

117TH CONGRESS
2D SESSION

S. 3665

To authorize certain aliens seeking asylum to be employed in the United States while their applications are being adjudicated.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 16, 2022

Ms. COLLINS (for herself, Ms. SINEMA, and Mr. KING) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To authorize certain aliens seeking asylum to be employed in the United States while their applications are being adjudicated.

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 “Asylum Seeker Work
5 Authorization Act of 2022”.

6 **SEC. 2. EMPLOYMENT AUTHORIZATION FOR ALIENS SEEK-**
7 **ING ASYLUM.**

8 Section 208(d)(2) of the Immigration and Nationality
9 Act (8 U.S.C. 1158(d)(2)) is amended to read as follows:

1 “(2) EMPLOYMENT AUTHORIZATION.—

2 “(A) ELIGIBILITY.—The Secretary of
3 Homeland Security shall authorize employment
4 for an applicant for asylum—

5 “(i) who is not in detention;

6 “(ii) whose application for asylum has
7 not been determined frivolous; and

8 “(iii) with respect to whom the proce-
9 dures required under paragraph (5)(A)(i)
10 have been completed.

11 “(B) APPLICATION.—The Secretary may
12 not grant employment authorization under this
13 paragraph to an applicant for asylum who is
14 not otherwise eligible for employment authoriza-
15 tion until 30 days after the date on which the
16 applicant filed an application for asylum.

17 “(C) TERM.—Employment authorization
18 under this paragraph—

19 “(i) shall be for a period of 1 year;
20 and

21 “(ii) shall be renewable for additional
22 1-year periods while the applicant’s asylum
23 claim is being adjudicated, including ad-
24 ministrative or judicial review.”.