

115TH CONGRESS
1ST SESSION

H. R. 2508

To provide discretionary authority to an immigration judge to determine that an alien parent of a United States citizen child should not be ordered removed, deported, or excluded from the United States.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2017

Mr. SERRANO (for himself, Mr. MCGOVERN, Mr. SOTO, Ms. MCCOLLUM, Ms. JACKSON LEE, Ms. JUDY CHU of California, Mr. KILMER, Mr. RASKIN, Mr. GUTIÉRREZ, Mr. EVANS, Ms. NORTON, Mr. VARGAS, Mr. NADLER, Ms. VELÁZQUEZ, and Mr. SMITH of Washington) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide discretionary authority to an immigration judge to determine that an alien parent of a United States citizen child should not be ordered removed, deported, or excluded from the United States.

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 “Child Citizen Protec-
5 tion Act”.

1 **SEC. 2. DISCRETIONARY AUTHORITY WITH RESPECT TO RE-**
2 **MOVAL, DEPORTATION, OR EXCLUSION OF**
3 **PARENTS OF CITIZEN CHILDREN.**

4 Section 240(c)(4) of the Immigration and Nationality
5 Act (8 U.S.C. 1229a(c)(4)) is amended by adding at the
6 end the following:

7 “(D) DISCRETION OF JUDGE IN CASE OF
8 CITIZEN CHILD.—In the case of an alien subject
9 to removal, deportation, or exclusion who is the
10 parent of a child who is a citizen of the United
11 States, the immigration judge may exercise dis-
12 cretion to decline to order the alien removed,
13 deported or excluded from the United States if
14 the judge determines that such removal, depor-
15 tation, or exclusion is clearly against the best
16 interests of the child, except that this subpara-
17 graph shall not apply to any alien who the
18 judge determines—

19 “(i) is described in section 212(a)(3)
20 or 237(a)(4); or

21 “(ii) has engaged in conduct described
22 in paragraph (9) or (10) of section 103 of
23 the Trafficking Victims Protection Act of
24 2000 (22 U.S.C. 7102).”.