

117TH CONGRESS
1ST SESSION

H. R. 4736

To provide assistance to Afghan nationals who have suffered persecution based on their occupation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2021

Ms. SPEIER (for herself, Ms. LOIS FRANKEL of Florida, Mrs. LAWRENCE, Ms. ESCOBAR, Ms. GARCIA of Texas, Mr. LIEU, Mrs. DEMINGS, Ms. ESHOO, Ms. VELÁZQUEZ, Ms. BROWNLEY, Ms. KUSTER, Ms. JACOBS of California, Mr. THOMPSON of California, Ms. PINGREE, Ms. KAPTUR, Mr. KRISHNAMOORTHY, Ms. DEAN, Ms. CLARKE of New York, Ms. BLUNT ROCHESTER, Ms. KELLY of Illinois, Mr. LARSEN of Washington, Mr. PERLMUTTER, and Mrs. BUSTOS) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide assistance to Afghan nationals who have suffered persecution based on their occupation, 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 “Improving Access for
5 Afghan Refugees Act”.

1 **SEC. 2. AFGHAN REFUGEES OF SPECIAL HUMANITARIAN**
2 **CONCERN.**

3 (a) IN GENERAL.—The Secretary of State, in con-
4 sultation with the Secretary of Homeland Security, shall
5 designate as Priority 2 refugees of special humanitarian
6 concern the following individuals:

7 (1) Individuals who—

8 (A) are or were habitual residents of Af-
9 ghanistan;

10 (B) are nationals of Afghanistan or state-
11 less persons;

12 (C) have suffered persecution or have a
13 well-founded fear of persecution; and

14 (D) share common occupational character-
15 istics that identify them as targets of persecu-
16 tion in Afghanistan on account of race, religion,
17 nationality, membership in a particular social
18 group, or political opinion, as determined by the
19 Secretary of State, including the following:

20 (i) Civil servants.

21 (ii) Public officials and government
22 personnel, including members of the peace
23 negotiation team.

24 (iii) Human rights defenders.

25 (iv) Women's rights defenders.

26 (v) Journalists and media personnel.

1 (vi) Legal professionals.

2 (2) Individuals who—

3 (A) are or were habitual residents of Af-
4 ghanistan;

5 (B) are nationals of Afghanistan or state-
6 less persons; and

7 (C) were employed in Afghanistan for an
8 aggregate period of not less than 1 year by—

9 (i) a media or nongovernmental orga-
10 nization based in the United States; or

11 (ii) an organization or entity that has
12 received a grant from, or entered into a co-
13 operative agreement or contract with, the
14 United States Government.

15 (3) Individuals who—

16 (A) are or were habitual residents of Af-
17 ghanistan;

18 (B) are nationals of Afghanistan or state-
19 less persons; and

20 (C) are beneficiaries of an approved I-130
21 Petition for Alien Relative.

22 (b) PROCESSING OF AFGHAN REFUGEES.—The proc-
23 essing of individuals who are or were habitual residents
24 of Afghanistan, are nationals of Afghanistan or stateless
25 persons, and have suffered persecution, or have a well-

1 founded fear of persecution, for classification as refugees
2 may occur in Afghanistan or in a third country.

3 (c) ELIGIBILITY FOR ADMISSION AS A REFUGEE.—

4 An alien may not be denied the opportunity to apply for
5 admission as a refugee under this section solely because
6 such alien qualifies as an immediate relative of a national
7 of the United States or is eligible for admission to the
8 United States under any other immigrant classification.

9 (d) IDENTIFICATION OF OTHER PERSECUTED
10 GROUPS.—The Secretary of State, or the designee of the
11 Secretary, is authorized to classify other groups of individ-
12 uals who are or were nationals and residents of Afghani-
13 stan as Priority 2 refugees of special humanitarian con-
14 cern.

15 (e) SATISFACTION OF OTHER REQUIREMENTS.—

16 Aliens designated as Priority 2 refugees of special humani-
17 tarian concern under this section shall be deemed to sat-
18 isfy the requirements under section 207 of the Immigra-
19 tion and Nationality Act (8 U.S.C. 1157) for admission
20 to the United States.

21 (f) TIMELINE FOR PROCESSING APPLICATIONS.—

22 (1) IN GENERAL.—The Secretary of State and
23 the Secretary of Homeland Security shall ensure
24 that all steps under the control of the United States
25 Government incidental to the approval of such appli-

1 cations, including required screenings and back-
2 ground checks, are completed not later than 6
3 months after the date on which an eligible applicant
4 submits an application under subsection (a).

5 (2) EXCEPTION.—Notwithstanding paragraph
6 (1), the United States Refugee Admission Program
7 may take additional time to process applications de-
8 scribed in paragraph (1) if satisfaction of national
9 security concerns requires such additional time, if
10 the Secretary of Homeland Security, or the designee
11 of the Secretary, has determined that the applicant
12 meets the requirements for status as a refugee of
13 special humanitarian concern under this section and
14 has so notified the applicant.

15 (g) ADDITIONAL FORMS OF IMMIGRATION RELIEF.—
16 The Secretary of State shall consider additional forms of
17 immigration relief available to Afghans and coordinate
18 with embassies, nongovernmental organizations, and the
19 United Nations High Commissioner for Refugees to re-
20 ceive referrals for individuals who—

21 (1) are or were habitual residents of Afghani-
22 stan;

23 (2) are nationals of Afghanistan or stateless
24 persons; and

- 1 (3) are described in subsection (a) or otherwise
- 2 face humanitarian concerns.

○