

Suspend the Rules and Pass the Bill, H.R. 3385, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

117TH CONGRESS
1ST SESSION

H. R. 3385

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

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2021

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

A BILL

To waive the requirement to undergo a medical examination 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,*

3 **SECTION 1. SHORT TITLE.**

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

1 **SEC. 2. WAIVER OF MEDICAL EXAMINATION FOR AFGHAN**
2 **ALLIES.**

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

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

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

23 (d) **REQUIREMENT FOR MEDICAL EXAMINATION**
24 **AFTER ADMISSION.**—

25 (1) **IN GENERAL.**—The Secretary of Homeland
26 Security, in consultation with the Secretary of

1 Health and Human Services, shall establish proce-
2 dures to ensure, to the greatest extent practicable,
3 that any alien who receives a waiver of the medical
4 examination requirement under this section, com-
5 pletes such an examination not later than 30 days
6 after the date on which such alien is admitted to the
7 United States.

8 (2) **CONDITIONAL BASIS FOR STATUS.**—

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

16 (B) **REMOVAL OF CONDITIONS.**—The Sec-
17 retary of Homeland Security shall remove the
18 conditional basis of the alien's status upon the
19 Secretary's confirmation that such alien has
20 completed the medical examination and is not
21 inadmissible under section 212(a)(1)(A) of the
22 Immigration and Nationality Act (8 U.S.C.
23 1182(a)(1)(A)).

24 (3) **REPORT.**—Not later than one year after the
25 date on which waiver authority under subsection (a)

1 is exercised or such waiver is extended under sub-
2 section (b), as applicable, the Secretary of Homeland
3 Security, in consultation with the Secretary of
4 Health and Human Services, shall submit to the ap-
5 propriate congressional committees a report on the
6 status of medical examinations required under para-
7 graph (1), including—

8 (A) the number of pending and completed
9 examinations; and

10 (B) the number of aliens who have failed
11 to complete the medical examination within the
12 30-day period after the date of such aliens' ad-
13 mission.

14 (e) APPROPRIATE CONGRESSIONAL COMMITTEES.—

15 The term “appropriate congressional committees”
16 means—

17 (1) the Committees on Armed Services of the
18 House of Representatives and of the Senate;

19 (2) the Committees on the Judiciary of the
20 House of Representatives and of the Senate;

21 (3) the Committee on Foreign Affairs of the
22 House of Representatives and the Committee on
23 Foreign Relations of the Senate; and

24 (4) the Committee on Homeland Security of the
25 House of Representatives and the Committee on

1 Homeland Security and Governmental Affairs of the
2 Senate.

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

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

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

14 The budgetary effects of this Act, for the purpose of
15 complying with the Statutory Pay-As-You-Go Act of 2010,
16 shall be determined by reference to the latest statement
17 titled “Budgetary Effects of PAYGO Legislation” for this
18 Act, submitted for printing in the Congressional Record
19 by the Chairman of the House Budget Committee, pro-
20 vided that such statement has been submitted prior to the
21 vote on passage.