

115TH CONGRESS
1ST SESSION

H. R. 4488

To amend the Immigration and Nationality Act to provide conditional protected status for certain individuals who came to the United States as children, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 30, 2017

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

A BILL

To amend the Immigration and Nationality Act to provide conditional protected status for certain individuals who came to the United States as children, 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 “Preserving Opportuni-
5 ties for Childhood Arrivals Act”.

1 **SEC. 2. CONDITIONAL PROTECTED STATUS FOR CERTAIN**
2 **INDIVIDUALS WHO CAME TO THE UNITED**
3 **STATES AS CHILDREN.**

4 (a) IN GENERAL.—The Immigration and Nationality
5 Act (8 U.S.C. 1101 et seq.) is amended by inserting after
6 section 244 the following:

7 **“SEC. 244A. CONDITIONAL PROTECTED STATUS FOR CER-**
8 **TAIN INDIVIDUALS WHO CAME TO THE**
9 **UNITED STATES AS CHILDREN.**

10 “(a) IN GENERAL.—The Secretary of Homeland Se-
11 curity shall grant conditional protected status to an alien
12 who—

13 “(1) meets the eligibility requirements under
14 subsection (b);

15 “(2) files an application with the Secretary
16 seeking such status; and

17 “(3) pays a registration fee, not to exceed \$50,
18 to the Secretary.

19 “(b) ELIGIBILITY CRITERIA.—An alien is eligible for
20 conditional protected status under this section if the
21 alien—

22 “(1) was a recipient of deferred action pursuant
23 to the memorandum of the Secretary of Homeland
24 Security entitled ‘Exercising Prosecutorial Discre-
25 tion with Respect to Individuals Who Came to the

1 United States as Children’ dated June 15, 2012,
2 and was in such status on September 5, 2017;

3 “(2) is admissible under section 212 and is not
4 deportable under section 237, except that the Sec-
5 retary shall waive the grounds of inadmissibility
6 under paragraphs (5), (6), (7), and (9)(B) of section
7 212(a) and the grounds of deportability under sub-
8 paragraphs (A) through (C) of paragraph (1) and
9 paragraph (3) of section 237(a);

10 “(3) has not been convicted of a violent mis-
11 demeanor offense; and

12 “(4) has been continuously physically present
13 and continuously resided in the United States since
14 the date on which the alien was granted deferred ac-
15 tion.

16 “(c) EMPLOYMENT AUTHORIZATION.—The Secretary
17 shall grant employment authorization, or other appro-
18 priate work permit, to each alien granted conditional pro-
19 tected status under this section, which shall be effective
20 throughout the period the alien maintains such status.

21 “(d) TREATMENT OF BRIEF, CASUAL, AND INNO-
22 CENT DEPARTURES.—For purposes of subsection (b)(3),
23 an alien shall not be considered to have failed to maintain
24 continuous physical presence or continuous residence in
25 the United States by virtue of brief, casual, and innocent

1 absences from the United States, without regard to wheth-
2 er such absences were authorized by the Attorney General.

3 “(e) TERM; RENEWALS.—The term of conditional
4 protected status under this section shall be for a 10-year
5 period, which may be renewed for additional 10-year peri-
6 ods.

7 “(f) ADJUSTMENT OF STATUS.—For purposes of ad-
8 justment of status under section 245 or change of status
9 under section 248—

10 “(1) the alien shall be considered as having
11 been inspected and admitted into the United States,
12 and as being in, and maintaining lawful status as a
13 nonimmigrant; and

14 “(2) the Secretary shall waive the grounds of
15 inadmissibility and the grounds of deportability de-
16 scribed in subsection (b)(2).

17 “(g) ALIEN NOT CONSIDERED A QUALIFIED
18 ALIEN.—An alien granted conditional protected status
19 under this section shall not be considered a qualified alien
20 for purposes of title IV of the Personal Responsibility and
21 Work Opportunity Reconciliation Act of 1996 (8 U.S.C.
22 1601 et seq.).”.

23 (b) CLERICAL AMENDMENT.—The table of contents
24 for the Immigration and Nationality Act (8 U.S.C. 1101

1 note) is amended by inserting after the item relating to
2 section 244 the following:

“244A. Conditional protected status for certain individuals who came to the
United States as children.”.

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