

Afghan Allies Protection Act of 2023
Senators Jeanne Shaheen and Roger Wicker
Section-by-Section

Section 1: *SHORT TITLE.* This Act may be cited as the Afghan Allies Protection Act of 2023.

Section 2: *SENSE OF CONGRESS.* Provides for a Sense of Congress on the importance of responsibly winding down the Afghan SIV program, including Congressional interest in the process for communicating Chief of Mission (COM) denials and eligibility to appeal and the National Visa Center (NVC) process.

Section 3: *EXTENSION AND MODIFICATION OF THE AFGHAN SPECIAL IMMIGRANT VISA PROGRAM.* This section authorizes an additional 20,000 visas for the Afghan SIV program, bringing the total visas authorized under the Afghan Allies Protection Act of 2009 to 54,500. This section also extends the dates by which eligible employment must occur and an application must be submitted by five years, through 2029.

Section 4: *EXEMPTION FOR AFGHANS INJURED OR KILLED IN THE COURSE OF EMPLOYMENT.* This section provides for an exemption to the employment duration requirement of one year for those injured or killed in the course of employment.

Section 5: *STRATEGY FOR THE EFFICIENT PROCESSING OF ALL AFGHAN SPECIAL IMMIGRANT VISA APPLICATIONS AND APPEALS.* Requires that the State Department establish a strategy for addressing the backlog of SIV applications, in consultation with relevant committees of jurisdiction and outside advocacy and civil society groups.

Section 6: *SENIOR COORDINATING OFFICIALS.* While the Department of State has designated a Senior Coordinating Official pursuant to the fiscal year (FY) 2014 NDAA, the Departments of Defense and Homeland Security have not, or have not made such a designation known to Congress. This section would require those designations to be filled with sufficiently senior officials and extends the requirement to the Department of Health and Human Service due to its role in Afghan SIV recipient resettlement.

Section 6: *AUTHORITY FOR REIMBURSEMENT OF MEDICAL EXAMINATIONS IN CASES OF ECONOMIC HARDSHIP.* This provision expands upon the authorities provided in the FY 2021 Emergency Security Supplemental Appropriations Act, which allowed the Secretary of the Department of State to waive the requirement in the Immigration and Nationality Act (INA) that requires all visa applicants and their eligible family members to receive a medical exam for a visa is issued to them.

Section 7: *AUTHORIZATION OF VIRTUAL INTERVIEWS.* This section allows the Department of State to conduct virtual interviews with applicants for the purposes of confirming eligibility for the Afghan SIV program.

Rationale: This is intended to address concerns that Afghans are unable to reach a U.S. embassy or consulate for purposes of conducting an interview with a Consular officer as part of the process to confirm identify and eligibility for the program. This provision does not preclude the applicant from providing in-person biometric data.

Section 8: ANNUAL REPORT ON EFFICIENCY IMPROVEMENTS TO APPLICATION PROCESSING FOR CERTAIN IRAQI AND AFGHAN TRANSLATORS AND INTERPRETERS.

This section requires the Department of State to report on the Special Immigrant Status for Persons Serving as Translators with United States Armed Forces program, also referred to as the 1059 program. The 1059 program is parallel to the Afghan SIV program and is a permanent program that has 50 visas automatically authorized each year for Iraqi and Afghan interpreters and translators.