

117TH CONGRESS
2D SESSION

S. 3869

To add Ireland to the E–3 nonimmigrant visa program.

IN THE SENATE OF THE UNITED STATES

MARCH 17, 2022

Mr. DURBIN (for himself and Mr. TOOMEY) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To add Ireland to the E–3 nonimmigrant visa program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. E–3 VISAS FOR IRISH NATIONALS.**

4 (a) IN GENERAL.—Section 101(a)(15)(E)(iii) of the
5 Immigration and Nationality Act (8 U.S.C.
6 1101(a)(15)(E)(iii)) is amended by inserting “or, on a
7 basis of reciprocity as determined by the Secretary of
8 State, a national of Ireland,” after “Australia”.

9 (b) EMPLOYER REQUIREMENTS.—Section 212 of the
10 Immigration and Nationality Act (8 U.S.C. 1182) is
11 amended—

1 (1) by redesignating the second subsection (t)
2 (as added by section 1(b)(2)(B) of Public Law 108–
3 449 (118 Stat. 3470)) as subsection (u); and

4 (2) by adding at the end of subsection (t)(1)
5 (as added by section 402(b)(2) of Public Law 108–
6 77 (117 Stat. 941)) the following:

7 “(E) In the case of an attestation filed with re-
8 spect to a national of Ireland described in section
9 101(a)(15)(E)(iii), the employer is, and will remain
10 during the period of authorized employment of such
11 Irish national, a participant in good standing in the
12 E-Verify program described in section 403(a) of the
13 Illegal Immigration Reform and Immigrant Respon-
14 sibility Act of 1996 (8 U.S.C. 1324a note).”.

15 (c) APPLICATION ALLOCATION.—Paragraph (11) of
16 section 214(g) of the Immigration and Nationality Act (8
17 U.S.C. 1184(g)(11)) is amended to read as follows:

18 “(11)(A) The Secretary of State may approve initial
19 applications submitted for aliens described in section
20 101(a)(15)(E)(iii) only as follows:

21 “(i) For applicants who are nationals of the
22 Commonwealth of Australia, not more than 10,500
23 for a fiscal year.

24 “(ii) For applicants who are nationals of Ire-
25 land, not more than a number equal to the dif-

1 ference between 10,500 and the number of applica-
2 tions approved in the prior fiscal year for aliens who
3 are nationals of the Commonwealth of Australia.

4 “(B) The approval of an application described under
5 subparagraph (A)(ii) shall be deemed for numerical con-
6 trol purposes to have occurred on September 30 of the
7 prior fiscal year.

8 “(C) The numerical limitation under subparagraph
9 (A) shall only apply to principal aliens and not to the
10 spouses or children of such aliens.”.

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