

115TH CONGRESS
1ST SESSION

H. R. 3250

To provide aliens who performed rescue, recovery, demolition, debris cleanup, or other related services after the September 11 terrorist attacks an opportunity to adjust their status to that of an alien lawfully admitted for permanent residence, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2017

Mr. CROWLEY (for himself, Mr. NADLER, Ms. VELÁZQUEZ, Mr. ESPAILLAT, Ms. CLARKE of New York, Mr. TONKO, Mr. SERRANO, and Mr. JEFFRIES) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide aliens who performed rescue, recovery, demolition, debris cleanup, or other related services after the September 11 terrorist attacks an opportunity to adjust their status to that of an alien lawfully admitted for permanent residence, 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 “9/11 Immigrant Work-
5 er Freedom Act”.

1 **SEC. 2. ADJUSTMENT OF STATUS FOR CERTAIN WORKERS**
2 **AFTER TERRORIST ATTACKS.**

3 (a) ADJUSTMENT OF STATUS.—The status of any
4 alien described in subsection (b) may be adjusted by the
5 Secretary of Homeland Security to that of an alien law-
6 fully admitted for permanent residence, if the alien—

7 (1) applies for such adjustment not later than
8 1 year after the date of the enactment of this Act,
9 which may be extended at the discretion of the Sec-
10 retary in cases with compelling circumstances;

11 (2) is not inadmissible to the United States
12 under paragraph (2) or (3) of section 212(a) of the
13 Immigration and Nationality Act (8 U.S.C.
14 1182(a)), or deportable under paragraph (2) or (4)
15 of section 237(a) of such Act (8 U.S.C. 1227(a));
16 except that in determining an alien's inadmis-
17 sibility—

18 (A) offenses for which an essential element
19 was the alien's immigration status shall not
20 apply;

21 (B) arrests or criminal charges on their
22 own shall not apply; and

23 (C) cases where a judgment has been ex-
24 punged, set aside, or the equivalent shall not
25 apply; and

1 (3) not later than the date on which the appli-
2 cation under paragraph (1) is submitted, satisfies
3 any applicable Federal tax liability by establishing
4 that—

5 (A) no such tax liability exists; or

6 (B) all outstanding liabilities have been
7 paid.

8 (b) ALIENS ELIGIBLE FOR ADJUSTMENT OF STA-
9 TUS.—

10 (1) IN GENERAL.—The benefit provided by sub-
11 section (a) shall apply to any alien who—

12 (A) worked or volunteered onsite in rescue,
13 recovery, debris cleanup, or related support
14 services in lower Manhattan (south of Canal
15 St.), the Staten Island Landfill, or the barge
16 loading piers, for at least 4 hours during the
17 period beginning on September 11, 2001, and
18 ending on September 14, 2001, for at least 24
19 hours during the period beginning on Sep-
20 tember 11, 2001, and ending on September 30,
21 2001, or for at least 80 hours during the period
22 beginning on September 11, 2001, and ending
23 on July 31, 2002;

24 (B) was a vehicle-maintenance worker who
25 was exposed to debris from the former World

1 Trade Center while retrieving, driving, cleaning,
2 repairing, and maintaining vehicles contami-
3 nated by airborne toxins from the September
4 11, 2001, terrorist attacks for any time during
5 the period beginning on September 11, 2001,
6 and ending on July 31, 2002;

7 (C) was a member of a fire or police de-
8 partment (whether fire or emergency personnel,
9 active or retired), worked for a recovery or
10 cleanup contractor, or was a volunteer; and per-
11 formed rescue, recovery, demolition, debris
12 cleanup, or other related services at the Pen-
13 tagon site of the terrorist-related aircraft crash
14 of September 11, 2001, during the period be-
15 ginning on September 11, 2001, and ending on
16 November 19, 2001; or

17 (D) was a member of a fire or police de-
18 partment (whether fire or emergency personnel,
19 active or retired), worked for a recovery or
20 cleanup contractor, or was a volunteer; and per-
21 formed rescue, recovery, demolition, debris
22 cleanup, or other related services at the
23 Shanksville, Pennsylvania, site of the terrorist-
24 related aircraft crash of September 11, 2001,

1 during the period beginning on September 11,
2 2001, and ending on October 3, 2001.

3 (2) EXCEPTION.—An alien shall not be pro-
4 vided any benefit under this section if the Secretary
5 of Homeland Security determines that the alien has
6 willfully made a material misrepresentation or mate-
7 rial omission in the proffer of information described
8 in paragraph (1)(C).

9 (c) WORK AUTHORIZATION.—The Secretary of
10 Homeland Security may authorize an alien who has ap-
11 plied for adjustment of status under subsection (a) to en-
12 gage in employment in the United States during the pend-
13 ency of such application.

14 (d) CONSTRUCTION.—Nothing in this section shall be
15 construed to limit the existing authority of the Secretary
16 of Homeland Security on the date of the enactment of this
17 Act to require any form or other submission of informa-
18 tion or to perform any background or security check for
19 the purpose of determining the admissibility, or eligibility
20 under this section, of any alien.

21 (e) WAIVER OF REGULATIONS.—The Secretary of
22 Homeland Security shall issue guidance to carry out this
23 section not later than 6 months after the date of the enact-
24 ment of this Act, but is not required to promulgate regula-
25 tions prior to implementing this section.

1 (f) NO OFFSET IN NUMBER OF VISAS AVAILABLE.—
2 When an alien is granted the status of having been law-
3 fully admitted for permanent residence under this section,
4 the Secretary of State shall not be required to reduce the
5 number of immigrant visas authorized to be issued under
6 the Immigration and Nationality Act (8 U.S.C. 1101 et
7 seq.).

8 (g) DEFINITIONS.—For purposes of this section:

9 (1) The term “applicable Federal tax liability”
10 means liability for Federal taxes, including penalties
11 and interest, owed for any year for which the statu-
12 tory period for assessment of any deficiency for such
13 taxes has not expired.

14 (2) Except as otherwise specifically provided in
15 this section, the definitions used in the Immigration
16 and Nationality Act (8 U.S.C. 1101 et seq.) (exclud-
17 ing the definitions applicable exclusively to title III
18 of such Act) shall apply in the administration of this
19 section.

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