

114TH CONGRESS
2D SESSION

H. R. 6345

To amend the Immigration and Nationality Act to modify the procedure to designate a foreign state, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 17, 2016

Mr. BROOKS of Alabama (for himself, Mr. GOHMERT, Mr. KING of Iowa, Mr. GOSAR, Mr. JONES, Mr. BRAT, and Mr. BABIN) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to modify the procedure to designate a foreign state, 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 “TPS Reform Act of
5 2016”.

6 **SEC. 2. TEMPORARY PROTECTED STATUS.**

7 (a) POWER TO DESIGNATE A FOREIGN STATE.—Sec-
8 tion 244(b) of the Immigration and Nationality Act (8
9 U.S.C. 1254a(b)) is amended—

(1) by striking paragraphs (1), (2), and (3) and inserting the following:

“(1) INITIAL DESIGNATION.—For purposes of this section, a foreign state shall be designated upon the enactment of an Act that satisfies the following requirements:

“(A) The Act shall contain a finding—

“(i) that there is an ongoing armed conflict within the state and, due to such conflict, requiring the return of aliens who are nationals of that state (or to the part of the state) would pose a serious threat to their personal safety;

“(ii) that—

“(I) there has been an earthquake, flood, drought, epidemic, or other immediately life-threatening environmental disaster in the state resulting in a substantial, but temporary, disruption of living conditions in the area affected;

“(II) the foreign state is unable, temporarily, to handle adequately the return to the state of aliens who are nationals of the state; and

1 “(III) the foreign state officially
2 has requested designation under this
3 subparagraph; or

4 “(iii) that there exist extraordinary
5 and temporary conditions in the foreign
6 state that prevent aliens who are nationals
7 of the state from returning to the state in
8 safety and that permitting the aliens to re-
9 main temporarily in the United States is
10 not contrary to the national interest of the
11 United States.

12 “(B) The Act shall include—

13 “(i) an estimate of the number of na-
14 tionals of the foreign state who are (or
15 within the effective period of the designa-
16 tion are likely to become) eligible for tem-
17 porary protected status under this section;

18 “(ii) such nationals’ immigration sta-
19 tus in the United States; and

20 “(iii) a time period for the effective-
21 ness of the designation that is not greater
22 than 18 months.

23 “(2) TERMINATION.—

24 “(A) TIMELY TERMINATION.—If an initial
25 designation of a foreign state is not extended

1 under paragraph (3), the initial designation
 2 shall terminate at the end of the time period
 3 described in paragraph (1)(B)(iii).

4 “(B) EARLY TERMINATION.—For purposes
 5 of this section, the designation of a foreign
 6 state shall be terminated upon the enactment of
 7 an Act that contains a finding that the foreign
 8 state (or part of such foreign state) no longer
 9 meets the conditions for designation under
 10 paragraph (1)(A).

11 “(3) EXTENSION.—For purposes of this sec-
 12 tion, the time period for the effectiveness of the des-
 13 ignation of a foreign state shall be extended upon
 14 the enactment of an Act that includes—

15 “(A) a finding that the conditions for des-
 16 ignation under paragraph (1)(A) continue to be
 17 met; and

18 “(B) a time period for the effectiveness of
 19 the extension that is not greater than 12
 20 months.”; and

21 (2) in paragraph (5)(A), by striking “of the At-
 22 torney General” and inserting “made in any Act”.

23 (b) ALIENS LACKING LAWFUL IMMIGRATION STA-
 24 TUS.—Section 244(c)(2)(B) of the Immigration and Na-
 25 tionality Act (8 U.S.C. 1254a(c)(2)(B)) is amended—

1 (1) in clause (i), by striking “, or” at the end
2 and inserting a semicolon;

3 (2) in clause (ii), by striking the period at the
4 end and inserting “; or”; and

5 (3) by adding at the end the following:

6 “(iii) the alien lacks a lawful immigra-
7 tion status.”.

8 (c) CONFORMING AMENDMENTS.—Section 244 of the
9 Immigration and Nationality Act (8 U.S.C. 1254a et seq.)
10 is amended—

11 (1) in subsection (d)(3), by striking “If the At-
12 torney General terminates the designation of a for-
13 eign state (or part of such foreign state) under sub-
14 section (b)(3)(B)” and inserting “If the designation
15 of a foreign state (or part of such foreign state) is
16 terminated under section 244(b)(2)”; and

17 (2) in subsection (i)(1)—

18 (A) in subparagraph (A), by striking the
19 comma at the end and adding “; and”;

20 (B) in subparagraph (B), by striking “,
21 and” at the end and inserting a period; and

22 (C) by striking subparagraph (C).

23 (d) TECHNICAL CORRECTIONS.—Section 244 of the
24 Immigration and Nationality Act (8 U.S.C. 1254a), as
25 amended by subsections (a) and (b) of this Act, is further

- 1 amended by striking “Attorney General” each place it ap-
- 2 pears and inserting “Secretary of Homeland Security”.

