

117TH CONGRESS
1ST SESSION

H. R. 3385

IN THE SENATE OF THE UNITED STATES

JULY 12, 2021

Received; read twice and referred to the Committee on the Judiciary

AN ACT

To waive the requirement to undergo a medical exam for aliens who are otherwise eligible for special immigrant status under the Afghan Allies Protection Act of 2009, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Honoring Our Prom-
3 ises through Expedition for Afghan SIVs Act of 2021”
4 or the “HOPE for Afghan SIVs Act of 2021”.

5 **SEC. 2. WAIVER OF MEDICAL EXAMINATION FOR AFGHAN**
6 **ALLIES.**

7 (a) **AUTHORIZATION.**—The Secretary of State and
8 the Secretary of Homeland Security may jointly issue a
9 blanket waiver of the requirement that aliens described in
10 section 602(b)(2) of the Afghan Allies Protection Act of
11 2009 (8 U.S.C. 1101 note) undergo a medical examination
12 under section 221(d) of the Immigration and Nationality
13 Act (8 U.S.C. 1201(d)), or any other applicable provision
14 of law, prior to issuance of an immigrant visa or admission
15 to the United States.

16 (b) **DURATION.**—A waiver issued under subsection
17 (a) shall remain in effect for a period not to exceed 1 year,
18 and, subject to subsection (g), may be extended by the
19 Secretary of State and Secretary of Homeland Security
20 for additional periods, each of which shall not exceed 1
21 year.

22 (c) **NOTIFICATION.**—Upon exercising the waiver au-
23 thority under subsection (a), or the authority to extend
24 a waiver under subsection (b), the Secretary of State and
25 the Secretary of Homeland Security shall notify the appro-
26 priate congressional committees.

1 (d) REQUIREMENT FOR MEDICAL EXAMINATION
2 AFTER ADMISSION.—

3 (1) IN GENERAL.—The Secretary of Homeland
4 Security, in consultation with the Secretary of
5 Health and Human Services, shall establish proce-
6 dures to ensure, to the greatest extent practicable,
7 that any alien who receives a waiver of the medical
8 examination requirement under this section, com-
9 pletes such an examination not later than 30 days
10 after the date on which such alien is admitted to the
11 United States.

12 (2) CONDITIONAL BASIS FOR STATUS.—

13 (A) IN GENERAL.—Notwithstanding any
14 other provision of law, an alien who receives a
15 waiver of the medical examination requirement
16 under this section shall be considered, at the
17 time of admission to the United States, as an
18 alien lawfully admitted for permanent residence
19 on a conditional basis.

20 (B) REMOVAL OF CONDITIONS.—The Sec-
21 retary of Homeland Security shall remove the
22 conditional basis of the alien's status upon the
23 Secretary's confirmation that such alien has
24 completed the medical examination and is not
25 inadmissible under section 212(a)(1)(A) of the

1 Immigration and Nationality Act (8 U.S.C.
2 1182(a)(1)(A)).

3 (3) REPORT.—Not later than one year after the
4 date on which waiver authority under subsection (a)
5 is exercised or such waiver is extended under sub-
6 section (b), as applicable, the Secretary of Homeland
7 Security, in consultation with the Secretary of
8 Health and Human Services, shall submit to the ap-
9 propriate congressional committees a report on the
10 status of medical examinations required under para-
11 graph (1), including—

12 (A) the number of pending and completed
13 examinations; and

14 (B) the number of aliens who have failed
15 to complete the medical examination within the
16 30-day period after the date of such aliens' ad-
17 mission.

18 (e) APPROPRIATE CONGRESSIONAL COMMITTEES.—
19 The term “appropriate congressional committees”
20 means—

21 (1) the Committees on Armed Services of the
22 House of Representatives and of the Senate;

23 (2) the Committees on the Judiciary of the
24 House of Representatives and of the Senate;

1 (3) the Committee on Foreign Affairs of the
2 House of Representatives and the Committee on
3 Foreign Relations of the Senate; and

4 (4) the Committee on Homeland Security of the
5 House of Representatives and the Committee on
6 Homeland Security and Governmental Affairs of the
7 Senate.

8 (f) **RULE OF CONSTRUCTION.**—Nothing in this Act
9 may be construed to prevent the Secretary of State, the
10 Secretary of Homeland Security, the Secretary of Defense,
11 or the Secretary of Health and Human Services from
12 adopting appropriate measures to prevent the spread of
13 communicable diseases, including COVID–19, to the
14 United States.

15 (g) **SUNSET.**—The authority under subsections (a)
16 and (b) expires on the date that is 3 years after the date
17 of enactment of this Act.

18 **SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.**

19 The budgetary effects of this Act, for the purpose of
20 complying with the Statutory Pay-As-You-Go Act of 2010,
21 shall be determined by reference to the latest statement
22 titled “Budgetary Effects of PAYGO Legislation” for this
23 Act, submitted for printing in the Congressional Record
24 by the Chairman of the House Budget Committee, pro-

1 vided that such statement has been submitted prior to the
2 vote on passage.

Passed the House of Representatives June 29, 2021.

Attest: CHERYL L. JOHNSON,
Clerk.