

AMENDMENT NO. _____ Calendar No. _____

Purpose: To require a review relating to the vetting, processing, and resettlement of evacuees from Afghanistan.

IN THE SENATE OF THE UNITED STATES—117th Cong., 1st Sess.

H. R. 2662

To amend the Inspector General Act of 1978, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. PORTMAN

Viz:

1 At the appropriate place, insert the following:

2 **SEC. ____ . REVIEW RELATING TO VETTING, PROCESSING,**
 3 **AND RESETTLEMENT OF EVACUEES FROM**
 4 **AFGHANISTAN.**

5 (a) IN GENERAL.—In accordance with the Inspector
 6 General Act of 1978 (5 U.S.C. App.), the Inspector Gen-
 7 eral of the Department of Homeland Security, in coordina-
 8 tion with any appropriate inspector general, shall conduct
 9 a thorough review of efforts to support and process evac-
 10 uees from Afghanistan.

1 (b) ELEMENTS.—The review required by subsection
2 (a) shall include an assessment of the systems, staffing,
3 policies, and programs used—

4 (1) to the screen and vet such evacuees, includ-
5 ing—

6 (A) an assessment of whether personnel
7 conducting such screening and vetting were ap-
8 propriately authorized and provided with train-
9 ing, including training in the detection of fraud-
10 ulent personal identification documents;

11 (B) an analysis of the degree to which
12 such screening and vetting deviated from
13 United States law, regulations, policy, and best
14 practices relating to the screening and vetting
15 of refugees and applicants for United States
16 visas that have been in use at any time since
17 January 1, 2016;

18 (C) an identification of any risk to the na-
19 tional security of the United States posed by
20 any such deviations;

21 (D) an analysis of the processes used for
22 evacuees traveling without personal identifica-
23 tion records, including the creation or provision
24 of any new identification records to such evac-
25 uees; and

1 (E) an analysis of the degree to which
2 such screening and vetting process was capable
3 of detecting—

4 (i) instances of human trafficking and
5 domestic abuse;

6 (ii) evacuees who are unaccompanied
7 minors; and

8 (iii) evacuees with a spouse that is a
9 minor;

10 (2) to admit and process such evacuees at
11 United States ports of entry;

12 (3) to temporarily house such evacuees prior to
13 resettlement; and

14 (4) to account for the total number of indi-
15 vidual evacuated from Afghanistan in 2021 with
16 support of the United States Government,
17 disaggregated by—

18 (A) country of origin;

19 (B) age;

20 (C) gender;

21 (D) eligibility for special immigrant visas
22 under the Afghan Allies Protection Act of 2009
23 (8 U.S.C. 1101 note; Public Law 111–8) or
24 section 1059 of the National Defense Author-
25 ization Act for Fiscal Year 2006 (8 U.S.C.

1 1101 note; Public Law 109–163) at the time of
2 evacuation;

3 (E) eligibility for employment-based non-
4 immigrant visas at the time of evacuation; and

5 (F) familial relationship to evacuees who
6 are eligible for visas described in subparagraphs
7 (D) and (E).

8 (c) INTERIM REPORTING.—

9 (1) IN GENERAL.—Not later than 180 days
10 after the date of the enactment of this Act, the In-
11 spector General of the Department of Homeland Se-
12 curity shall submit to the appropriate congressional
13 committees not fewer than one interim report on the
14 review conducted under this section.

15 (2) DEFINITIONS.—In this subsection:

16 (A) APPROPRIATE CONGRESSIONAL COM-
17 MITTEES.—The term “appropriate congres-
18 sional committees” has the meaning given the
19 term in section 12 of the Inspector General Act
20 of 1978 (5 U.S.C. App.);

21 (B) SCREEN; SCREENING.—The terms
22 “screen” and “screening”, with respect to an
23 evacuee, mean the process by which a Federal
24 official determines—

25 (i) the identity of the evacuee;

1 (ii) whether the evacuee has a valid
2 identification documentation; and

3 (iii) whether any database of the
4 United States Government contains derog-
5 atory information about the evacuee.

6 (C) VET; VETTING.—The term “vet” and
7 “vetting”, with respect to an evacuee, means
8 the process by which a Federal official inter-
9 views the evacuee to determine whether the
10 evacuee is who they purport to be, including
11 whether the evacuee poses a national security
12 risk.

13 (d) DISCHARGE OF RESPONSIBILITIES.—The Inspec-
14 tor General of the Department of Homeland Security shall
15 discharge the responsibilities under this section in a man-
16 ner consistent with the authorities and requirements of the
17 Inspector General Act of 1978 (5 U.S.C. App.) and the
18 authorities and requirements applicable to the Inspector
19 General of the Department of Homeland Security under
20 that Act.

21 (e) COORDINATION.—Appropriate officials of any
22 Federal agency and appropriate inspectors general shall
23 cooperate with the Inspector General of the Department
24 of Homeland Security in the coordination of the require-
25 ments under this section.

1 (f) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion shall be construed to limit the ability of the Inspector
3 General of the Department of Homeland Security to enter
4 into agreements to conduct joint audits, inspections, or in-
5 vestigations in the exercise of the oversight responsibilities
6 of the Inspector General of the Department of Homeland
7 Security, in accordance with the Inspector General Act of
8 1978 (5 U.S.C. App.), with respect to oversight of the
9 evacuation from Afghanistan, the selection, vetting, and
10 processing of applicants for special immigrant visas and
11 asylum, and any resettlement in the United States of such
12 evacuees.