

AMENDMENT TO HOMELAND SECURITY
APPROPRIATIONS BILL
OFFERED BY MS. MENG OF NEW YORK

Page 64 after line 11, add the following new section:

1 SEC. _____. (a) Notwithstanding section
2 204(a)(1)(I)(ii)(II) of the Immigration and Nationality
3 Act (8 U.S.C. 1154(a)(1)(I)(ii)(II)), and subject to sub-
4 section (d) of this section, an immigrant visa for those
5 selected in accordance with section 203(e)(2) of the Immi-
6 gration and Nationality Act (8 U.S.C. 1153(e)(2)) in any
7 of fiscal years 2017, 2018, 2019, 2020, or 2021 shall re-
8 main available to such alien if the alien was refused a visa,
9 prevented from seeking admission, or denied admission to
10 the United States solely because of—

11 (1) Executive Order 13769 (82 Fed. Reg.
12 8977; relating to “Protecting the Nation from
13 Foreign Terrorist Entry into The United
14 States”);

15 (2) Executive Order 13780 (82 Fed. Reg.
16 13209; relating “Protecting the Nation from
17 Foreign Terrorist Entry into the United
18 States”);

1 (3) Proclamation 9645 (82 Fed. Reg.
2 45161; relating to “Enhancing Vetting Capa-
3 bilities and Processes for Detecting Attempted
4 Entry into the United States by Terrorists or
5 Other Public-Safety Threats”); or

6 (4) Proclamation 9983 (85 Fed. Reg.
7 6699; relating to “Improving Enhanced Vetting
8 Capabilities and Processes for Detecting At-
9 tempted Entry into the United States by Ter-
10 rorists or Other Public-Safety Threats”).

11 (b) Not later than 90 days after the date of the enact-
12 ment of this section, the Secretary of State shall—

13 (1) provide written notice, consistent with subsection
14 (c), to each alien described in subsection (a) (and such
15 alien’s representative, if applicable) of the alien’s con-
16 tinuing eligibility to apply for a visa under section 203(c)
17 of the Immigration and Nationality Act (8 U.S.C.
18 1153(c)); and

19 (2) publish on the Department of State website, in-
20 formation and procedures implementing this section.

21 (c) The notice described in subsection (b)(1) shall in-
22 clude procedures for the alien to inform the Secretary of
23 State of the alien’s intent to proceed with or abandon the
24 application, and shall include an advisal that such applica-
25 tion shall be deemed abandoned if the alien fails to notify

1 the Secretary of the alien's intent to proceed within one
2 year after the date on which the notice was issued.

3 (d) An alien described in subsection (a) shall remain
4 eligible to receive a visa described in such subsection until
5 the earliest of the date that—

6 (1) the alien—

7 (A) notifies the Secretary of the alien's intent
8 to abandon the application; or

9 (B) fails to respond to the notice described in
10 subsection (b)(1); or

11 (2) the Secretary of State makes a final determina-
12 tion of the alien's ineligibility for such visa under section
13 203(c)(2), 204(a)(1)(I)(iii), or 212(a) of the Immigration
14 and Nationality Act (8 U.S.C. 1153(c)(2),
15 1154(a)(1)(I)(iii), or 1182(a)).

16 (e) A determination of whether an alien is the child
17 of a visa recipient described in subsection (a), pursuant
18 to section 203(d) of the Immigration and Nationality Act
19 (8 U.S.C. 1153(d)) shall be made using the age of the
20 child when applicant was initially selected for a visa in
21 accordance with section 203(e)(2) of such Act.

