

.....
(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. —

To designate residents of South Africa as Priority 2 refugees of special humanitarian concern, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. NEHLS introduced the following bill; which was referred to the Committee on

A BILL

To designate residents of South Africa as Priority 2 refugees of special humanitarian concern, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Asylum for Farmers and Refugees in Crisis and Necessary Emigration Resettlement Act” or the “AFRIKANER Act”.

SEC. 2. DESIGNATION OF CERTAIN RESIDENTS OF SOUTH AFRICA AS PRIORITY 2 REFUGEES.

(a) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Homeland Security, shall designate as Priority 2 refugees of special humanitarian concern the following categories of aliens:

(1) Residents of South Africa who are members of the Caucasian minority group and have suffered persecution, or have a well-founded fear of persecution, on account of their race, ethnicity, or ancestry.

(2) The spouses, children, and parents (as such terms are defined in subsections (a) and (b) of section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)) of individuals described in paragraph (1), except such parents who are citizens of a country other than South Africa.

(b) PROCESSING OF SOUTH AFRICAN REFUGEES.—The processing of individuals described in subsection (a) for classification as refugees may occur in South Africa or in a third country.

(c) ELIGIBILITY FOR ADMISSION AS REFUGEES.—An alien may not be denied the opportunity to apply for admission as a refugee under this section primarily because such alien—

(1) qualifies as an immediate relative of a citizen of the United States; or

(2) is eligible for admission to the United States under any other immigrant classification.

(d) FACILITATION OF ADMISSIONS.—An applicant for admission to the United States from South Africa may not be denied primarily on the basis of a politically motivated arrest, detention, or other adverse government action taken against such applicant as a result of the applicant's race, ethnicity, or ancestry.

(e) EXCLUSION FROM NUMERICAL LIMITATIONS.—Aliens provided refugee status under this section shall not be counted against any numerical limitation under section 201, 202, 203, or 207 of the Immigration and Nationality Act (8 U.S.C. 1151, 1152, 1153, or 1157).

(f) REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of State and the Secretary of Homeland Security shall submit a report on the matters described in paragraph (2) to—

(A) the Committee on the Judiciary and the Committee on Foreign Relations of the Senate; and

(B) the Committee on the Judiciary and the Committee on Foreign Affairs of the House of Representatives.

(2) MATTERS TO BE INCLUDED.—Each report required by paragraph (1) shall include—

(A) the total number of applications that are pending at the end of the reporting period;

(B) the average wait-times for all applicants who are, as of the date of the report, awaiting—

(i) employment verification;

(ii) a prescreening interview with a resettlement support center;

(iii) an interview with U.S. Citizenship and Immigration Services; and

(iv) the completion of security checks; and

(C) the number of denials of applications for refugee status, disaggregated by the reason for each such denial.

(3) FORM.—Each report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(4) PUBLIC REPORTS.—The Secretary of State shall make each report submitted under this subsection available to the public on the internet website of the Department of State.

(g) SATISFACTION OF OTHER REQUIREMENTS.—Aliens granted status under this section as Priority 2 refugees of special humanitarian concern under the refugee resettlement priority system shall be considered to satisfy the requirements under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) for admission to the United States.
