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

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

Sec. ____. (a) Notwithstanding section 204(a)(1)(I)(ii)(II) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(I)(ii)(II)), and subject to subsection (d) of this section, an immigrant visa for those selected in accordance with section 203(e)(2) of the Immigration and Nationality Act (8 U.S.C. 1153(e)(2)) in any of fiscal years 2017, 2018, 2019, 2020, or 2021 shall remain available to such alien if the alien was refused a visa, prevented from seeking admission, or denied admission to the United States solely because of—

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

(2) Executive Order 13780 (82 Fed. Reg. 13209; relating “Protecting the Nation from Foreign Terrorist Entry into the United States”).
(3) Proclamation 9645 (82 Fed. Reg. 45161; relating to “Enhancing Vetting Capabilities and Processes for Detecting Attempted Entry into the United States by Terrorists or Other Public-Safety Threats”); or

(4) Proclamation 9983 (85 Fed. Reg. 6699; relating to “Improving Enhanced Vetting Capabilities and Processes for Detecting Attempted Entry into the United States by Terrorists or Other Public-Safety Threats”).

(b) Not later than 90 days after the date of the enactment of this section, the Secretary of State shall—

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

(2) publish on the Department of State website, information and procedures implementing this section.

(e) The notice described in subsection (b)(1) shall include procedures for the alien to inform the Secretary of State of the alien’s intent to proceed with or abandon the application, and shall include an advisal that such application shall be deemed abandoned if the alien fails to notify
the Secretary of the alien’s intent to proceed within one
year after the date on which the notice was issued.
(d) An alien described in subsection (a) shall remain
eligible to receive a visa described in such subsection until
the earliest of the date that—
(1) the alien—
(2) the Secretary of State makes a final determina-
tion of the alien’s ineligibility for such visa under section
203(e)(2), 204(a)(1)(I)(iii), or 212(a) of the Immigration
and Nationality Act (8 U.S.C. 1153(c)(2),
1154(a)(1)(I)(iii), or 1182(a)).
(e) A determination of whether an alien is the child
of a visa recipient described in subsection (a), pursuant
to section 203(d) of the Immigration and Nationality Act
(8 U.S.C. 1153(d)) shall be made using the age of the
child when applicant was initially selected for a visa in
accordance with section 203(e)(2) of such Act.