

117TH CONGRESS
1ST SESSION

H. R. 3985

IN THE SENATE OF THE UNITED STATES

JULY 22, 2021

Received

AN ACT

To amend the Afghan Allies Protection Act of 2009 to expedite the special immigrant visa process for certain Afghan allies, 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 “Averting Loss of Life
3 and Injury by Expediting SIVs Act of 2021” or as the
4 “ALLIES Act of 2021”.

5 **SEC. 2. IMPROVING AFGHAN SPECIAL IMMIGRANT VISA**
6 **PROGRAM.**

7 (a) EVIDENCE OF SERIOUS THREAT.—Section
8 602(b)(2) of the Afghan Allies Protection Act of 2009 (8
9 U.S.C. 1101 note) is amended—

10 (1) in subparagraph (A)(iv), by striking “has
11 experienced or is experiencing” and inserting “has
12 asserted a credible basis for concern about the possi-
13 bility of”;

14 (2) by striking subparagraph (E); and

15 (3) by redesignating subparagraph (F) as sub-
16 paragraph (E).

17 (b) ACTIVITIES FOR UNITED STATES MILITARY PER-
18 SONNEL STATIONED WITH INTERNATIONAL SECURITY
19 ASSISTANCE OR SUCCESSOR FORCE.—Section
20 602(b)(2)(A)(ii)(II)(bb) of the Afghan Allies Protection
21 Act of 2009 (8 U.S.C. 1101 note) is amended by striking
22 “sensitive and trusted”.

23 (c) AFGHANS EMPLOYED SUBJECT TO A GRANT OR
24 COOPERATIVE AGREEMENT.—Section 602(b)(2)(A)(ii)(I)
25 of the Afghan Allies Protection Act of 2009 (8 U.S.C.
26 1101 note) is amended by inserting after “United States

1 Government” the following “, including employment or
2 other work in Afghanistan through a cooperative agree-
3 ment or grant funded by the United States Government
4 if the Secretary of State determines, based on a rec-
5 ommendation from the Federal agency or organization au-
6 thorizing such funding, that such alien contributed to the
7 United States mission in Afghanistan”.

8 (d) ELIMINATING DUPLICATIVE PROCESSING RE-
9 QUIREMENTS.—Section 602(b) of the Afghan Allies Pro-
10 tection Act of 2009 (8 U.S.C. 1101 note) is amended—

11 (1) in paragraph (1)—

12 (A) in the matter preceding subparagraph
13 (A), by striking “, notwithstanding any other
14 provision of law, the Secretary of State in con-
15 sultation with the Secretary of Homeland Secu-
16 rity” and inserting “the Secretary of State”;
17 and

18 (B) in subparagraph (A), by striking “a
19 petition for classification under section
20 203(b)(4) of such Act (8 U.S.C. 1153(b)(4))”
21 and inserting “a request for such status in ac-
22 cordance with procedures established by the
23 Secretary of Homeland Security and Secretary
24 of State”; and

25 (2) in paragraph (2)—

1 (A) in subparagraph (A)(ii), by striking
2 “petition” and inserting “request”; and
3 (B) in subparagraph (D)(i), by striking
4 “petition” and inserting “request”.

5 (e) STRENGTHENING PROTECTIONS FOR SURVIVING
6 SPOUSES AND CHILDREN.—Subparagraph (C) of section
7 602(b)(2) of the Afghan Allies Protection Act of 2009 (8
8 U.S.C. 1101 note) is amended to read as follows:

9 “(C) SURVIVING SPOUSE OR CHILD.—An
10 alien is described in this subparagraph if—

11 “(i) the alien was the spouse or child
12 of a principal alien described in subpara-
13 graph (A) who had submitted a request for
14 classification pursuant to this section or a
15 petition pursuant to section 1059 of the
16 National Defense Authorization Act for
17 Fiscal Year 2006 (Public Law 109–163; 8
18 U.S.C. 1101 note) which included the alien
19 as an accompanying spouse or child; and

20 “(ii) such request or petition—

21 “(I) if approved, was revoked (or
22 otherwise rendered null) due to the
23 death of the principal alien; or

1 “(II) if pending, is otherwise ap-
2 provable but for the death of the prin-
3 cipal alien.”.

4 (f) APPLICABILITY.—The amendments made by this
5 section shall apply to any requests for special immigration
6 status, applications for special immigrant visas, or appli-
7 cations for adjustment of status under the Afghan Allies
8 Protection Act of 2009 (8 U.S.C. 1101 note) that are
9 pending on the date of the enactment of this Act or filed
10 on or after such date.

11 (g) RULE OF CONSTRUCTION.—The amendments
12 made by this section shall not diminish, replace or override
13 any vetting, verification of employment, approval by chief
14 of mission, or any other screening process required for a
15 special immigrant visa under the Afghan Allies Protection
16 Act of 2009 (8 U.S.C. 1101 note).

17 **SEC. 3. AFGHAN ALLIES PROTECTION ACT.**

18 Section 602(b)(3) of the Afghan Allies Protection Act
19 of 2009 (8 U.S.C. 1101 note) is amended by adding at
20 the end the following:

21 “(G) SUBSEQUENT FISCAL YEARS.—Begin-
22 ning on the date of the enactment of this sub-
23 paragraph, in addition to any unused balance
24 under this paragraph, 8,000 principal aliens
25 may be granted special immigrant status under

Attest: **CHERYL L. JOHNSON,**
Clerk.