEC. 1762. SUPPORT FOR AFGHAN ALLIES OUTSIDE THE**
19 **UNITED STATES.**

20 (a) RESPONSE TO CONGRESSIONAL INQUIRIES.—The
21 Secretary of State shall respond to inquiries by Members
22 of Congress regarding the status of a specified application
23 submitted by, or on behalf of, a national of Afghanistan,
24 including any information that has been provided to the

1 applicant, in accordance with section 222(f) of the Immi-
2 gration and Nationality Act (8 U.S.C. 1202(f)).

3 (b) OFFICE IN LIEU OF EMBASSY.—During the pe-
4 riod in which there is no operational United States em-
5 bassy in Afghanistan, the Secretary of State shall des-
6 ignate an appropriate office within the Department of
7 State—

8 (1) to review specified applications submitted by
9 nationals of Afghanistan residing in Afghanistan, in-
10 cluding by conducting any required interviews;

11 (2) to issue visas or other travel documents to
12 such nationals, in accordance with the immigration
13 laws;

14 (3) to provide services to such nationals, to the
15 greatest extent practicable, that would normally be
16 provided by an embassy; and

17 (4) to carry out any other function the Sec-
18 retary of State considers necessary.

19 **SEC. 1763. CONDITIONAL PERMANENT RESIDENT STATUS**
20 **FOR ELIGIBLE INDIVIDUALS.**

21 (a) DEFINITIONS.—In this section:

22 (1) CONDITIONAL PERMANENT RESIDENT STA-
23 TUS.—The term “conditional permanent resident
24 status” means conditional permanent resident status
25 under section 216 and 216A of the Immigration and

1 Nationality Act (8 U.S.C. 1186a, 1186b), subject to
2 the provisions of this section.

3 (2) ELIGIBLE INDIVIDUAL.—The term “eligible
4 individual” means an alien who—

5 (A) is present in the United States;

6 (B) is a citizen or national of Afghanistan
7 or, in the case of an alien having no nationality,
8 is a person who last habitually resided in Af-
9 ghanistan;

10 (C) has not been granted permanent resi-
11 dent status;

12 (D)(i) was inspected and admitted to the
13 United States on or before the date of the en-
14 actment of this Act; or

15 (ii) was paroled into the United States
16 during the period beginning on July 30, 2021,
17 and ending on the date of the enactment of this
18 Act, provided that—

19 (I) such parole has not been termi-
20 nated by the Secretary upon written notice;
21 and

22 (II) the alien did not enter the United
23 States at a location between ports of entry
24 along the southwest land border; and

1 (E) is admissible to the United States as
2 an immigrant under the applicable immigration
3 laws, including eligibility for waivers of grounds
4 of inadmissibility to the extent provided by the
5 immigration laws and the terms of this section.

6 (b) **CONDITIONAL PERMANENT RESIDENT STATUS**
7 **FOR ELIGIBLE INDIVIDUALS.—**

8 (1) **ADJUSTMENT OF STATUS TO CONDITIONAL**
9 **PERMANENT RESIDENT STATUS.—**Beginning on the
10 date of the enactment of this Act, the Secretary—

11 (A) may adjust the status of each eligible
12 individual to that of an alien lawfully admitted
13 for permanent residence status, subject to the
14 procedures established by the Secretary to de-
15 termine eligibility for conditional permanent
16 resident status; and

17 (B) shall create for each eligible individual
18 who is granted adjustment of status under this
19 section a record of admission to such status as
20 of the date on which the eligible individual was
21 initially inspected and admitted or paroled into
22 the United States, or July 30, 2021, whichever
23 is later,

24 unless the Secretary determines, on a case-by-
25 case basis, that such individual is inadmissible under

1 any ground of inadmissibility under section 212
2 (other than subsection (a)(4)) of the Immigration
3 and Nationality Act (8 U.S.C. 1182) and is not eli-
4 gible for a waiver of such grounds of inadmissibility
5 as provided by this subtitle or by the immigration
6 laws.

7 (2) **CONDITIONAL BASIS.**—An individual who
8 obtains lawful permanent resident status under this
9 section shall be considered, at the time of obtaining
10 the status of an alien lawfully admitted for perma-
11 nent residence, to have obtained such status on a
12 conditional basis subject to the provisions of this
13 section.

14 (c) **CONDITIONAL PERMANENT RESIDENT STATUS**
15 **DESCRIBED.**—

16 (1) **ASSESSMENT.**—

17 (A) **IN GENERAL.**—Before granting condi-
18 tional permanent resident status to an eligible
19 individual under subsection (b)(1), the Sec-
20 retary shall conduct an assessment with respect
21 to the eligible individual, which shall be equiva-
22 lent in rigor to the assessment conducted with
23 respect to refugees admitted to the United
24 States through the United States Refugee Ad-
25 missions Program, for the purpose of deter-

1 mining whether the eligible individual is inad-
2 missible under any ground of inadmissibility
3 under section 212 (other than subsection
4 (a)(4)) of the Immigration and Nationality Act
5 (8 U.S.C. 1182) and is not eligible for a waiver
6 of such grounds of inadmissibility under para-
7 graph (2)(C) or the immigration laws.

8 (B) CONSULTATION.—In conducting an as-
9 sessment under subparagraph (A), the Sec-
10 retary may consult with the head of any other
11 relevant agency and review the holdings of any
12 such agency.

13 (2) REMOVAL OF CONDITIONS.—

14 (A) IN GENERAL.—Not earlier than the
15 date described in subparagraph (B), the Sec-
16 retary may remove the conditional basis of the
17 status of an individual granted conditional per-
18 manent resident status under this section un-
19 less the Secretary determines, on a case-by-case
20 basis, that such individual is inadmissible under
21 any ground of inadmissibility under paragraph
22 (2) or (3) of section 212(a) of the Immigration
23 and Nationality Act (8 U.S.C. 1182(a)), and is
24 not eligible for a waiver of such grounds of in-

1 admissibility under subparagraph (C) or the im-
2 migration laws.

3 (B) DATE DESCRIBED.—The date de-
4 scribed in this subparagraph is the earlier of—

5 (i) the date that is 4 years after the
6 date on which the individual was admitted
7 or paroled into the United States; or

8 (ii) July 1, 2027.

9 (C) WAIVER.—

10 (i) IN GENERAL.—Except as provided
11 in clause (ii), to determine eligibility for
12 conditional permanent resident status
13 under subsection (b) or removal of condi-
14 tions under this paragraph, the Secretary
15 may waive the application of the grounds
16 of inadmissibility under 212(a) of the Im-
17 migration and Nationality Act (8 U.S.C.
18 1182(a)) for humanitarian purposes or to
19 ensure family unity.

20 (ii) EXCEPTIONS.—The Secretary may
21 not waive under clause (i) the application
22 of subparagraphs (C) through (E) and (G)
23 through (H) of paragraph (2), or para-
24 graph (3), of section 212(a) of the Immi-

1 gration and Nationality Act (8 U.S.C.
2 1182(a)).

3 (iii) RULE OF CONSTRUCTION.—Noth-
4 ing in this subparagraph may be construed
5 to expand or limit any other waiver author-
6 ity applicable under the immigration laws
7 to an individual who is otherwise eligible
8 for adjustment of status.

9 (D) TIMELINE.—Not later than 180 days
10 after the date described in subparagraph (B),
11 the Secretary shall, to the greatest extent prac-
12 ticable, remove conditions as to all individuals
13 granted conditional permanent resident status
14 under this section who are eligible for removal
15 of conditions.

16 (3) TREATMENT OF CONDITIONAL BASIS OF
17 STATUS PERIOD FOR PURPOSES OF NATURALIZA-
18 TION.—An individual in conditional permanent resi-
19 dent status under this section shall be considered—

20 (A) to have been admitted to the United
21 States as an alien lawfully admitted for perma-
22 nent residence; and

23 (B) to be present in the United States as
24 an alien lawfully admitted to the United States
25 for permanent residence, provided that, no alien

1 granted conditional permanent resident status
2 shall be naturalized unless the alien's conditions
3 have been removed under this section.

4 (d) TERMINATION OF CONDITIONAL PERMANENT
5 RESIDENT STATUS.—Conditional permanent resident sta-
6 tus shall terminate on, as applicable—

7 (1) the date on which the Secretary removes the
8 conditions pursuant to subsection (c)(2), on which
9 date the alien shall be lawfully admitted for perma-
10 nent residence without conditions;

11 (2) the date on which the Secretary determines
12 that the alien was not an eligible individual under
13 subsection (a)(2) as of the date that such conditional
14 permanent resident status was granted, on which
15 date of the Secretary's determination the alien shall
16 no longer be an alien lawfully admitted for perma-
17 nent residence; or

18 (3) the date on which the Secretary determines
19 pursuant to subsection (c)(2) that the alien is not el-
20 ible for removal of conditions, on which date the
21 alien shall no longer be an alien lawfully admitted
22 for permanent residence.

23 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
24 tion shall be construed to limit the authority of the Sec-
25 retary at any time to place in removal proceedings under

1 section 240 of the Immigration and Nationality Act (8
2 U.S.C. 1229a) any alien who has conditional permanent
3 resident status under this section, if the alien is deportable
4 under section 237 of such Act (8 U.S.C. 1227) under a
5 ground of deportability applicable to an alien who has been
6 lawfully admitted for permanent residence.

7 (f) PAROLE EXPIRATION TOLLED.—The expiration
8 date of a period of parole shall not apply to an individual
9 under consideration for conditional permanent resident
10 status under this section, until such time as the Secretary
11 has determined whether to issue conditional permanent
12 resident status.

13 (g) PERIODIC NONADVERSARIAL MEETINGS.—

14 (1) IN GENERAL.—Not later than 180 days
15 after the date on which an individual is conferred
16 conditional permanent resident status under this
17 section, and periodically thereafter, the Office of
18 Refugee Resettlement shall make available opportu-
19 nities for the individual to participate in a nonadver-
20 sarial meeting, during which an official of the Office
21 of Refugee Resettlement (or an agency funded by
22 the Office) shall—

23 (A) on request by the individual, assist the
24 individual in a referral or application for appli-
25 cable benefits administered by the Department

1 of Health and Human Services and completing
2 any applicable paperwork; and

3 (B) answer any questions regarding eligi-
4 bility for other benefits administered by the
5 United States Government.

6 (2) NOTIFICATION OF REQUIREMENTS.—Not
7 later than 7 days before the date on which a meeting
8 under paragraph (1) is scheduled to occur, the Sec-
9 retary of Health and Human Services shall provide
10 notice to the individual that includes the date of the
11 scheduled meeting and a description of the process
12 for rescheduling the meeting.

13 (3) CONDUCT OF MEETING.—The Secretary of
14 Health and Human Services shall implement prac-
15 tices to ensure that—

16 (A) meetings under paragraph (1) are con-
17 ducted in a nonadversarial manner; and

18 (B) interpretation and translation services
19 are provided to individuals granted conditional
20 permanent resident status under this section
21 who have limited English proficiency.

22 (4) RULES OF CONSTRUCTION.—Nothing in
23 this subsection shall be construed—

1 (A) to prevent an individual from electing
2 to have counsel present during a meeting under
3 paragraph (1); or

4 (B) in the event that an individual declines
5 to participate in such a meeting, to affect the
6 individual's conditional permanent resident sta-
7 tus under this section or eligibility to have con-
8 ditions removed in accordance with this section.

9 (h) CONSIDERATION.—Except with respect to an ap-
10 plication for naturalization and the benefits described in
11 subsection (p), an individual in conditional permanent
12 resident status under this section shall be considered to
13 be an alien lawfully admitted for permanent residence for
14 purposes of the adjudication of an application or petition
15 for a benefit or the receipt of a benefit.

16 (i) NOTIFICATION OF REQUIREMENTS.—Not later
17 than 90 days after the date on which the status of an
18 individual is adjusted to that of conditional permanent
19 resident status under this section, the Secretary shall pro-
20 vide notice to such individual with respect to the provisions
21 of this section, including subsection (c)(1) (relating to the
22 conduct of assessments) and subsection (g) (relating to
23 periodic nonadversarial meetings).

24 (j) APPLICATION FOR NATURALIZATION.—The Sec-
25 retary shall establish procedures whereby an individual

1 who would otherwise be eligible to apply for naturalization
2 but for having conditional permanent resident status, may
3 be considered for naturalization coincident with removal
4 of conditions under subsection (c)(2).

5 (k) ADJUSTMENT OF STATUS DATE.—

6 (1) IN GENERAL.—An alien described in para-
7 graph (2) shall be regarded as lawfully admitted for
8 permanent residence as of the date the alien was ini-
9 tially inspected and admitted or paroled into the
10 United States, or July 30, 2021, whichever is later.

11 (2) ALIEN DESCRIBED.—An alien described in
12 this paragraph is an alien who—

13 (A) is described in subparagraphs (A), (B),
14 and (D) of subsection (a)(2), and whose status
15 was adjusted to that of an alien lawfully admit-
16 ted for permanent residence on or after July
17 30, 2021, but on or before the date of the en-
18 actment of this Act; or

19 (B) is an eligible individual whose status is
20 then adjusted to that of an alien lawfully admit-
21 ted for permanent residence after the date of
22 the enactment of this Act under any provision
23 of the immigration laws other than this section.

24 (l) PARENTS AND LEGAL GUARDIANS OF UNACCOM-
25 PANIED CHILDREN.—A parent or legal guardian of an eli-

1 eligible individual shall be eligible to obtain status as an alien
2 lawfully admitted for permanent residence on a conditional
3 basis if—

4 (1) the eligible individual—

5 (A) was under 18 years of age on the date
6 on which the eligible individual was granted
7 conditional permanent resident status under
8 this section; and

9 (B) was not accompanied by at least one
10 parent or guardian on the date the eligible indi-
11 vidual was admitted or paroled into the United
12 States; and

13 (2) such parent or legal guardian was admitted
14 or paroled into the United States after the date re-
15 ferred to in paragraph (1)(B).

16 (m) GUIDANCE.—

17 (1) INTERIM GUIDANCE.—

18 (A) IN GENERAL.—Not later than 120
19 days after the date of the enactment of this
20 Act, the Secretary shall issue guidance imple-
21 menting this section.

22 (B) PUBLICATION.—Notwithstanding sec-
23 tion 553 of title 5, United States Code, guid-
24 ance issued pursuant to subparagraph (A)—

1 (i) may be published on the internet
2 website of the Department of Homeland
3 Security; and

4 (ii) shall be effective on an interim
5 basis immediately upon such publication
6 but may be subject to change and revision
7 after notice and an opportunity for public
8 comment.

9 (2) FINAL GUIDANCE.—

10 (A) IN GENERAL.—Not later than 180
11 days after the date of issuance of guidance
12 under paragraph (1), the Secretary shall final-
13 ize the guidance implementing this section.

14 (B) EXEMPTION FROM THE ADMINISTRA-
15 TIVE PROCEDURES ACT.—Chapter 5 of title 5,
16 United States Code (commonly known as the
17 “Administrative Procedures Act”), or any other
18 law relating to rulemaking or information col-
19 lection, shall not apply to the guidance issued
20 under this paragraph.

21 (n) ASYLUM CLAIMS.—

22 (1) IN GENERAL.—With respect to the adju-
23 dication of an application for asylum submitted by
24 an eligible individual, section 2502(c) of the Extend-
25 ing Government Funding and Delivering Emergency

1 Assistance Act (8 U.S.C. 1101 note; Public Law
2 117–43) shall not apply.

3 (2) RULE OF CONSTRUCTION.—Nothing in this
4 section may be construed to prohibit an eligible indi-
5 vidual from seeking or receiving asylum under sec-
6 tion 208 of the Immigration and Nationality Act (8
7 U.S.C. 1158).

8 (o) PROHIBITION ON FEES.—The Secretary may not
9 charge a fee to any eligible individual in connection with
10 the initial issuance under this section of—

11 (1) a document evidencing status as an alien
12 lawfully admitted for permanent residence or condi-
13 tional permanent resident status; or

14 (2) an employment authorization document.

15 (p) ELIGIBILITY FOR BENEFITS.—

16 (1) IN GENERAL.—Notwithstanding any other
17 provision of law—

18 (A) an individual described in subsection
19 (a) of section 2502 of the Afghanistan Supple-
20 mental Appropriations Act, 2022 (8 U.S.C.
21 1101 note; Public Law 117–43) shall retain his
22 or her eligibility for the benefits and services
23 described in subsection (b) of such section if the
24 individual is under consideration for, or is

1 granted, adjustment of status under this sec-
2 tion; and

3 (B) such benefits and services shall remain
4 available to the individual to the same extent
5 and for the same periods of time as such bene-
6 fits and services are otherwise available to refu-
7 gees who acquire such status.

8 (2) EXCEPTION FROM 5-YEAR LIMITED ELIGI-
9 BILITY FOR MEANS-TESTED PUBLIC BENEFITS.—
10 Section 403(b)(1) of the Personal Responsibility and
11 Work Opportunity Reconciliation Act of 1996 (8
12 U.S.C. 1613(b)(1)) is amended by adding at the end
13 the following:

14 “(F) An alien whose status is adjusted
15 under section 1763 of the Servicemember Qual-
16 ity of Life Improvement and National Defense
17 Authorization Act for Fiscal Year 2025 to that
18 of an alien lawfully admitted for permanent res-
19 idence or to that of an alien lawfully admitted
20 for permanent residence on a conditional
21 basis”.

22 (q) RULE OF CONSTRUCTION.—Nothing in this sec-
23 tion may be construed to preclude an eligible individual
24 from applying for or receiving any immigration benefit to
25 which the individual is otherwise entitled.

1 (r) EXEMPTION FROM NUMERICAL LIMITATIONS.—

2 (1) IN GENERAL.—Aliens granted conditional
3 permanent resident status or lawful permanent resi-
4 dent status under this section shall not be subject to
5 the numerical limitations under sections 201, 202,
6 and 203 of the Immigration and Nationality Act (8
7 U.S.C. 1151, 1152, and 1153).

8 (2) SPOUSE AND CHILDREN BENEFICIARIES.—

9 A spouse or child who is the beneficiary of an immi-
10 grant petition under section 204 of the Immigration
11 and Nationality Act (8 U.S.C. 1154) filed by an
12 alien who has been granted conditional permanent
13 resident status or lawful permanent resident status
14 under this section, seeking classification of the
15 spouse or child under section 203(a)(2)(A) of that
16 Act (8 U.S.C. 1153(a)(2)(A)) shall not be subject to
17 the numerical limitations under sections 201, 202,
18 and 203 of the Immigration and Nationality Act (8
19 U.S.C. 1151, 1152, and 1153).

20 (s) EFFECT ON OTHER APPLICATIONS.—Notwith-

21 standing any other provision of law, in the interest of effi-
22 ciency, the Secretary may pause consideration of any ap-
23 plication or request for an immigration benefit pending
24 adjudication so as to prioritize consideration of adjust-

1 ment of status to an alien lawfully admitted for permanent
2 residence on a conditional basis under this section.

3 (t) AUTHORIZATION FOR APPROPRIATIONS.—There
4 is authorized to be appropriated to the Attorney General,
5 the Secretary of Health and Human Services, the Sec-
6 retary, and the Secretary of State such sums as are nec-
7 essary to carry out this section.

8 **SEC. 1764. REFUGEE PROCESSES FOR CERTAIN AT-RISK AF-**
9 **GHAN ALLIES.**

10 (a) DEFINITION OF AFGHAN ALLY.—

11 (1) IN GENERAL.—In this section, the term
12 “Afghan ally” means an alien who is a citizen or na-
13 tional of Afghanistan, or in the case of an alien hav-
14 ing no nationality, an alien who last habitually re-
15 sided in Afghanistan, who—

16 (A) was—

17 (i) a member of—

18 (I) the special operations forces
19 of the Afghanistan National Defense
20 and Security Forces;

21 (II) the Afghanistan National
22 Army Special Operations Command;

23 (III) the Afghan Air Force; or

24 (IV) the Special Mission Wing of
25 Afghanistan;

- 1 (ii) a female member of any other en-
2 tity of the Afghanistan National Defense
3 and Security Forces, including—
- 4 (I) a cadet or instructor at the
5 Afghanistan National Defense Univer-
6 sity; and
- 7 (II) a civilian employee of the
8 Ministry of Defense or the Ministry of
9 Interior Affairs;
- 10 (iii) an individual associated with
11 former Afghan military and police human
12 intelligence activities, including operators
13 and Department of Defense sources;
- 14 (iv) an individual associated with
15 former Afghan military counterintelligence,
16 counterterrorism, or counternarcotics;
- 17 (v) an individual associated with the
18 former Afghan Ministry of Defense, Min-
19 istry of Interior Affairs, or court system,
20 and who was involved in the investigation,
21 prosecution or detention of combatants or
22 members of the Taliban or criminal net-
23 works affiliated with the Taliban;
- 24 (vi) an individual employed in the
25 former justice sector in Afghanistan as a

1 judge, prosecutor, or investigator who was
2 engaged in rule of law activities for which
3 the United States provided funding or
4 training; or

5 (vii) a senior military officer, senior
6 enlisted personnel, or civilian official who
7 served on the staff of the former Ministry
8 of Defense or the former Ministry of Inte-
9 rior Affairs of Afghanistan; or

10 (B) provided service to an entity or organi-
11 zation described in subparagraph (A) for not
12 less than 1 year during the period beginning on
13 December 22, 2001, and ending on September
14 1, 2021, and did so in support of the United
15 States mission in Afghanistan.

16 (2) INCLUSIONS.—For purposes of this section,
17 the Afghanistan National Defense and Security
18 Forces includes members of the security forces
19 under the Ministry of Defense and the Ministry of
20 Interior Affairs of the Islamic Republic of Afghani-
21 stan, including the Afghanistan National Army, the
22 Afghan Air Force, the Afghanistan National Police,
23 and any other entity designated by the Secretary of
24 Defense as part of the Afghanistan National De-

1 fense and Security Forces during the relevant period
2 of service of the applicant concerned.

3 (b) REFUGEE STATUS FOR AFGHAN ALLIES.—

4 (1) DESIGNATION AS REFUGEES OF SPECIAL
5 HUMANITARIAN CONCERN.—Afghan allies shall be
6 considered refugees of special humanitarian concern
7 under section 207 of the Immigration and Nation-
8 ality Act (8 U.S.C. 1157), until the later of 10 years
9 after the date of enactment of this Act or upon de-
10 termination by the Secretary of State, in consulta-
11 tion with the Secretary of Defense and the Sec-
12 retary, that such designation is no longer in the in-
13 terest of the United States.

14 (2) THIRD COUNTRY PRESENCE NOT RE-
15 QUIRED.—Notwithstanding section 101(a)(42) of the
16 Immigration and Nationality Act (8 U.S.C.
17 1101(a)(42)), the Secretary of State and the Sec-
18 retary shall, to the greatest extent possible, conduct
19 remote refugee processing for an Afghan ally located
20 in Afghanistan.

21 (c) AFGHAN ALLIES REFERRAL PROGRAM.—

22 (1) IN GENERAL.—Not later than 180 days
23 after the date of the enactment of this Act—

24 (A) the Secretary of Defense, in consulta-
25 tion with the Secretary of State, shall establish

1 a process by which an individual may apply to
2 the Secretary of Defense for classification as an
3 Afghan ally and request a referral to the United
4 States Refugee Admissions Program; and

5 (B) the head of any appropriate depart-
6 ment or agency that conducted operations in
7 Afghanistan during the period beginning on De-
8 cember 22, 2001, and ending on September 1,
9 2021, in consultation with the Secretary of
10 State, may establish a process by which an indi-
11 vidual may apply to the head of the appropriate
12 department or agency for classification as an
13 Afghan ally and request a referral to the United
14 States Refugee Admissions Program.

15 (2) APPLICATION SYSTEM.—

16 (A) IN GENERAL.—The process established
17 under paragraph (1) shall—

18 (i) include the development and main-
19 tenance of a secure online portal through
20 which applicants may provide information
21 verifying their status as Afghan allies and
22 upload supporting documentation; and

23 (ii) allow—

24 (I) an applicant to submit his or
25 her own application;

1 (II) a designee of an applicant to
2 submit an application on behalf of the
3 applicant; and

4 (III) in the case of an applicant
5 who is outside the United States, the
6 submission of an application regard-
7 less of where the applicant is located.

8 (B) USE BY OTHER AGENCIES.—The Sec-
9 retary of Defense—

10 (i) may enter into arrangements with
11 the head of any other appropriate depart-
12 ment or agency so as to allow the applica-
13 tion system established under subpara-
14 graph (A) to be used by such department
15 or agency; and

16 (ii) shall notify the Secretary of State
17 of any such arrangement.

18 (3) REVIEW PROCESS.—As soon as practicable
19 after receiving a request for classification and refer-
20 ral described in paragraph (1), the head of the ap-
21 propriate department or agency shall—

22 (A) review—

23 (i) the service record of the applicant,
24 if available;

1 (ii) if the applicant provides a service
2 record or other supporting documentation,
3 any information that helps verify the serv-
4 ice record concerned, including information
5 or an attestation provided by any current
6 or former official of the department or
7 agency who has personal knowledge of the
8 eligibility of the applicant for such classi-
9 fication and referral; and

10 (iii) the data holdings of the depart-
11 ment or agency and other cooperating
12 interagency partners, including as applica-
13 ble biographic and biometric records, iris
14 scans, fingerprints, voice biometric infor-
15 mation, hand geometry biometrics, other
16 identifiable information, and any other in-
17 formation related to the applicant, includ-
18 ing relevant derogatory information; and

19 (B)(i) in a case in which the head of the
20 department or agency determines that the ap-
21 plicant is an Afghan ally without significant de-
22 rogatory information, refer the Afghan ally to
23 the United States Refugee Admissions Program
24 as a refugee; and

25 (ii) include with such referral—

1 (I) any service record concerned,
2 if available;

3 (II) if the applicant provides a
4 service record, any information that
5 helps verify the service record con-
6 cerned; and

7 (III) any biometrics for the appli-
8 cant.

9 (4) REVIEW PROCESS FOR DENIAL OF REQUEST
10 FOR REFERRAL.—

11 (A) IN GENERAL.—In the case of an appli-
12 cant with respect to whom the head of the ap-
13 propriate department or agency denies a re-
14 quest for classification and referral based on a
15 determination that the applicant is not an Af-
16 ghan ally or based on derogatory information—

17 (i) the head of the department or
18 agency shall provide the applicant with a
19 written notice of the denial that provides,
20 to the maximum extent practicable, a de-
21 scription of the basis for the denial, includ-
22 ing the facts and inferences, or evidentiary
23 gaps, underlying the individual determina-
24 tion; and

1 (ii) the applicant shall be provided an
2 opportunity to submit not more than 1
3 written appeal to the head of the depart-
4 ment or agency for each such denial.

5 (B) DEADLINE FOR APPEAL.—An appeal
6 under clause (ii) of subparagraph (A) shall be
7 submitted—

8 (i) not more than 120 days after the
9 date on which the applicant concerned re-
10 ceives notice under clause (i) of that sub-
11 paragraph; or

12 (ii) on any date thereafter, at the dis-
13 cretion of the head of the appropriate de-
14 partment or agency.

15 (C) REQUEST TO REOPEN.—

16 (i) IN GENERAL.—An applicant who
17 receives a denial under subparagraph (A)
18 may submit a request to reopen a request
19 for classification and referral under the
20 process established under paragraph (1) so
21 that the applicant may provide additional
22 information, clarify existing information,
23 or explain any unfavorable information.

24 (ii) LIMITATION.—After considering 1
25 such request to reopen from an applicant,

1 the head of the appropriate department or
2 agency may deny subsequent requests to
3 reopen submitted by the same applicant.

4 (5) FORM AND CONTENT OF REFERRAL.—To
5 the extent practicable, the head of the appropriate
6 department or agency shall ensure that referrals
7 made under this subsection—

8 (A) conform to requirements established by
9 the Secretary of State for form and content;
10 and

11 (B) are complete and include sufficient
12 contact information, supporting documentation,
13 and any other material the Secretary of State
14 or the Secretary consider necessary or helpful
15 in determining whether an applicant is entitled
16 to refugee status.

17 (6) TERMINATION.—The application process
18 and referral system under this subsection shall ter-
19 minate upon the later of 1 year before the termi-
20 nation of the designation under subsection (b)(1) or
21 on the date of a joint determination by the Secretary
22 of State and the Secretary of Defense, in consulta-
23 tion with the Secretary, that such termination is in
24 the national interest of the United States.

25 (d) GENERAL PROVISIONS.—

1 (1) PROHIBITION ON FEES.—The Secretary,
2 the Secretary of Defense, the Secretary of State, or
3 the head of any appropriate department or agency
4 referring Afghan allies under this section may not
5 charge any fee in connection with a request for a
6 classification and referral as a refugee under this
7 section.

8 (2) DEFENSE PERSONNEL.—Any limitation in
9 law with respect to the number of personnel within
10 the Office of the Secretary of Defense, the military
11 departments, or a Defense Agency (as defined in
12 section 101(a) of title 10, United States Code) shall
13 not apply to personnel employed for the primary
14 purpose of carrying out this section.

15 (3) REPRESENTATION.—An alien applying for
16 admission to the United States under this section
17 may be represented during the application process,
18 including at relevant interviews and examinations,
19 by an attorney or other accredited representative.
20 Such representation shall not be at the expense of
21 the United States Government.

22 (4) PROTECTION OF ALIENS.—The Secretary of
23 State, in consultation with the head of any other ap-
24 propriate Federal agency, shall make a reasonable
25 effort to provide an alien who has been classified as

1 an Afghan ally and has been referred as a refugee
2 under this section protection or to immediately re-
3 move such alien from Afghanistan, if possible.

4 (5) OTHER ELIGIBILITY FOR IMMIGRANT STA-
5 TUS.—No alien shall be denied the opportunity to
6 apply for admission under this section solely because
7 the alien qualifies as an immediate relative or is eli-
8 gible for any other immigrant classification.

9 (6) AUTHORIZATION OF APPROPRIATIONS.—
10 There are authorized to be appropriated such sums
11 as necessary for each of fiscal years 2024 through
12 2034 to carry out this section.

13 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
14 tion may be construed to inhibit the Secretary of State
15 from accepting refugee referrals from any entity.

16 **SEC. 1765. IMPROVING EFFICIENCY AND OVERSIGHT OF**
17 **REFUGEE AND SPECIAL IMMIGRANT PROC-**
18 **ESSING.**

19 (a) ACCEPTANCE OF FINGERPRINT CARDS AND SUB-
20 MISSIONS OF BIOMETRICS.—In addition to the methods
21 authorized under the heading relating to the Immigration
22 and Naturalization Service under title I of the Depart-
23 ments of Commerce, Justice, and State, the Judiciary, and
24 Related Agencies Appropriations Act of 1998 (Public Law
25 105–119, 111 Stat. 2448; 8 U.S.C. 1103 note), and other

1 applicable law, and subject to such safeguards as the Sec-
2 retary, in consultation with the Secretary of State or the
3 Secretary of Defense, as appropriate, shall prescribe to en-
4 sure the integrity of the biometric collection (which shall
5 include verification of identity by comparison of such fin-
6 gerprints with fingerprints taken by or under the direct
7 supervision of the Secretary prior to or at the time of the
8 individual's application for admission to the United
9 States), the Secretary may, in the case of any application
10 for any benefit under the Immigration and Nationality Act
11 (8 U.S.C. 1101 et seq.), accept fingerprint cards or any
12 other submission of biometrics—

13 (1) prepared by international or nongovern-
14 mental organizations under an appropriate agree-
15 ment with the Secretary or the Secretary of State;

16 (2) prepared by employees or contractors of the
17 Department of Homeland Security or the Depart-
18 ment of State; or

19 (3) provided by an agency (as defined under
20 section 3502 of title 44, United States Code).

21 (b) STAFFING.—

22 (1) VETTING.—The Secretary of State, the Sec-
23 retary, the Secretary of Defense, and any other
24 agency authorized to carry out the vetting process
25 under this subtitle, shall each ensure sufficient staff-

1 ing, and request the resources necessary, to effi-
2 ciently and adequately carry out the vetting of appli-
3 cants for—

4 (A) referral to the United States Refugee
5 Admissions Program, consistent with the deter-
6 minations established under section 207 of the
7 Immigration and Nationality Act (8 U.S.C.
8 1157); and

9 (B) special immigrant status.

10 (2) REFUGEE RESETTLEMENT.—The Secretary
11 of Health and Human Services shall ensure suffi-
12 cient staffing to efficiently provide assistance under
13 chapter 2 of title IV of the Immigration and Nation-
14 ality Act (8 U.S.C. 1521 et seq.) to refugees reset-
15 tled in the United States.

16 (c) REMOTE PROCESSING.—Notwithstanding any
17 other provision of law, the Secretary of State and the Sec-
18 retary shall employ remote processing capabilities for ref-
19 ugee processing under section 207 of the Immigration and
20 Nationality Act (8 U.S.C. 1157), including secure digital
21 file transfers, videoconferencing and teleconferencing ca-
22 pabilities, remote review of applications, remote inter-
23 views, remote collection of signatures, waiver of the appli-
24 cant’s appearance or signature (other than a final appear-
25 ance and verification by the oath of the applicant prior

1 to or at the time of the individual’s application for admis-
2 sion to the United States), waiver of signature for individ-
3 uals under 5 years old, and any other capability the Sec-
4 retary of State and the Secretary consider appropriate, se-
5 cure, and likely to reduce processing wait times at par-
6 ticular facilities.

7 (d) MONTHLY ARRIVAL REPORTS.—With respect to
8 monthly reports issued by the Secretary of State relating
9 to United States Refugee Admissions Program arrivals,
10 the Secretary of State shall report—

11 (1) the number of monthly admissions of refu-
12 gees, disaggregated by priorities; and

13 (2) the number of Afghan allies admitted as
14 refugees.

15 (e) INTERAGENCY TASK FORCE ON AFGHAN ALLY
16 STRATEGY.—

17 (1) ESTABLISHMENT.—Not later than 180 days
18 after the date of the enactment of this Act, the
19 President shall establish an Interagency Task Force
20 on Afghan Ally Strategy (referred to in this section
21 as the “Task Force”)—

22 (A) to develop and oversee the implementa-
23 tion of the strategy and contingency plan de-
24 scribed in subparagraph (A)(i) of paragraph
25 (4); and

1 (B) to submit the report, and provide a
2 briefing on the report, as described in subpara-
3 graphs (A) and (B) of paragraph (4).

4 (2) MEMBERSHIP.—

5 (A) IN GENERAL.—The Task Force shall
6 include—

7 (i) 1 or more representatives from
8 each relevant Federal agency, as des-
9 ignated by the head of the applicable rel-
10 evant Federal agency; and

11 (ii) any other Federal Government of-
12 ficial designated by the President.

13 (B) RELEVANT FEDERAL AGENCY DE-
14 FINED.—In this paragraph, the term “relevant
15 Federal agency” means—

16 (i) the Department of State;

17 (ii) the Department Homeland Secu-
18 rity;

19 (iii) the Department of Defense;

20 (iv) the Department of Health and
21 Human Services;

22 (v) the Department of Justice; and

23 (vi) the Office of the Director of Na-
24 tional Intelligence.

1 (3) CHAIR.—The Task Force shall be chaired
2 by the Secretary of State.

3 (4) DUTIES.—

4 (A) REPORT.—

5 (i) IN GENERAL.—Not later than 180
6 days after the date on which the Task
7 Force is established, the Task Force, act-
8 ing through the chair of the Task Force,
9 shall submit a report to the appropriate
10 committees of Congress that includes—

11 (I) a strategy for facilitating the
12 resettlement of nationals of Afghani-
13 stan outside the United States who,
14 during the period beginning on Octo-
15 ber 1, 2001, and ending on September
16 1, 2021, directly and personally sup-
17 ported the United States mission in
18 Afghanistan, as determined by the
19 Secretary of State in consultation
20 with the Secretary of Defense; and

21 (II) a contingency plan for future
22 emergency operations in foreign coun-
23 tries involving foreign nationals who
24 have worked directly with the United
25 States Government, including the

1 Armed Forces of the United States
2 and United States intelligence agen-
3 cies.

4 (ii) ELEMENTS.—The report required
5 under clause (i) shall include—

6 (I) the total number of nationals
7 of Afghanistan who have pending
8 specified applications, disaggregated
9 by—

10 (aa) such nationals in Af-
11 ghanistan and such nationals in
12 a third country;

13 (bb) type of specified appli-
14 cation; and

15 (cc) applications that are
16 documentarily complete and ap-
17 plications that are not
18 documentarily complete;

19 (II) an estimate of the number of
20 nationals of Afghanistan who may be
21 eligible for special immigrant status
22 or classification as an Afghan ally;

23 (III) with respect to the strategy
24 required under subparagraph
25 (A)(i)(I)—

1 (aa) the estimated number
2 of nationals of Afghanistan de-
3 scribed in such subparagraph;

4 (bb) a description of the
5 process for safely resettling such
6 nationals of Afghanistan;

7 (cc) a plan for processing
8 such nationals of Afghanistan for
9 admission to the United States
10 that—

11 (AA) discusses the fea-
12 sibility of remote processing
13 for such nationals of Af-
14 ghanistan residing in Af-
15 ghanistan;

16 (BB) includes any
17 strategy for facilitating ref-
18 ugee and consular proc-
19 essing for such nationals of
20 Afghanistan in third coun-
21 tries, and the timelines for
22 such processing;

23 (CC) includes a plan
24 for conducting rigorous and
25 efficient vetting of all such

1 nationals of Afghanistan for
2 processing;

3 (DD) discusses the
4 availability and capacity of
5 sites in third countries to
6 process applications and
7 conduct any required vetting
8 for such nationals of Af-
9 ghanistan, including the po-
10 tential to establish addi-
11 tional sites; and

12 (EE) includes a plan
13 for providing updates and
14 necessary information to af-
15 fected individuals and rel-
16 evant nongovernmental or-
17 ganizations;

18 (dd) a description of consid-
19 erations, including resource con-
20 straints, security concerns, miss-
21 ing or inaccurate information,
22 and diplomatic considerations,
23 that limit the ability of the Sec-
24 retary of State or the Secretary
25 to increase the number of such

1 nationals of Afghanistan who can
2 be safely processed or resettled;
3 (ee) an identification of any
4 resource or additional authority
5 necessary to increase the number
6 of such nationals of Afghanistan
7 who can be processed or reset-
8 tled;
9 (ff) an estimate of the cost
10 to fully implement the strategy;
11 and
12 (gg) any other matter the
13 Task Force considers relevant to
14 the implementation of the strat-
15 egy;
16 (IV) with respect to the contin-
17 gency plan required by clause
18 (i)(II)—
19 (aa) a description of the
20 standard practices for screening
21 and vetting foreign nationals con-
22 sidered to be eligible for resettle-
23 ment in the United States, in-
24 cluding a strategy for vetting,
25 and maintaining the records of,

1 such foreign nationals who are
2 unable to provide identification
3 documents or biographic details
4 due to emergency circumstances;

5 (bb) a strategy for facili-
6 tating refugee or consular proc-
7 essing for such foreign nationals
8 in third countries;

9 (cc) clear guidance with re-
10 spect to which Federal agency
11 has the authority and responsi-
12 bility to coordinate Federal reset-
13 tlement efforts;

14 (dd) a description of any re-
15 source or additional authority
16 necessary to coordinate Federal
17 resettlement efforts, including
18 the need for a contingency fund;

19 (ee) any other matter the
20 Task Force considers relevant to
21 the implementation of the contin-
22 gency plan; and

23 (V) a strategy for the efficient
24 processing of all Afghan special immi-

1 grant visa applications and appeals,
2 including—

3 (aa) a review of current
4 staffing levels and needs across
5 all interagency offices and offi-
6 cials engaged in the special immi-
7 grant visa process;

8 (bb) an analysis of the ex-
9 pected Chief of Mission approvals
10 and denials of applications in the
11 pipeline in order to project the
12 expected number of visas nec-
13 essary to provide special immi-
14 grant status to all approved ap-
15 plicants under this subtitle dur-
16 ing the several years after the
17 date of the enactment of this
18 Act;

19 (cc) an assessment as to
20 whether adequate guidelines exist
21 for reconsidering or reopening
22 applications for special immi-
23 grant visas in appropriate cir-
24 cumstances and consistent with
25 applicable laws; and

1 (dd) an assessment of the
2 procedures throughout the special
3 immigrant visa application proc-
4 ess, including at the Portsmouth
5 Consular Center, and the effec-
6 tiveness of communication be-
7 tween the Portsmouth Consular
8 Center and applicants, including
9 an identification of any area in
10 which improvements to the effi-
11 ciency of such procedures and
12 communication may be made.

13 (iii) FORM.—The report required
14 under clause (i) shall be submitted in un-
15 classified form but may include a classified
16 annex.

17 (B) BRIEFING.—Not later than 60 days
18 after submitting the report required by clause
19 (i), the Task Force shall brief the appropriate
20 committees of Congress on the contents of the
21 report.

22 (5) TERMINATION.—The Task Force shall re-
23 main in effect until the later of—

1 (A) the date on which the strategy re-
2 quired under paragraph (4)(A)(i)(I) has been
3 fully implemented;

4 (B) the date of a determination by the
5 Secretary of State, in consultation with the Sec-
6 retary of Defense and the Secretary, that a task
7 force is no longer necessary for the implementa-
8 tion of subparagraphs (A) and (B) of para-
9 graph (1); or

10 (C) the date that is 10 years after the date
11 of the enactment of this Act.

12 (f) IMPROVING CONSULTATION WITH CONGRESS.—
13 Section 207 of the Immigration and Nationality Act (8
14 U.S.C. 1157) is amended—

15 (1) in subsection (a), by amending paragraph
16 (4) to read as follows:

17 “(4)(A) In the determination made under this sub-
18 section for each fiscal year (beginning with fiscal year
19 1992), the President shall enumerate, with the respective
20 number of refugees so determined, the number of aliens
21 who were granted asylum in the previous year.

22 “(B) In making a determination under paragraph
23 (1), the President shall consider the information in the
24 most recently published projected global resettlement

1 needs report published by the United Nations High Com-
2 missioner for Refugees.”;

3 (2) in subsection (e), by amending paragraph
4 (2) to read as follows:

5 “(2) A description of the number and allocation
6 of the refugees to be admitted, including the ex-
7 pected allocation by region, and an analysis of the
8 conditions within the countries from which they
9 came.”; and

10 (3) by adding at the end the following—

11 “(g) QUARTERLY REPORTS ON ADMISSIONS.—Not
12 later than 30 days after the last day of each quarter begin-
13 ning the fourth quarter of fiscal year 2024, the President
14 shall submit to the Committee on Homeland Security and
15 Governmental Affairs, the Committee on the Judiciary,
16 and the Committee on Foreign Relations of the Senate
17 and the Committee on Homeland Security, the Committee
18 on the Judiciary, and the Committee on Foreign Affairs
19 of the House of Representatives a report that includes the
20 following:

21 “(1) REFUGEES ADMITTED.—

22 “(A) The number of refugees admitted to
23 the United States during the preceding quarter.

24 “(B) The cumulative number of refugees
25 admitted to the United States during the appli-

1 cable fiscal year, as of the last day of the pre-
2 ceding quarter.

3 “(C) The number of refugees expected to
4 be admitted to the United States during the re-
5 mainder of the applicable fiscal year.

6 “(D) The number of refugees from each
7 region admitted to the United States during the
8 preceding quarter.

9 “(2) REFUGEE APPLICANTS WITH PENDING SE-
10 CURITY CHECKS.—

11 “(A) The number of aliens, by nationality,
12 security check, and responsible vetting agency,
13 for whom a National Vetting Center or other
14 security check has been requested during the
15 preceding quarter, and the number of aliens, by
16 nationality, for whom the check was pending
17 beyond 30 days.

18 “(B) The number of aliens, by nationality,
19 security check, and responsible vetting agency,
20 for whom a National Vetting Center or other
21 security check has been pending for more than
22 180 days.

23 “(3) CIRCUIT RIDES.—

24 “(A) For the preceding quarter—

1 “(i) the number of Refugee Corps of-
2 ficers deployed on circuit rides and the
3 overall number of Refugee Corps officers;

4 “(ii) the number of individuals inter-
5 viewed—

6 “(I) on each circuit ride; and

7 “(II) at each circuit ride location;

8 “(iii) the number of circuit rides; and

9 “(iv) for each circuit ride, the dura-
10 tion of the circuit ride.

11 “(B) For the subsequent 2 quarters—

12 “(i) the number of circuit rides
13 planned; and

14 “(ii) the number of individuals
15 planned to be interviewed.

16 “(4) PROCESSING.—

17 “(A) For refugees admitted to the United
18 States during the preceding quarter, the aver-
19 age number of days between—

20 “(i) the date on which an individual
21 referred to the United States Government
22 as a refugee applicant is interviewed by the
23 Secretary of Homeland Security; and

24 “(ii) the date on which such individual
25 is admitted to the United States.

1 “(B) For refugee applicants interviewed by
2 the Secretary of Homeland Security in the pre-
3 ceding quarter, the approval, denial, rec-
4 ommended approval, recommended denial, and
5 hold rates for the applications for admission of
6 such individuals, disaggregated by nationality.”.

7 **SEC. 1766. SUPPORT FOR CERTAIN VULNERABLE AFGHANS**
8 **RELATING TO EMPLOYMENT BY OR ON BE-**
9 **HALF OF THE UNITED STATES.**

10 (a) SPECIAL IMMIGRANT VISAS FOR CERTAIN REL-
11 ATIVES OF CERTAIN MEMBERS OF THE ARMED
12 FORCES.—

13 (1) IN GENERAL.—Section 101(a)(27) of the
14 Immigration and Nationality Act (8 U.S.C.
15 1101(a)(27)) is amended—

16 (A) in subparagraph (L)(iii), by adding a
17 semicolon at the end;

18 (B) in subparagraph (M), by striking the
19 period at the end and inserting “; and”; and

20 (C) by adding at the end the following:

21 “(N) a citizen or national of Afghanistan
22 who is the parent or brother or sister of—

23 “(i) a member of the armed forces (as
24 defined in section 101(a) of title 10,
25 United States Code); or

1 “(ii) a veteran (as defined in section
2 101 of title 38, United States Code).”.

3 (2) NUMERICAL LIMITATIONS.—

4 (A) IN GENERAL.—Subject to subpara-
5 graph (C), the total number of principal aliens
6 who may be provided special immigrant visas
7 under subparagraph (N) of section 101(a)(27)
8 of the Immigration and Nationality Act (8
9 U.S.C. 1101(a)(27)), as added by paragraph
10 (1), may not exceed 2,500 each fiscal year.

11 (B) CARRYOVER.—If the numerical limita-
12 tion specified in subparagraph (A) is not
13 reached during a given fiscal year, the numer-
14 ical limitation specified in such subparagraph
15 for the following fiscal year shall be increased
16 by a number equal to the difference between—

17 (i) the numerical limitation specified
18 in subparagraph (A) for the given fiscal
19 year; and

20 (ii) the number of principal aliens pro-
21 vided special immigrant visas under sub-
22 paragraph (N) of section 101(a)(27) of the
23 Immigration and Nationality Act (8 U.S.C.
24 1101(a)(27)) during the given fiscal year.

1 (C) MAXIMUM NUMBER OF VISAS.—The
2 total number of aliens who may be provided
3 special immigrant visas under subparagraph
4 (N) of section 101(a)(27) of the Immigration
5 and Nationality Act (8 U.S.C. 1101(a)(27))
6 shall not exceed 10,000.

7 (D) DURATION OF AUTHORITY.—The au-
8 thority to issue visas under subparagraph (N)
9 of section 101(a)(27) of the Immigration and
10 Nationality Act (8 U.S.C. 1101(a)(27)) shall—

11 (i) commence on the date of the en-
12 actment of this Act; and

13 (ii) terminate on the date on which all
14 such visas are exhausted.

15 (b) CERTAIN AFGHANS INJURED OR KILLED IN THE
16 COURSE OF EMPLOYMENT.—Section 602(b) of the Af-
17 ghan Allies Protection Act of 2009 (8 U.S.C. 1101 note;
18 Public Law 111–8) is amended—

19 (1) in paragraph (2)(A)—

20 (A) by amending clause (ii) to read as fol-
21 lows:

22 “(ii)(I) was or is employed in Afghan-
23 istan on or after October 7, 2001, for not
24 less than 1 year—

1 “(aa) by, or on behalf of, the
2 United States Government; or

3 “(bb) by the International Security Assistance Force (or any successor name for such Force) in a capacity that required the alien—

4 “(AA) while traveling off-
5 base with United States military
6 personnel stationed at the International Security Assistance
7 Force (or any successor name for
8 such Force), to serve as an interpreter or translator for such
9 United States military personnel;
10 or

11 “(BB) to perform activities
12 for the United States military
13 personnel stationed at International Security Assistance
14 Force (or any successor name for
15 such Force); or

16 “(II) in the case of an alien who was
17 wounded or seriously injured in connection
18 with employment described in subclause
19 (I), was employed for any period until the
20
21
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25

1 date on which such wound or injury oc-
2 curred, if the wound or injury prevented
3 the alien from continuing such employ-
4 ment;” and

5 (B) in clause (iii), by striking “clause (ii)”
6 and inserting “clause (ii)(I)”;

7 (2) in paragraph (13)(A)(i), by striking “sub-
8 clause (I) or (II)(bb) of paragraph (2)(A)(ii)” and
9 inserting “item (aa) or (bb)(BB) of paragraph
10 (2)(A)(ii)(I)”;

11 (3) in paragraph (14)(C), by striking “para-
12 graph (2)(A)(ii)” and inserting “paragraph
13 (2)(A)(ii)(I)” and

14 (4) in paragraph (15), by striking “paragraph
15 (2)(A)(ii)” and inserting “paragraph (2)(A)(ii)(I)”.

16 (c) EXTENSION OF SPECIAL IMMIGRANT VISA PRO-
17 GRAM UNDER AFGHAN ALLIES PROTECTION ACT OF
18 2009.—Section 602(b) of the Afghan Allies Protection Act
19 of 2009 (8 U.S.C. 1101 note; Public Law 111–8) is
20 amended—

21 (1) in paragraph (3)(F)—

22 (A) in the subparagraph heading, by strik-
23 ing “FISCAL YEARS 2015 THROUGH 2022” and
24 inserting “FISCAL YEARS 2015 THROUGH 2029”;
25 and

1 (B) in clause (i), by striking “December
2 31, 2024” and inserting “December 31, 2029”;
3 and

4 (C) in clause (ii), by striking “December
5 31, 2024” and inserting “December 31, 2029”;
6 and

7 (2) in paragraph (13), in the matter preceding
8 subparagraph (A), by striking “January 31, 2024”
9 and inserting “January 31, 2030”.

10 (d) AUTHORIZATION OF VIRTUAL INTERVIEWS.—
11 Section 602(b)(4) of the Afghan Allies Protection Act of
12 2009 (8 U.S.C. 1101 note; Public Law 111–8;) is amend-
13 ed by adding at the end the following:

14 “(D) VIRTUAL INTERVIEWS.—Notwith-
15 standing section 222(e) of the Immigration and
16 Nationality Act (8 U.S.C. 1202(e)), an applica-
17 tion for an immigrant visa under this section
18 may be signed by the applicant through a vir-
19 tual video meeting before a consular officer and
20 verified by the oath of the applicant adminis-
21 tered by the consular officer during a virtual
22 video meeting.”.

23 (e) QUARTERLY REPORTS.—Paragraph (12) of sec-
24 tion 602(b) of the Afghan Allies Protection Act of 2009

1 (8 U.S.C. 1101 note; Public Law 111–8) is amended is
2 amended to read as follows:

3 “(12) QUARTERLY REPORTS.—

4 “(A) REPORT TO CONGRESS.—Not later
5 than 120 days after the date of enactment of
6 the Servicemember Quality of Life Improvement
7 and National Defense Authorization Act for
8 Fiscal Year 2025 and every 90 days thereafter,
9 the Secretary of State and the Secretary of
10 Homeland Security, in consultation with the
11 Secretary of Defense, shall submit to the appro-
12 priate committees of Congress a report that in-
13 cludes the following:

14 “(i) For the preceding quarter—

15 “(I) a description of improve-
16 ments made to the processing of spe-
17 cial immigrant visas and refugee proc-
18 essing for citizens and nationals of Af-
19 ghanistan;

20 “(II) the number of new Afghan
21 referrals to the United States Refugee
22 Admissions Program, disaggregated
23 by referring entity;

24 “(III) the number of interviews
25 of Afghans conducted by U.S. Citizen-

1 ship and Immigration Services,
2 disaggregated by the country in which
3 such interviews took place;

4 “(IV) the number of approvals
5 and the number of denials of refugee
6 status requests for Afghans;

7 “(V) the number of total admis-
8 sions to the United States of Afghan
9 refugees;

10 “(VI) number of such admis-
11 sions, disaggregated by whether the
12 refugees come from within, or outside
13 of, Afghanistan;

14 “(VII) the average processing
15 time for citizens and nationals of Af-
16 ghanistan who are applicants;

17 “(VIII) the number of such cases
18 processed within such average proc-
19 essing time; and

20 “(IX) the number of denials
21 issued with respect to applications by
22 citizens and nationals of Afghanistan.

23 “(ii) The number of applications by
24 citizens and nationals of Afghanistan for

1 refugee referrals pending as of the date of
2 submission of the report.

3 “(iii) A description of the efficiency
4 improvements made in the process by
5 which applications for special immigrant
6 visas under this subsection are processed,
7 including information described in clauses
8 (iii) through (viii) of paragraph (11)(B).

9 “(B) FORM OF REPORT.—Each report re-
10 quired by subparagraph (A) shall be submitted
11 in unclassified form but may contain a classi-
12 fied annex.

13 “(C) PUBLIC POSTING.—The Secretary of
14 State shall publish on the website of the De-
15 partment of State the unclassified portion of
16 each report submitted under subparagraph
17 (A).”.

18 (f) GENERAL PROVISIONS.—

19 (1) PROHIBITION ON FEES.—The Secretary,
20 the Secretary of Defense, or the Secretary of State
21 may not charge any fee in connection with an appli-
22 cation for, or issuance of, a special immigrant visa
23 or special immigrant status under—

1 (A) section 602 of the Afghan Allies Pro-
2 tection Act of 2009 (8 U.S.C. 1101 note; Public
3 Law 111–8);

4 (B) section 1059 of the National Defense
5 Authorization Act for Fiscal Year 2006 (8
6 U.S.C. 1101 note; Public Law 109–163); or

7 (C) subparagraph (N) of section
8 101(a)(27) of the Immigration and Nationality
9 Act (8 U.S.C. 1101(a)(27)), as added by sub-
10 section (a)(1).

11 (2) DEFENSE PERSONNEL.—Any limitation in
12 law with respect to the number of personnel within
13 the Office of the Secretary of Defense, the military
14 departments, or a Defense Agency (as defined in
15 section 101(a) of title 10, United States Code) shall
16 not apply to personnel employed for the primary
17 purpose of carrying out this section.

18 (3) PROTECTION OF ALIENS.—The Secretary of
19 State, in consultation with the head of any other ap-
20 propriate Federal agency, shall make a reasonable
21 effort to provide an alien who is seeking status as
22 a special immigrant under subparagraph (N) of sec-
23 tion 101(a)(27) of the Immigration and Nationality
24 Act (8 U.S.C. 1101(a)(27)), as added by subsection

1 (a)(1), protection or to immediately remove such
2 alien from Afghanistan, if possible.

3 (4) RESETTLEMENT SUPPORT.—A citizen or
4 national of Afghanistan who is admitted to the
5 United States under this section or an amendment
6 made by this section shall be eligible for resettlement
7 assistance, entitlement programs, and other benefits
8 available to refugees admitted under section 207 of
9 the Immigration and Nationality Act (8 U.S.C.
10 1157) to the same extent, and for the same periods
11 of time, as such refugees.

12 **SEC. 1767. SUPPORT FOR ALLIES SEEKING RESETTLEMENT**
13 **IN THE UNITED STATES.**

14 Notwithstanding any other provision of law, during
15 the period beginning on the date of the enactment of this
16 Act and ending on the date that is 10 years thereafter,
17 the Secretary and the Secretary of State may waive any
18 fee or surcharge or exempt individuals from the payment
19 of any fee or surcharge collected by the Department of
20 Homeland Security and the Department of State, respec-
21 tively, in connection with a petition or application for, or
22 issuance of, an immigrant visa to a national of Afghani-
23 stan under section 201(b)(2)(A)(i) or 203(a) of the Immi-
24 gration and Nationality Act (8 U.S.C. 1151(b)(2)(A)(i)
25 and 1153(a)), respectively.

1 **SEC. 1768. REPORTING.**

2 (a) QUARTERLY REPORTS.—Beginning on January
3 1, 2028, not less frequently than quarterly, the Secretary
4 shall submit to the Committee on the Judiciary of the Sen-
5 ate and the Committee on the Judiciary of the House of
6 Representatives a report that includes, for the preceding
7 quarter—

8 (1) the number of individuals granted condi-
9 tional permanent resident status under section 1763,
10 disaggregated by the number of such individuals for
11 whom conditions have been removed;

12 (2) the number of individuals granted condi-
13 tional permanent resident status under section 1763
14 who have been determined to be ineligible for re-
15 moval of conditions (and the reasons for such deter-
16 mination); and

17 (3) the number of individuals granted condi-
18 tional permanent resident status under section 1763
19 for whom no such determination has been made
20 (and the reasons for the lack of such determination).

21 (b) ANNUAL REPORTS.—Not less frequently than an-
22 nually, the Secretary, in consultation with the Attorney
23 General, shall submit to the appropriate committees of
24 Congress a report that includes for the preceding year,
25 with respect to individuals granted conditional permanent
26 resident status under section 1763—

1 (1) the number of such individuals who are
2 placed in removal proceedings under section 240 of
3 the Immigration and Nationality Act (8 U.S.C.
4 1229a) charged with a ground of deportability under
5 subsection (a)(2) of section 237 of that Act (8
6 U.S.C. 1227), disaggregated by each applicable
7 ground under that subsection;

8 (2) the number of such individuals who are
9 placed in removal proceedings under section 240 of
10 the Immigration and Nationality Act (8 U.S.C.
11 1229a) charged with a ground of deportability under
12 subsection (a)(3) of section 237 of that Act (8
13 U.S.C. 1227), disaggregated by each applicable
14 ground under that subsection;

15 (3) the number of final orders of removal issued
16 pursuant to proceedings described in paragraphs (1)
17 and (2), disaggregated by each applicable ground of
18 deportability;

19 (4) the number of such individuals for whom
20 such proceedings are pending, disaggregated by each
21 applicable ground of deportability; and

22 (5) a review of the available options for removal
23 from the United States, including any changes in
24 the feasibility of such options during the preceding
25 year.

1 **SEC. 1769. RULE OF CONSTRUCTION.**

2 Except as expressly described in this subtitle or an
3 amendment made by this subtitle, nothing in this subtitle
4 or an amendment made by this subtitle may be construed
5 to modify, expand, or limit any law or authority to process
6 or admit refugees under section 207 of the Immigration
7 and Nationality Act (8 U.S.C. 1157) or applicants for an
8 immigrant visa under the immigration laws.

