

116TH CONGRESS
1ST SESSION

H. R. 6

AN ACT

To authorize the cancellation of removal and adjustment
of status of certain aliens, 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; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “American Dream and Promise Act of 2019”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—DREAM ACT

Sec. 101. Short title.

**Subtitle A—Treatment of Certain Long-term Residents Who Entered the
United States as Children**

Sec. 111. Permanent resident status on a conditional basis for certain long-
term residents who entered the United States as children.

Sec. 112. Terms of permanent resident status on a conditional basis.

Sec. 113. Removal of conditional basis of permanent resident status.

Subtitle B—General Provisions

Sec. 121. Definitions.

Sec. 122. Submission of biometric and biographic data; background checks.

Sec. 123. Limitation on removal; application and fee exemption; waiver of
grounds for inadmissibility and other conditions on eligible in-
dividuals.

Sec. 124. Determination of continuous presence and residence.

Sec. 125. Exemption from numerical limitations.

Sec. 126. Availability of administrative and judicial review.

Sec. 127. Documentation requirements.

Sec. 128. Rule making.

Sec. 129. Confidentiality of information.

Sec. 130. Grant program to assist eligible applicants.

Sec. 131. Provisions affecting eligibility for adjustment of status.

Sec. 132. Supplementary surcharge for appointed counsel.

Sec. 133. Annual report on provisional denial authority.

TITLE II—AMERICAN PROMISE ACT

Sec. 201. Short title.

**Subtitle A—Treatment of Certain Nationals of Certain Countries Designated
for Temporary Protected Status or Deferred Enforced Departure**

Sec. 211. Adjustment of status for certain nationals of certain countries des-
ignated for temporary protected status or deferred enforced de-
parture.

Subtitle B—General Provisions

Sec. 221. Definitions.

Sec. 222. Submission of biometric and biographic data; background checks.

Sec. 223. Limitation on removal; application and fee exemption; waiver of grounds for inadmissibility and other conditions on eligible individuals.

Sec. 224. Determination of continuous presence.

Sec. 225. Exemption from numerical limitations.

Sec. 226. Availability of administrative and judicial review.

Sec. 227. Documentation requirements.

Sec. 228. Rule making.

Sec. 229. Confidentiality of information.

Sec. 230. Grant program to assist eligible applicants.

Sec. 231. Provisions affecting eligibility for adjustment of status.

1 **TITLE I—DREAM ACT**

2 **SEC. 101. SHORT TITLE.**

3 This title may be cited as the “Dream Act of 2019”.

4 **Subtitle A—Treatment of Certain** 5 **Long-term Residents Who En-** 6 **tered the United States as Chil-** 7 **dren**

8 **SEC. 111. PERMANENT RESIDENT STATUS ON A CONDI-** 9 **TIONAL BASIS FOR CERTAIN LONG-TERM** 10 **RESIDENTS WHO ENTERED THE UNITED** 11 **STATES AS CHILDREN.**

12 (a) **CONDITIONAL BASIS FOR STATUS.**—Notwith-
13 standing any other provision of law, and except as pro-
14 vided in section 113(c)(2), an alien shall be considered,
15 at the time of obtaining the status of an alien lawfully
16 admitted for permanent residence under this section, to
17 have obtained such status on a conditional basis subject
18 to the provisions of this title.

19 (b) **REQUIREMENTS.**—

1 (1) IN GENERAL.—Notwithstanding any other
2 provision of law, the Secretary or the Attorney Gen-
3 eral shall cancel the removal of, and adjust to the
4 status of an alien lawfully admitted for permanent
5 residence on a conditional basis, or without the con-
6 ditional basis as provided in section 113(c)(2), an
7 alien who is inadmissible or deportable from the
8 United States (or is under a grant of Deferred En-
9 forced Departure or has temporary protected status
10 under section 244 of the Immigration and Nation-
11 ality Act (8 U.S.C. 1254a)) if—

12 (A) the alien has been continuously phys-
13 ically present in the United States since the
14 date that is 4 years before the date of the en-
15 actment of this Act;

16 (B) the alien was younger than 18 years of
17 age on the date on which the alien entered the
18 United States and has continuously resided in
19 the United States since such entry;

20 (C) the alien—

21 (i) subject to section 123(d), is not in-
22 admissible under paragraph (1), (6)(E),
23 (6)(G), (8), or (10) of section 212(a) of
24 the Immigration and Nationality Act (8
25 U.S.C. 1182(a));

1 (ii) has not ordered, incited, assisted,
2 or otherwise participated in the persecution
3 of any person on account of race, religion,
4 nationality, membership in a particular so-
5 cial group, or political opinion; and

6 (iii) is not barred from adjustment of
7 status under this title based on the crimi-
8 nal and national security grounds de-
9 scribed under subsection (c), subject to the
10 provisions of such subsection; and

11 (D) the alien—

12 (i) has been admitted to an institution
13 of higher education;

14 (ii) has been admitted to an area ca-
15 reer and technical education school at the
16 postsecondary level;

17 (iii) in the United States, has ob-
18 tained—

19 (I) a high school diploma or a
20 commensurate alternative award from
21 a public or private high school;

22 (II) a General Education Devel-
23 opment credential, a high school
24 equivalency diploma recognized under

1 State law, or another similar State-
2 authorized credential;

3 (III) a credential or certificate
4 from an area career and technical
5 education school at the secondary
6 level; or

7 (IV) a recognized postsecondary
8 credential; or

9 (iv) is enrolled in secondary school or
10 in an education program assisting students
11 in—

12 (I) obtaining a high school di-
13 ploma or its recognized equivalent
14 under State law;

15 (II) passing the General Edu-
16 cation Development test, a high school
17 equivalence diploma examination, or
18 other similar State-authorized exam;

19 (III) obtaining a certificate or
20 credential from an area career and
21 technical education school providing
22 education at the secondary level; or

23 (IV) obtaining a recognized post-
24 secondary credential.

25 (2) APPLICATION FEE.—

1 (A) IN GENERAL.—The Secretary may,
2 subject to an exemption under section 123(c),
3 require an alien applying under this section to
4 pay a reasonable fee that is commensurate with
5 the cost of processing the application but does
6 not exceed \$495.00.

7 (B) SPECIAL PROCEDURE FOR APPLICANTS
8 WITH DACA.—The Secretary shall establish a
9 streamlined procedure for aliens who have been
10 granted DACA and who meet the requirements
11 for renewal (under the terms of the program in
12 effect on January 1, 2017) to apply for can-
13 cellation of removal and adjustment of status to
14 that of an alien lawfully admitted for perma-
15 nent residence on a conditional basis under this
16 section, or without the conditional basis as pro-
17 vided in section 113(c)(2). Such procedure shall
18 not include a requirement that the applicant
19 pay a fee, except that the Secretary may re-
20 quire an applicant who meets the requirements
21 for lawful permanent residence without the con-
22 ditional basis under section 113(c)(2) to pay a
23 fee that is commensurate with the cost of proc-
24 essing the application, subject to the exemption
25 under section 123(c).

1 (3) BACKGROUND CHECKS.—The Secretary
2 may not grant an alien permanent resident status on
3 a conditional basis under this section until the re-
4 quirements of section 122 are satisfied.

5 (4) MILITARY SELECTIVE SERVICE.—An alien
6 applying for permanent resident status on a condi-
7 tional basis under this section, or without the condi-
8 tional basis as provided in section 113(c)(2), shall
9 establish that the alien has registered under the
10 Military Selective Service Act (50 U.S.C. 3801 et
11 seq.), if the alien is subject to registration under
12 such Act.

13 (c) CRIMINAL AND NATIONAL SECURITY BARS.—

14 (1) GROUNDS OF INELIGIBILITY.—Except as
15 provided in paragraph (2), an alien is ineligible for
16 adjustment of status under this title (whether on a
17 conditional basis or without the conditional basis as
18 provided in section 113(c)(2)) if any of the following
19 apply:

20 (A) The alien is inadmissible under para-
21 graph (2) or (3) of section 212(a) of the Immi-
22 gration and Nationality Act (8 U.S.C. 1182(a)).

23 (B) Excluding any offense under State law
24 for which an essential element is the alien's im-

1 migration status, and any minor traffic offense,
2 the alien has been convicted of—

3 (i) any felony offense;

4 (ii) three or more misdemeanor of-
5 fenses (excluding simple possession of can-
6 nabis or cannabis-related paraphernalia,
7 any offense involving cannabis or cannabis-
8 related paraphernalia which is no longer
9 prosecutable in the State in which the con-
10 viction was entered, and any offense involv-
11 ing civil disobedience without violence) not
12 occurring on the same date, and not aris-
13 ing out of the same act, omission, or
14 scheme of misconduct; or

15 (iii) a misdemeanor offense of domes-
16 tic violence, unless the alien demonstrates
17 that such crime is related to the alien hav-
18 ing been—

19 (I) a victim of domestic violence,
20 sexual assault, stalking, child abuse or
21 neglect, abuse or neglect in later life,
22 or human trafficking;

23 (II) battered or subjected to ex-
24 treme cruelty; or

1 (III) a victim of criminal activity
2 described in section 101(a)(15)(U)(iii)
3 of the Immigration and Nationality
4 Act (8 U.S.C. 1101(a)(15)(U)(iii)).

5 (2) WAIVERS FOR CERTAIN MISDEMEANORS.—
6 For humanitarian purposes, family unity, or if oth-
7 erwise in the public interest, the Secretary may—

8 (A) waive the grounds of inadmissibility
9 under subparagraphs (A), (C), and (D) of sec-
10 tion 212(a)(2) of the Immigration and Nation-
11 ality Act (8 U.S.C. 1182(a)(2)), unless the con-
12 viction forming the basis for inadmissibility
13 would otherwise render the alien ineligible
14 under paragraph (1)(B) (subject to subpara-
15 graph (B)); and

16 (B) for purposes of clauses (ii) and (iii) of
17 paragraph (1)(B), waive consideration of—

18 (i) one misdemeanor offense if the
19 alien has not been convicted of any offense
20 in the 5-year period preceding the date on
21 which the alien applies for adjustment of
22 status under this title; or

23 (ii) up to two misdemeanor offenses if
24 the alien has not been convicted of any of-
25 fense in the 10-year period preceding the

1 date on which the alien applies for adjust-
2 ment of status under this title.

3 (3) AUTHORITY TO CONDUCT SECONDARY RE-
4 VIEW.—

5 (A) IN GENERAL.—Notwithstanding an
6 alien’s eligibility for adjustment of status under
7 this title, and subject to the procedures de-
8 scribed in this paragraph, the Secretary of
9 Homeland Security may, as a matter of non-
10 delegable discretion, provisionally deny an appli-
11 cation for adjustment of status (whether on a
12 conditional basis or without the conditional
13 basis as provided in section 113(c)(2)) if the
14 Secretary, based on clear and convincing evi-
15 dence, which shall include credible law enforce-
16 ment information, determines that the alien is
17 described in subparagraph (B) or (D).

18 (B) PUBLIC SAFETY.—An alien is de-
19 scribed in this subparagraph if—

20 (i) excluding simple possession of can-
21 nabis or cannabis-related paraphernalia,
22 any offense involving cannabis or cannabis-
23 related paraphernalia which is no longer
24 prosecutable in the State in which the con-
25 viction was entered, any offense under

1 State law for which an essential element is
2 the alien's immigration status, any offense
3 involving civil disobedience without vio-
4 lence, and any minor traffic offense, the
5 alien—

6 (I) has been convicted of a mis-
7 demeanor offense punishable by a
8 term of imprisonment of more than
9 30 days; or

10 (II) has been adjudicated delin-
11 quent in a State or local juvenile court
12 proceeding that resulted in a disposi-
13 tion ordering placement in a secure
14 facility; and

15 (ii) the alien poses a significant and
16 continuing threat to public safety related
17 to such conviction or adjudication.

18 (C) PUBLIC SAFETY DETERMINATION.—

19 For purposes of subparagraph (B)(ii), the Sec-
20 retary shall consider the recency of the convic-
21 tion or adjudication; the length of any imposed
22 sentence or placement; the nature and serious-
23 ness of the conviction or adjudication, including
24 whether the elements of the offense include the
25 unlawful possession or use of a deadly weapon

1 to commit an offense or other conduct intended
2 to cause serious bodily injury; and any miti-
3 gating factors pertaining to the alien's role in
4 the commission of the offense.

5 (D) GANG PARTICIPATION.—An alien is
6 described in this subparagraph if the alien has,
7 within the 5 years immediately preceding the
8 date of the application, knowingly, willfully, and
9 voluntarily participated in offenses committed
10 by a criminal street gang (as described in sub-
11 sections (a) and (c) of section 521 of title 18,
12 United States Code) with the intent to promote
13 or further the commission of such offenses.

14 (E) EVIDENTIARY LIMITATION.—For pur-
15 poses of subparagraph (D), allegations of gang
16 membership obtained from a State or Federal
17 in-house or local database, or a network of
18 databases used for the purpose of recording and
19 sharing activities of alleged gang members
20 across law enforcement agencies, shall not es-
21 tablish the participation described in such para-
22 graph.

23 (F) NOTICE.—

24 (i) IN GENERAL.—Prior to rendering
25 a discretionary decision under this para-

1 graph, the Secretary of Homeland Security
2 shall provide written notice of the intent to
3 provisionally deny the application to the
4 alien (or the alien's counsel of record, if
5 any) by certified mail and, if an electronic
6 mail address is provided, by electronic mail
7 (or other form of electronic communica-
8 tion). Such notice shall—

9 (I) articulate with specificity all
10 grounds for the preliminary deter-
11 mination, including the evidence relied
12 upon to support the determination;
13 and

14 (II) provide the alien with not
15 less than 90 days to respond.

16 (ii) SECOND NOTICE.—Not more than
17 30 days after the issuance of the notice
18 under clause (i), the Secretary of Home-
19 land Security shall provide a second writ-
20 ten notice that meets the requirements of
21 such clause.

22 (iii) NOTICE NOT RECEIVED.—Not-
23 withstanding any other provision of law, if
24 an applicant provides good cause for not
25 contesting a provisional denial under this

1 paragraph, including a failure to receive
2 notice as required under this subpara-
3 graph, the Secretary of Homeland Security
4 shall, upon a motion filed by the alien, re-
5 open an application for adjustment of sta-
6 tus under this title and allow the applicant
7 an opportunity to respond, consistent with
8 clause (i)(II).

9 (G) JUDICIAL REVIEW.—An alien is enti-
10 tled to judicial review of the Secretary’s deci-
11 sion to provisionally deny an application under
12 this paragraph in accordance with the proce-
13 dures described in section 126(c).

14 (4) DEFINITIONS.—For purposes of this sub-
15 section—

16 (A) the term “felony offense” means an of-
17 fense under Federal or State law that is pun-
18 ishable by a maximum term of imprisonment of
19 more than 1 year;

20 (B) the term “misdemeanor offense”
21 means an offense under Federal or State law
22 that is punishable by a term of imprisonment of
23 more than 5 days but not more than 1 year;

24 (C) the term “crime of domestic violence”
25 means any offense that has as an element the

1 use, attempted use, or threatened use of phys-
2 ical force against a person committed by a cur-
3 rent or former spouse of the person, by an indi-
4 vidual with whom the person shares a child in
5 common, by an individual who is cohabiting
6 with or has cohabited with the person as a
7 spouse, by an individual similarly situated to a
8 spouse of the person under the domestic or
9 family violence laws of the jurisdiction where
10 the offense occurs, or by any other individual
11 against a person who is protected from that in-
12 dividual's acts under the domestic or family vio-
13 lence laws of the United States or any State,
14 Indian tribal government, or unit of local gov-
15 ernment; and

16 (D) the term “convicted”, “conviction”,
17 “adjudicated”, or “adjudication” does not in-
18 clude a judgment that has been expunged or set
19 aside, that resulted in a rehabilitative disposi-
20 tion, or the equivalent.

21 (d) LIMITATION ON REMOVAL OF CERTAIN ALIEN
22 MINORS.—An alien who is under 18 years of age and
23 meets the requirements under subparagraphs (A), (B),
24 and (C) of subsection (b)(1) shall be provided a reasonable
25 opportunity to meet the educational requirements under

1 subparagraph (D) of such subsection. The Attorney Gen-
2 eral or the Secretary may not commence or continue with
3 removal proceedings against such an alien.

4 (e) WITHDRAWAL OF APPLICATION.—The Secretary
5 of Homeland Security shall, upon receipt of a request to
6 withdraw an application for adjustment of status under
7 this section, cease processing of the application, and close
8 the case. Withdrawal of the application under this sub-
9 section shall not prejudice any future application filed by
10 the applicant for any immigration benefit under this title
11 or under the Immigration and Nationality Act (8 U.S.C.
12 1101 et seq.).

13 **SEC. 112. TERMS OF PERMANENT RESIDENT STATUS ON A**
14 **CONDITIONAL BASIS.**

15 (a) PERIOD OF STATUS.—Permanent resident status
16 on a conditional basis is—

17 (1) valid for a period of 10 years, unless such
18 period is extended by the Secretary; and

19 (2) subject to revocation under subsection (c).

20 (b) NOTICE OF REQUIREMENTS.—At the time an
21 alien obtains permanent resident status on a conditional
22 basis, the Secretary shall provide notice to the alien re-
23 garding the provisions of this title and the requirements
24 to have the conditional basis of such status removed.

1 (c) REVOCATION OF STATUS.—The Secretary may
 2 revoke the permanent resident status on a conditional
 3 basis of an alien only if the Secretary—

4 (1) determines that the alien ceases to meet the
 5 requirements under section 111(b)(1)(C); and

6 (2) prior to the revocation, provides the alien—

7 (A) notice of the proposed revocation; and

8 (B) the opportunity for a hearing to pro-
 9 vide evidence that the alien meets such require-
 10 ments or otherwise to contest the proposed rev-
 11 ocation.

12 (d) RETURN TO PREVIOUS IMMIGRATION STATUS.—
 13 An alien whose permanent resident status on a conditional
 14 basis expires under subsection (a)(1) or is revoked under
 15 subsection (c), shall return to the immigration status that
 16 the alien had immediately before receiving permanent resi-
 17 dent status on a conditional basis.

18 **SEC. 113. REMOVAL OF CONDITIONAL BASIS OF PERMA-**
 19 **NENT RESIDENT STATUS.**

20 (a) ELIGIBILITY FOR REMOVAL OF CONDITIONAL
 21 BASIS.—

22 (1) IN GENERAL.—Subject to paragraph (2),
 23 the Secretary shall remove the conditional basis of
 24 an alien's permanent resident status granted under

1 this title and grant the alien status as an alien law-
2 fully admitted for permanent residence if the alien—

3 (A) is described in section 111(b)(1)(C);

4 (B) has not abandoned the alien's resi-
5 dence in the United States during the period in
6 which the alien has permanent resident status
7 on a conditional basis; and

8 (C)(i) has obtained a degree from an insti-
9 tution of higher education, or has completed at
10 least 2 years, in good standing, of a program in
11 the United States leading to a bachelor's degree
12 or higher degree or a recognized postsecondary
13 credential from an area career and technical
14 education school providing education at the
15 postsecondary level;

16 (ii) has served in the Uniformed Services
17 for at least 2 years and, if discharged, received
18 an honorable discharge; or

19 (iii) demonstrates earned income for peri-
20 ods totaling at least 3 years and at least 75
21 percent of the time that the alien has had a
22 valid employment authorization, except that, in
23 the case of an alien who was enrolled in an in-
24 stitution of higher education, an area career
25 and technical education school to obtain a rec-

1 ognized postsecondary credential, or an edu-
2 cation program described in section
3 111(b)(1)(D)(iii), the Secretary shall reduce
4 such total 3-year requirement by the total of
5 such periods of enrollment.

6 (2) **HARDSHIP EXCEPTION.**—The Secretary
7 shall remove the conditional basis of an alien’s per-
8 manent resident status and grant the alien status as
9 an alien lawfully admitted for permanent residence
10 if the alien—

11 (A) satisfies the requirements under sub-
12 paragraphs (A) and (B) of paragraph (1);

13 (B) demonstrates compelling circumstances
14 for the inability to satisfy the requirements
15 under subparagraph (C) of such paragraph; and

16 (C) demonstrates that—

17 (i) the alien has a disability;

18 (ii) the alien is a full-time caregiver;

19 or

20 (iii) the removal of the alien from the
21 United States would result in hardship to
22 the alien or the alien’s spouse, parent, or
23 child who is a national of the United
24 States or is lawfully admitted for perma-
25 nent residence.

1 (3) CITIZENSHIP REQUIREMENT.—

2 (A) IN GENERAL.—Except as provided in
3 subparagraph (B), the conditional basis of an
4 alien’s permanent resident status granted under
5 this title may not be removed unless the alien
6 demonstrates that the alien satisfies the re-
7 quirements under section 312(a) of the Immi-
8 gration and Nationality Act (8 U.S.C. 1423(a)).

9 (B) EXCEPTION.—Subparagraph (A) shall
10 not apply to an alien who is unable to meet the
11 requirements under such section 312(a) due to
12 disability.

13 (4) APPLICATION FEE.—The Secretary may,
14 subject to an exemption under section 123(c), re-
15 quire aliens applying for removal of the conditional
16 basis of an alien’s permanent resident status under
17 this section to pay a reasonable fee that is commen-
18 surate with the cost of processing the application.

19 (5) BACKGROUND CHECK.—The Secretary may
20 not remove the conditional basis of an alien’s perma-
21 nent resident status until the requirements of sec-
22 tion 122 are satisfied.

23 (b) TREATMENT FOR PURPOSES OF NATURALIZA-
24 TION.—

1 (1) IN GENERAL.—For purposes of title III of
2 the Immigration and Nationality Act (8 U.S.C. 1401
3 et seq.), an alien granted permanent resident status
4 on a conditional basis shall be considered to have
5 been admitted to the United States, and be present
6 in the United States, as an alien lawfully admitted
7 for permanent residence.

8 (2) LIMITATION ON APPLICATION FOR NATU-
9 RALIZATION.—An alien may not apply for natu-
10 ralization while the alien is in permanent resident
11 status on a conditional basis.

12 (c) TIMING OF APPROVAL OF LAWFUL PERMANENT
13 RESIDENT STATUS.—

14 (1) IN GENERAL.—An alien granted permanent
15 resident status on a conditional basis under this title
16 may apply to have such conditional basis removed at
17 any time after such alien has met the eligibility re-
18 quirements set forth in subsection (a).

19 (2) APPROVAL WITH REGARD TO INITIAL APPLI-
20 CATIONS.—

21 (A) IN GENERAL.—Notwithstanding any
22 other provision of law, the Secretary or the At-
23 torney General shall cancel the removal of, and
24 adjust to the status of an alien lawfully admit-

1 ted for permanent resident status without con-
2 ditional basis, any alien who—

3 (i) demonstrates eligibility for lawful
4 permanent residence status on a condi-
5 tional basis under section 111(b); and

6 (ii) subject to the exceptions described
7 in subsections (a)(2) and (a)(3)(B) of this
8 section, already has fulfilled the require-
9 ments of paragraphs (1) and (3) of sub-
10 section (a) of this section at the time such
11 alien first submits an application for bene-
12 fits under this title.

13 (B) BACKGROUND CHECKS.—Subsection
14 (a)(5) shall apply to an alien seeking lawful
15 permanent resident status without conditional
16 basis in an initial application in the same man-
17 ner as it applies to an alien seeking removal of
18 the conditional basis of an alien’s permanent
19 resident status. Section 111(b)(3) shall not be
20 construed to require the Secretary to conduct
21 more than one identical security or law enforce-
22 ment background check on such an alien.

23 (C) APPLICATION FEES.—In the case of an
24 alien seeking lawful permanent resident status
25 without conditional basis in an initial applica-

tion, the alien shall pay the fee required under subsection (a)(4), subject to the exemption allowed under section 123(c), but shall not be required to pay the application fee under section 111(b)(2).

Subtitle B—General Provisions

SEC. 121. DEFINITIONS.

In this title:

(1) IN GENERAL.—Except as otherwise specifically provided, any term used in this title that is used in the immigration laws shall have the meaning given such term in the immigration laws.

(2) APPROPRIATE UNITED STATES DISTRICT COURT.—The term “appropriate United States district court” mean the United States District Court for the District of Columbia or the United States district court with jurisdiction over the alien’s principal place of residence.

(3) AREA CAREER AND TECHNICAL EDUCATION SCHOOL.—The term “area career and technical education school” has the meaning given such term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

(4) DACA.—The term “DACA” means deferred action granted to an alien pursuant to the

1 Deferred Action for Childhood Arrivals policy an-
2 nounced by the Secretary of Homeland Security on
3 June 15, 2012.

4 (5) DISABILITY.—The term “disability” has the
5 meaning given such term in section 3(1) of the
6 Americans with Disabilities Act of 1990 (42 U.S.C.
7 12102(1)).

8 (6) FEDERAL POVERTY LINE.—The term “Fed-
9 eral poverty line” has the meaning given such term
10 in section 213A(h) of the Immigration and Nation-
11 ality Act (8 U.S.C. 1183a).

12 (7) HIGH SCHOOL; SECONDARY SCHOOL.—The
13 terms “high school” and “secondary school” have
14 the meanings given such terms in section 8101 of
15 the Elementary and Secondary Education Act of
16 1965 (20 U.S.C. 7801).

17 (8) IMMIGRATION LAWS.—The term “immigra-
18 tion laws” has the meaning given such term in sec-
19 tion 101(a)(17) of the Immigration and Nationality
20 Act (8 U.S.C. 1101(a)(17)).

21 (9) INSTITUTION OF HIGHER EDUCATION.—The
22 term “institution of higher education”—

23 (A) except as provided in subparagraph

24 (B), has the meaning given such term in section

1 102 of the Higher Education Act of 1965 (20
2 U.S.C. 1002); and

3 (B) does not include an institution of high-
4 er education outside of the United States.

5 (10) RECOGNIZED POSTSECONDARY CREDEN-
6 TIAL.—The term “recognized postsecondary creden-
7 tial” has the meaning given such term in section 3
8 of the Workforce Innovation and Opportunity Act
9 (29 U.S.C. 3102).

10 (11) SECRETARY.—Except as otherwise specifi-
11 cally provided, the term “Secretary” means the Sec-
12 retary of Homeland Security.

13 (12) UNIFORMED SERVICES.—The term “Uni-
14 formed Services” has the meaning given the term
15 “uniformed services” in section 101(a) of title 10,
16 United States Code.

17 **SEC. 122. SUBMISSION OF BIOMETRIC AND BIOGRAPHIC**
18 **DATA; BACKGROUND CHECKS.**

19 (a) SUBMISSION OF BIOMETRIC AND BIOGRAPHIC
20 DATA.—The Secretary may not grant an alien adjustment
21 of status under this title, on either a conditional or perma-
22 nent basis, unless the alien submits biometric and bio-
23 graphic data, in accordance with procedures established
24 by the Secretary. The Secretary shall provide an alter-
25 native procedure for aliens who are unable to provide such

1 biometric or biographic data because of a physical impair-
2 ment.

3 (b) BACKGROUND CHECKS.—The Secretary shall use
4 biometric, biographic, and other data that the Secretary
5 determines appropriate to conduct security and law en-
6 forcement background checks and to determine whether
7 there is any criminal, national security, or other factor
8 that would render the alien ineligible for adjustment of
9 status under this title, on either a conditional or perma-
10 nent basis. The status of an alien may not be adjusted,
11 on either a conditional or permanent basis, unless security
12 and law enforcement background checks are completed to
13 the satisfaction of the Secretary.

14 **SEC. 123. LIMITATION ON REMOVAL; APPLICATION AND**
15 **FEE EXEMPTION; WAIVER OF GROUNDS FOR**
16 **INADMISSIBILITY AND OTHER CONDITIONS**
17 **ON ELIGIBLE INDIVIDUALS.**

18 (a) LIMITATION ON REMOVAL.—An alien who ap-
19 pears to be prima facie eligible for relief under this title
20 shall be given a reasonable opportunity to apply for such
21 relief and may not be removed until, subject to section
22 126(c), a final decision establishing ineligibility for relief
23 is rendered.

24 (b) APPLICATION.—An alien present in the United
25 States who has been ordered removed or has been per-

1 mitted to depart voluntarily from the United States may,
2 notwithstanding such order or permission to depart, apply
3 for adjustment of status under this title. Such alien shall
4 not be required to file a separate motion to reopen, recon-
5 sider, or vacate the order of removal. If the Secretary ap-
6 proves the application, the Secretary shall cancel the order
7 of removal. If the Secretary renders a final administrative
8 decision to deny the application, the order of removal or
9 permission to depart shall be effective and enforceable to
10 the same extent as if the application had not been made,
11 only after all available administrative and judicial rem-
12 edies have been exhausted.

13 (c) FEE EXEMPTION.—An applicant may be exempt-
14 ed from paying an application fee required under this title
15 if the applicant—

16 (1) is younger than 18 years of age;

17 (2) received total income, during the 12-month
18 period immediately preceding the date on which the
19 applicant files an application under this title, that is
20 less than 150 percent of the Federal poverty line;

21 (3) is in foster care or otherwise lacks any pa-
22 rental or other familial support; or

23 (4) cannot care for himself or herself because of
24 a serious, chronic disability.

1 (d) WAIVER OF GROUNDS OF INADMISSIBILITY.—

2 With respect to any benefit under this title, and in addi-
3 tion to the waivers under section 111(c)(2), the Secretary
4 may waive the grounds of inadmissibility under paragraph
5 (1), (6)(E), (6)(G), or (10)(D) of section 212(a) of the
6 Immigration and Nationality Act (8 U.S.C. 1182(a)) for
7 humanitarian purposes, for family unity, or because the
8 waiver is otherwise in the public interest.

9 (e) ADVANCE PAROLE.—During the period beginning
10 on the date on which an alien applies for adjustment of
11 status under this title and ending on the date on which
12 the Secretary makes a final decision regarding such appli-
13 cation, the alien shall be eligible to apply for advance pa-
14 role. Section 101(g) of the Immigration and Nationality
15 Act (8 U.S.C. 1101(g)) shall not apply to an alien granted
16 advance parole under this section.

17 (f) EMPLOYMENT.—An alien whose removal is stayed
18 pursuant to this title, who may not be placed in removal
19 proceedings pursuant to this title, or who has pending an
20 application under this title, shall, upon application to the
21 Secretary, be granted an employment authorization docu-
22 ment.

1 **SEC. 124. DETERMINATION OF CONTINUOUS PRESENCE**
2 **AND RESIDENCE.**

3 (a) EFFECT OF NOTICE TO APPEAR.—Any period of
4 continuous physical presence or continuous residence in
5 the United States of an alien who applies for permanent
6 resident status under this title (whether on a conditional
7 basis or without the conditional basis as provided in sec-
8 tion 113(c)(2)) shall not terminate when the alien is
9 served a notice to appear under section 239(a) of the Im-
10 migration and Nationality Act (8 U.S.C. 1229(a)).

11 (b) TREATMENT OF CERTAIN BREAKS IN PRESENCE
12 OR RESIDENCE.—

13 (1) IN GENERAL.—Except as provided in para-
14 graphs (2) and (3), an alien shall be considered to
15 have failed to maintain—

16 (A) continuous physical presence in the
17 United States under this title if the alien has
18 departed from the United States for any period
19 exceeding 90 days or for any periods, in the ag-
20 gregate, exceeding 180 days; and

21 (B) continuous residence in the United
22 States under this title if the alien has departed
23 from the United States for any period exceeding
24 180 days, unless the alien establishes to the
25 satisfaction of the Secretary of Homeland Secu-

1 rity that the alien did not in fact abandon resi-
2 dence in the United States during such period.

3 (2) EXTENSIONS FOR EXTENUATING CIR-
4 CUMSTANCES.—The Secretary may extend the time
5 periods described in paragraph (1) for an alien who
6 demonstrates that the failure to timely return to the
7 United States was due to extenuating circumstances
8 beyond the alien’s control, including the serious ill-
9 ness of the alien, or death or serious illness of a par-
10 ent, grandparent, sibling, or child of the alien.

11 (3) TRAVEL AUTHORIZED BY THE SEC-
12 RETARY.—Any period of travel outside of the United
13 States by an alien that was authorized by the Sec-
14 retary may not be counted toward any period of de-
15 parture from the United States under paragraph
16 (1).

17 (c) WAIVER OF PHYSICAL PRESENCE.—With respect
18 to aliens who were removed or departed the United States
19 on or after January 20, 2017, and who were continuously
20 physically present in the United States for at least 4 years
21 prior to such removal or departure, the Secretary may,
22 as a matter of discretion, waive the physical presence re-
23 quirement under section 111(b)(1)(A) for humanitarian
24 purposes, for family unity, or because a waiver is other-
25 wise in the public interest. The Secretary, in consultation

1 with the Secretary of State, shall establish a procedure
2 for such aliens to apply for relief under section 111 from
3 outside the United States if they would have been eligible
4 for relief under such section, but for their removal or de-
5 parture.

6 **SEC. 125. EXEMPTION FROM NUMERICAL LIMITATIONS.**

7 Nothing in this title or in any other law may be con-
8 strued to apply a numerical limitation on the number of
9 aliens who may be granted permanent resident status
10 under this title (whether on a conditional basis, or without
11 the conditional basis as provided in section 113(c)(2)).

12 **SEC. 126. AVAILABILITY OF ADMINISTRATIVE AND JUDI-**
13 **CIAL REVIEW.**

14 (a) ADMINISTRATIVE REVIEW.—Not later than 30
15 days after the date of the enactment of this Act, the Sec-
16 retary shall provide to aliens who have applied for adjust-
17 ment of status under this title a process by which an appli-
18 cant may seek administrative appellate review of a denial
19 of an application for adjustment of status, or a revocation
20 of such status.

21 (b) JUDICIAL REVIEW.—Except as provided in sub-
22 section (c), and notwithstanding any other provision of
23 law, an alien may seek judicial review of a denial of an
24 application for adjustment of status, or a revocation of

1 such status, under this title in an appropriate United
2 States district court.

3 (c) JUDICIAL REVIEW OF A PROVISIONAL DENIAL.—

4 (1) IN GENERAL.—Notwithstanding any other
5 provision of law, if, after notice and the opportunity
6 to respond under section 111(c)(3)(E), the Secretary
7 provisionally denies an application for adjustment of
8 status under this title, the alien shall have 60 days
9 from the date of the Secretary's determination to
10 seek review of such determination in an appropriate
11 United States district court.

12 (2) SCOPE OF REVIEW AND DECISION.—Not-
13 withstanding any other provision of law, review
14 under paragraph (1) shall be de novo and based
15 solely on the administrative record, except that the
16 applicant shall be given the opportunity to supple-
17 ment the administrative record and the Secretary
18 shall be given the opportunity to rebut the evidence
19 and arguments raised in such submission. Upon
20 issuing its decision, the court shall remand the mat-
21 ter, with appropriate instructions, to the Depart-
22 ment of Homeland Security to render a final deci-
23 sion on the application.

24 (3) APPOINTED COUNSEL.—Notwithstanding
25 any other provision of law, an applicant seeking ju-

1 dicial review under paragraph (1) shall be rep-
2 resented by counsel. Upon the request of the appli-
3 cant, counsel shall be appointed for the applicant, in
4 accordance with procedures to be established by the
5 Attorney General within 90 days of the date of the
6 enactment of this Act, and shall be funded in ac-
7 cordance with fees collected and deposited in the Im-
8 migration Counsel Account under section 132.

9 (d) STAY OF REMOVAL.—

10 (1) IN GENERAL.—Except as provided in para-
11 graph (2), an alien seeking administrative or judicial
12 review under this title may not be removed from the
13 United States until a final decision is rendered es-
14 tablishing that the alien is ineligible for adjustment
15 of status under this title.

16 (2) EXCEPTION.—The Secretary may remove
17 an alien described in paragraph (1) pending judicial
18 review if such removal is based on criminal or na-
19 tional security grounds described in this title. Such
20 removal shall not affect the alien's right to judicial
21 review under this title. The Secretary shall promptly
22 return a removed alien if a decision to deny an ap-
23 plication for adjustment of status under this title, or
24 to revoke such status, is reversed.

1 **SEC. 127. DOCUMENTATION REQUIREMENTS.**

2 (a) DOCUMENTS ESTABLISHING IDENTITY.—An
3 alien’s application for permanent resident status under
4 this title (whether on a conditional basis, or without the
5 conditional basis as provided in section 113(c)(2)) may in-
6 clude, as evidence of identity, the following:

7 (1) A passport or national identity document
8 from the alien’s country of origin that includes the
9 alien’s name and the alien’s photograph or finger-
10 print.

11 (2) The alien’s birth certificate and an identity
12 card that includes the alien’s name and photograph.

13 (3) A school identification card that includes
14 the alien’s name and photograph, and school records
15 showing the alien’s name and that the alien is or
16 was enrolled at the school.

17 (4) A Uniformed Services identification card
18 issued by the Department of Defense.

19 (5) Any immigration or other document issued
20 by the United States Government bearing the alien’s
21 name and photograph.

22 (6) A State-issued identification card bearing
23 the alien’s name and photograph.

24 (7) Any other evidence determined to be cred-
25 ible by the Secretary.

1 (b) DOCUMENTS ESTABLISHING ENTRY, CONTIN-
2 UOUS PHYSICAL PRESENCE, LACK OF ABANDONMENT OF
3 RESIDENCE.—To establish that an alien was younger than
4 18 years of age on the date on which the alien entered
5 the United States, and has continuously resided in the
6 United States since such entry, as required under section
7 111(b)(1)(B), that an alien has been continuously phys-
8 ically present in the United States, as required under sec-
9 tion 111(b)(1)(A), or that an alien has not abandoned res-
10 idence in the United States, as required under section
11 113(a)(1)(B), the alien may submit the following forms
12 of evidence:

13 (1) Passport entries, including admission
14 stamps on the alien’s passport.

15 (2) Any document from the Department of Jus-
16 tice or the Department of Homeland Security noting
17 the alien’s date of entry into the United States.

18 (3) Records from any educational institution
19 the alien has attended in the United States.

20 (4) Employment records of the alien that in-
21 clude the employer’s name and contact information,
22 or other records demonstrating earned income.

23 (5) Records of service from the Uniformed
24 Services.

1 (6) Official records from a religious entity con-
2 firming the alien's participation in a religious cere-
3 mony.

4 (7) A birth certificate for a child who was born
5 in the United States.

6 (8) Hospital or medical records showing med-
7 ical treatment or hospitalization, the name of the
8 medical facility or physician, and the date of the
9 treatment or hospitalization.

10 (9) Automobile license receipts or registration.

11 (10) Deeds, mortgages, or rental agreement
12 contracts.

13 (11) Rent receipts or utility bills bearing the
14 alien's name or the name of an immediate family
15 member of the alien, and the alien's address.

16 (12) Tax receipts.

17 (13) Insurance policies.

18 (14) Remittance records, including copies of
19 money order receipts sent in or out of the country.

20 (15) Travel records.

21 (16) Dated bank transactions.

22 (17) Two or more sworn affidavits from individ-
23 uals who are not related to the alien who have direct
24 knowledge of the alien's continuous physical pres-
25 ence in the United States, that contain—

1 (A) the name, address, and telephone num-
2 ber of the affiant; and

3 (B) the nature and duration of the rela-
4 tionship between the affiant and the alien.

5 (18) Any other evidence determined to be cred-
6 ible by the Secretary.

7 (c) DOCUMENTS ESTABLISHING ADMISSION TO AN
8 INSTITUTION OF HIGHER EDUCATION.—To establish that
9 an alien has been admitted to an institution of higher edu-
10 cation, the alien may submit to the Secretary a document
11 from the institution of higher education certifying that the
12 alien—

13 (1) has been admitted to the institution; or

14 (2) is currently enrolled in the institution as a
15 student.

16 (d) DOCUMENTS ESTABLISHING RECEIPT OF A DE-
17 GREE FROM AN INSTITUTION OF HIGHER EDUCATION.—
18 To establish that an alien has acquired a degree from an
19 institution of higher education in the United States, the
20 alien may submit to the Secretary a diploma or other doc-
21 ument from the institution stating that the alien has re-
22 ceived such a degree.

23 (e) DOCUMENTS ESTABLISHING RECEIPT OF A HIGH
24 SCHOOL DIPLOMA, GENERAL EDUCATIONAL DEVELOP-
25 MENT CREDENTIAL, OR A RECOGNIZED EQUIVALENT.—

1 To establish that in the United States an alien has earned
2 a high school diploma or a commensurate alternative
3 award from a public or private high school, has obtained
4 the General Education Development credential, or other-
5 wise has satisfied section 111(b)(1)(D)(iii), the alien may
6 submit to the Secretary the following:

7 (1) A high school diploma, certificate of comple-
8 tion, or other alternate award.

9 (2) A high school equivalency diploma or certifi-
10 cate recognized under State law.

11 (3) Evidence that the alien passed a State-au-
12 thorized exam, including the General Education De-
13 velopment test, in the United States.

14 (4) Evidence that the alien successfully com-
15 pleted an area career and technical education pro-
16 gram, such as a certification, certificate, or similar
17 alternate award.

18 (5) Evidence that the alien obtained a recog-
19 nized postsecondary credential.

20 (6) Any other evidence determined to be cred-
21 ible by the Secretary.

22 (f) DOCUMENTS ESTABLISHING ENROLLMENT IN AN
23 EDUCATIONAL PROGRAM.—To establish that an alien is
24 enrolled in any school or education program described in
25 section 111(b)(1)(D)(iv) or 113(a)(1)(C), the alien may

1 submit school records from the United States school that
2 the alien is currently attending that include—

3 (1) the name of the school; and

4 (2) the alien's name, periods of attendance, and
5 current grade or educational level.

6 (g) DOCUMENTS ESTABLISHING EXEMPTION FROM
7 APPLICATION FEES.—To establish that an alien is exempt
8 from an application fee under section 123(c), the alien
9 may submit to the Secretary the following relevant docu-
10 ments:

11 (1) DOCUMENTS TO ESTABLISH AGE.—To es-
12 tablish that an alien meets an age requirement, the
13 alien may provide proof of identity, as described in
14 subsection (a), that establishes that the alien is
15 younger than 18 years of age.

16 (2) DOCUMENTS TO ESTABLISH INCOME.—To
17 establish the alien's income, the alien may provide—

18 (A) employment records or other records of
19 earned income, including records that have been
20 maintained by the Social Security Administra-
21 tion, the Internal Revenue Service, or any other
22 Federal, State, or local government agency;

23 (B) bank records; or

24 (C) at least two sworn affidavits from indi-
25 viduals who are not related to the alien and

1 who have direct knowledge of the alien's work
2 and income that contain—

3 (i) the name, address, and telephone
4 number of the affiant; and

5 (ii) the nature and duration of the re-
6 lationship between the affiant and the
7 alien.

8 (3) DOCUMENTS TO ESTABLISH FOSTER CARE,
9 LACK OF FAMILIAL SUPPORT, OR SERIOUS, CHRONIC
10 DISABILITY.—To establish that the alien is in foster
11 care, lacks parental or familial support, or has a se-
12 rious, chronic disability, the alien may provide at
13 least two sworn affidavits from individuals who are
14 not related to the alien and who have direct knowl-
15 edge of the circumstances that contain—

16 (A) a statement that the alien is in foster
17 care, otherwise lacks any parental or other fa-
18 miliar support, or has a serious, chronic dis-
19 ability, as appropriate;

20 (B) the name, address, and telephone num-
21 ber of the affiant; and

22 (C) the nature and duration of the rela-
23 tionship between the affiant and the alien.

24 (h) DOCUMENTS ESTABLISHING QUALIFICATION FOR
25 HARDSHIP EXEMPTION.—To establish that an alien satis-

1 fies one of the criteria for the hardship exemption set forth
2 in section 113(a)(2)(C), the alien may submit to the Sec-
3 retary at least two sworn affidavits from individuals who
4 are not related to the alien and who have direct knowledge
5 of the circumstances that warrant the exemption, that
6 contain—

7 (1) the name, address, and telephone number of
8 the affiant; and

9 (2) the nature and duration of the relationship
10 between the affiant and the alien.

11 (i) DOCUMENTS ESTABLISHING SERVICE IN THE
12 UNIFORMED SERVICES.—To establish that an alien has
13 served in the Uniformed Services for at least 2 years and,
14 if discharged, received an honorable discharge, the alien
15 may submit to the Secretary—

16 (1) a Department of Defense form DD–214;

17 (2) a National Guard Report of Separation and
18 Record of Service form 22;

19 (3) personnel records for such service from the
20 appropriate Uniformed Service; or

21 (4) health records from the appropriate Uni-
22 formed Service.

23 (j) DOCUMENTS ESTABLISHING EARNED INCOME.—

1 (1) IN GENERAL.—An alien may satisfy the
2 earned income requirement under section
3 113(a)(1)(C)(iii) by submitting records that—

4 (A) establish compliance with such require-
5 ment; and

6 (B) have been maintained by the Social Se-
7 curity Administration, the Internal Revenue
8 Service, or any other Federal, State, or local
9 government agency.

10 (2) OTHER DOCUMENTS.—An alien who is un-
11 able to submit the records described in paragraph
12 (1) may satisfy the earned income requirement by
13 submitting at least two types of reliable documents
14 that provide evidence of employment or other forms
15 of earned income, including—

16 (A) bank records;

17 (B) business records;

18 (C) employer or contractor records;

19 (D) records of a labor union, day labor
20 center, or organization that assists workers in
21 employment;

22 (E) sworn affidavits from individuals who
23 are not related to the alien and who have direct
24 knowledge of the alien's work, that contain—

1 (i) the name, address, and telephone
2 number of the affiant; and

3 (ii) the nature and duration of the re-
4 lationship between the affiant and the
5 alien;

6 (F) remittance records; or

7 (G) any other evidence determined to be
8 credible by the Secretary.

9 (k) **AUTHORITY TO PROHIBIT USE OF CERTAIN**
10 **DOCUMENTS.**—If the Secretary determines, after publica-
11 tion in the Federal Register and an opportunity for public
12 comment, that any document or class of documents does
13 not reliably establish identity or that permanent resident
14 status under this title (whether on a conditional basis, or
15 without the conditional basis as provided in section
16 113(c)(2)) is being obtained fraudulently to an unaccept-
17 able degree, the Secretary may prohibit or restrict the use
18 of such document or class of documents.

19 **SEC. 128. RULE MAKING.**

20 (a) **IN GENERAL.**—Not later than 90 days after the
21 date of the enactment of this Act, the Secretary shall pub-
22 lish in the Federal Register interim final rules imple-
23 menting this title, which shall allow eligible individuals to
24 immediately apply for relief under section 111 or
25 113(c)(2). Notwithstanding section 553 of title 5, United

1 States Code, the regulation shall be effective, on an in-
2 terim basis, immediately upon publication, but may be
3 subject to change and revision after public notice and op-
4 portunity for a period of public comment. The Secretary
5 shall finalize such rules not later than 180 days after the
6 date of publication.

7 (b) PAPERWORK REDUCTION ACT.—The require-
8 ments under chapter 35 of title 44, United States Code,
9 (commonly known as the “Paperwork Reduction Act”)
10 shall not apply to any action to implement this title.

11 **SEC. 129. CONFIDENTIALITY OF INFORMATION.**

12 (a) IN GENERAL.—The Secretary may not disclose
13 or use information (including information provided during
14 administrative or judicial review) provided in applications
15 filed under this title or in requests for DACA for the pur-
16 pose of immigration enforcement.

17 (b) REFERRALS PROHIBITED.—The Secretary, based
18 solely on information provided in an application for adjust-
19 ment of status under this title (including information pro-
20 vided during administrative or judicial review) or an appli-
21 cation for DACA, may not refer an applicant to U.S. Im-
22 migration and Customs Enforcement, U.S. Customs and
23 Border Protection, or any designee of either such entity.

24 (c) LIMITED EXCEPTION.—Notwithstanding sub-
25 sections (a) and (b), information provided in an applica-

1 tion for adjustment of status under this title may be
2 shared with Federal security and law enforcement agen-
3 cies—

4 (1) for assistance in the consideration of an ap-
5 plication for adjustment of status under this title;

6 (2) to identify or prevent fraudulent claims;

7 (3) for national security purposes; or

8 (4) for the investigation or prosecution of any
9 felony offense not related to immigration status.

10 (d) PENALTY.—Any person who knowingly uses, pub-
11 lishes, or permits information to be examined in violation
12 of this section shall be fined not more than \$10,000.

13 **SEC. 130. GRANT PROGRAM TO ASSIST ELIGIBLE APPLI-**
14 **CANTS.**

15 (a) ESTABLISHMENT.—The Secretary of Homeland
16 Security shall establish, within U.S. Citizenship and Immi-
17 gration Services, a program to award grants, on a com-
18 petitive basis, to eligible nonprofit organizations that will
19 use the funding to assist eligible applicants under this title
20 by providing them with the services described in sub-
21 section (b).

22 (b) USE OF FUNDS.—Grant funds awarded under
23 this section shall be used for the design and implementa-
24 tion of programs that provide—

1 (1) information to the public regarding the eli-
2 gibility and benefits of permanent resident status
3 under this title (whether on a conditional basis, or
4 without the conditional basis as provided in section
5 113(c)(2)), particularly to individuals potentially eli-
6 gible for such status;

7 (2) assistance, within the scope of authorized
8 practice of immigration law, to individuals submit-
9 ting applications for adjustment of status under this
10 title (whether on a conditional basis, or without the
11 conditional basis as provided in section 113(c)(2)),
12 including—

13 (A) screening prospective applicants to as-
14 sess their eligibility for such status;

15 (B) completing applications and petitions,
16 including providing assistance in obtaining the
17 requisite documents and supporting evidence;
18 and

19 (C) providing any other assistance that the
20 Secretary or grantee considers useful or nec-
21 essary to apply for adjustment of status under
22 this title (whether on a conditional basis, or
23 without the conditional basis as provided in sec-
24 tion 113(c)(2)); and

1 (3) assistance, within the scope of authorized
2 practice of immigration law, and instruction, to indi-
3 viduals—

4 (A) on the rights and responsibilities of
5 United States citizenship;

6 (B) in civics and English as a second lan-
7 guage;

8 (C) in preparation for the General Edu-
9 cation Development test; and

10 (D) in applying for adjustment of status
11 and United States citizenship.

12 (c) AUTHORIZATION OF APPROPRIATIONS.—

13 (1) AMOUNTS AUTHORIZED.—There are author-
14 ized to be appropriated such sums as may be nec-
15 essary for each of the fiscal years 2020 through
16 2030 to carry out this section.

17 (2) AVAILABILITY.—Any amounts appropriated
18 pursuant to paragraph (1) shall remain available
19 until expended.

20 **SEC. 131. PROVISIONS AFFECTING ELIGIBILITY FOR AD-**
21 **JUSTMENT OF STATUS.**

22 An alien's eligibility to be lawfully admitted for per-
23 manent residence under this title (whether on a condi-
24 tional basis, or without the conditional basis as provided
25 in section 113(c)(2)) shall not preclude the alien from

1 seeking any status under any other provision of law for
2 which the alien may otherwise be eligible.

3 **SEC. 132. SUPPLEMENTARY SURCHARGE FOR APPOINTED**
4 **COUNSEL.**

5 (a) IN GENERAL.—Except as provided in section 122
6 and in cases where the applicant is exempt from paying
7 a fee under section 123(c), in any case in which a fee is
8 charged pursuant to this title, an additional surcharge of
9 \$25 shall be imposed and collected for the purpose of pro-
10 viding appointed counsel to applicants seeking judicial re-
11 view of the Secretary’s decision to provisionally deny an
12 application under section 126(c)(3).

13 (b) IMMIGRATION COUNSEL ACCOUNT.—There is es-
14 tablished in the general fund of the Treasury a separate
15 account which shall be known as the “Immigration Coun-
16 sel Account”. Fees collected under subsection (a) shall be
17 deposited into the Immigration Counsel Account and shall
18 to remain available until expended for purposes of pro-
19 viding appointed counsel as required under this title.

20 (c) REPORT.—At the end of each 2-year period, be-
21 ginning with the establishment of this account, the Sec-
22 retary of Homeland Security shall submit a report to the
23 Congress concerning the status of the account, including
24 any balances therein, and recommend any adjustment in
25 the prescribed fee that may be required to ensure that the

1 receipts collected from the fee charged for the succeeding
2 two years equal, as closely as possible, the cost of pro-
3 viding appointed counsel as required under this title.

4 **SEC. 133. ANNUAL REPORT ON PROVISIONAL DENIAL AU-**
5 **THORITY.**

6 Not later than 1 year after the date of the enactment
7 of this Act, and annually thereafter, the Secretary of
8 Homeland Security shall submit to the Congress a report
9 detailing the number of applicants that receive—

- 10 (1) a provisional denial under this title;
11 (2) a final denial under this title without seek-
12 ing judicial review;
13 (3) a final denial under this title after seeking
14 judicial review; and
15 (4) an approval under this title after seeking ju-
16 dicial review.

17 **TITLE II—AMERICAN PROMISE**
18 **ACT**

19 **SEC. 201. SHORT TITLE.**

20 This title may be cited as the “American Promise Act
21 of 2019”.

1 **Subtitle A—Treatment of Certain**
2 **Nationals of Certain Countries**
3 **Designated for Temporary Pro-**
4 **ected Status or Deferred En-**
5 **forced Departure**

6 **SEC. 211. ADJUSTMENT OF STATUS FOR CERTAIN NATION-**
7 **ALS OF CERTAIN COUNTRIES DESIGNATED**
8 **FOR TEMPORARY PROTECTED STATUS OR**
9 **DEFERRED ENFORCED DEPARTURE.**

10 (a) IN GENERAL.—Notwithstanding any other provi-
11 sion of law, the Secretary or the Attorney General shall
12 cancel the removal of, and adjust to the status of an alien
13 lawfully admitted for permanent residence, an alien de-
14 scribed in subsection (b) if the alien—

15 (1) applies for such adjustment, including sub-
16 mitting any required documents under section 227,
17 not later than 3 years after the date of the enact-
18 ment of this Act;

19 (2) has been continuously physically present in
20 the United States for a period of not less than 3
21 years before the date of the enactment of this Act;
22 and

23 (3) is not inadmissible under paragraph (1),
24 (2), (3), (6)(D), (6)(E), (6)(F), (6)(G), (8), or (10)

1 of section 212(a) of the Immigration and Nationality
2 Act (8 U.S.C. 1182(a)).

3 (b) ALIENS ELIGIBLE FOR ADJUSTMENT OF STA-
4 TUS.—An alien shall be eligible for adjustment of status
5 under this section if the alien is an individual—

6 (1) who—

7 (A) is a national of a foreign state (or part
8 thereof) (or in the case of an alien having no
9 nationality, is a person who last habitually re-
10 sided in such state) with a designation under
11 subsection (b) of section 244 of the Immigra-
12 tion and Nationality Act (8 U.S.C. 1254a(b))
13 on January 1, 2017, who had or was otherwise
14 eligible for temporary protected status on such
15 date notwithstanding subsections (c)(1)(A)(iv)
16 and (c)(3)(C) of such section; and

17 (B) has not engaged in conduct since such
18 date that would render the alien ineligible for
19 temporary protected status under section
20 244(c)(2) of the Immigration and Nationality
21 Act (8 U.S.C. 1245a(c)(2)); or

22 (2) who was eligible for Deferred Enforced De-
23 parture as of January 1, 2017, and has not engaged
24 in conduct since that date that would render the
25 alien ineligible for Deferred Enforced Departure.

1 (c) APPLICATION.—

2 (1) FEE.—The Secretary shall, subject to an
3 exemption under section 223(c), require an alien ap-
4 plying for adjustment of status under this section to
5 pay a reasonable fee that is commensurate with the
6 cost of processing the application, but does not ex-
7 ceed \$1,140.

8 (2) BACKGROUND CHECKS.—The Secretary
9 may not grant an alien permanent resident status on
10 a conditional basis under this section until the re-
11 quirements of section 222 are satisfied.

12 (3) WITHDRAWAL OF APPLICATION.—The Sec-
13 retary of Homeland Security shall, upon receipt of
14 a request to withdraw an application for adjustment
15 of status under this section, cease processing of the
16 application and close the case. Withdrawal of the ap-
17 plication under this subsection shall not prejudice
18 any future application filed by the applicant for any
19 immigration benefit under this title or under the Im-
20 migration and Nationality Act (8 U.S.C. 1101 et
21 seq.).

22 **Subtitle B—General Provisions**

23 **SEC. 221. DEFINITIONS.**

24 (a) IN GENERAL.—In this title:

1 (1) IN GENERAL.—Except as otherwise specifi-
2 cally provided, any term used in this title that is
3 used in the immigration laws shall have the meaning
4 given such term in the immigration laws.

5 (2) DISABILITY.—The term “disability” has the
6 meaning given such term in section 3(1) of the
7 Americans with Disabilities Act of 1990 (42 U.S.C.
8 12102(1)).

9 (3) FEDERAL POVERTY LINE.—The term “Fed-
10 eral poverty line” has the meaning given such term
11 in section 213A(h) of the Immigration and Nation-
12 ality Act (8 U.S.C. 1183a).

13 (4) IMMIGRATION LAWS.—The term “immigra-
14 tion laws” has the meaning given such term in sec-
15 tion 101(a)(17) of the Immigration and Nationality
16 Act (8 U.S.C. 1101(a)(17)).

17 (5) SECRETARY.—Except as otherwise specifi-
18 cally provided, the term “Secretary” means the Sec-
19 retary of Homeland Security.

20 (6) UNIFORMED SERVICES.—The term “Uni-
21 formed Services” has the meaning given the term
22 “uniformed services” in section 101(a) of title 10,
23 United States Code.

24 (b) TREATMENT OF EXPUNGED CONVICTIONS.—For
25 purposes of adjustment of status under this title, the

1 terms “convicted” and “conviction”, as used in sections
2 212 and 244 of the Immigration and Nationality Act (8
3 U.S.C. 1182, 1254a), do not include a judgment that has
4 been expunged or set aside, that resulted in a rehabilita-
5 tive disposition, or the equivalent.

6 **SEC. 222. SUBMISSION OF BIOMETRIC AND BIOGRAPHIC**
7 **DATA; BACKGROUND CHECKS.**

8 (a) SUBMISSION OF BIOMETRIC AND BIOGRAPHIC
9 DATA.—The Secretary may not grant an alien adjustment
10 of status under this title unless the alien submits biometric
11 and biographic data, in accordance with procedures estab-
12 lished by the Secretary. The Secretary shall provide an
13 alternative procedure for aliens who are unable to provide
14 such biometric or biographic data because of a physical
15 impairment.

16 (b) BACKGROUND CHECKS.—The Secretary shall use
17 biometric, biographic, and other data that the Secretary
18 determines appropriate to conduct security and law en-
19 forcement background checks and to determine whether
20 there is any criminal, national security, or other factor
21 that would render the alien ineligible for adjustment of
22 status under this title. The status of an alien may not
23 be adjusted unless security and law enforcement back-
24 ground checks are completed to the satisfaction of the Sec-
25 retary.

1 **SEC. 223. LIMITATION ON REMOVAL; APPLICATION AND**
2 **FEE EXEMPTION; WAIVER OF GROUNDS FOR**
3 **INADMISSIBILITY AND OTHER CONDITIONS**
4 **ON ELIGIBLE INDIVIDUALS.**

5 (a) **LIMITATION ON REMOVAL.**—An alien who ap-
6 pears to be prima facie eligible for relief under this title
7 shall be given a reasonable opportunity to apply for such
8 relief and may not be removed until, subject to section
9 226(c), a final decision establishing ineligibility for relief
10 is rendered.

11 (b) **APPLICATION.**—An alien present in the United
12 States who has been ordered removed or has been per-
13 mitted to depart voluntarily from the United States may,
14 notwithstanding such order or permission to depart, apply
15 for adjustment of status under this title. Such alien shall
16 not be required to file a separate motion to reopen, recon-
17 sider, or vacate the order of removal. If the Secretary ap-
18 proves the application, the Secretary shall cancel the order
19 of removal. If the Secretary renders a final administrative
20 decision to deny the application, the order of removal or
21 permission to depart shall be effective and enforceable to
22 the same extent as if the application had not been made,
23 only after all available administrative and judicial rem-
24 edies have been exhausted.

1 (c) FEE EXEMPTION.—An applicant may be exempt-
2 ed from paying an application fee required under this title
3 if the applicant—

4 (1) is younger than 18 years of age;

5 (2) received total income, during the 12-month
6 period immediately preceding the date on which the
7 applicant files an application under this title, that is
8 less than 150 percent of the Federal poverty line;

9 (3) is in foster care or otherwise lacks any pa-
10 rental or other familial support; or

11 (4) cannot care for himself or herself because of
12 a serious, chronic disability.

13 (d) WAIVER OF GROUNDS OF INADMISSIBILITY.—

14 (1) IN GENERAL.—Except as provided in para-
15 graph (2), with respect to any benefit under this
16 title, and in addition to any waivers that are other-
17 wise available, the Secretary may waive the grounds
18 of inadmissibility under paragraph (1), subpara-
19 graphs (A), (C), and (D) of paragraph (2), subpara-
20 graphs (D) through (G) of paragraph (6), or para-
21 graph (10)(D) of section 212(a) of the Immigration
22 and Nationality Act (8 U.S.C. 1182(a)) for humani-
23 tarian purposes, for family unity, or because the
24 waiver is otherwise in the public interest.

1 (2) EXCEPTION.—The Secretary may not waive
2 a ground described in paragraph (1) if such inad-
3 missibility is based on a conviction or convictions,
4 and such conviction or convictions would otherwise
5 render the alien ineligible under section
6 244(c)(2)(B) of the Immigration and Nationality
7 Act (8 U.S.C. 1254a(c)(2)(B)).

8 (e) ADVANCE PAROLE.—During the period beginning
9 on the date on which an alien applies for adjustment of
10 status under this title and ending on the date on which
11 the Secretary makes a final decision regarding such appli-
12 cation, the alien shall be eligible to apply for advance pa-
13 role. Section 101(g) of the Immigration and Nationality
14 Act (8 U.S.C. 1101(g)) shall not apply to an alien granted
15 advance parole under this section.

16 (f) EMPLOYMENT.—An alien whose removal is stayed
17 pursuant to this title, or who has pending an application
18 under this title, shall, upon application to the Secretary,
19 be granted an employment authorization document.

20 **SEC. 224. DETERMINATION OF CONTINUOUS PRESENCE.**

21 (a) EFFECT OF NOTICE TO APPEAR.—Any period of
22 continuous physical presence in the United States of an
23 alien who applies for adjustment of status under this title
24 shall not terminate when the alien is served a notice to

1 appear under section 239(a) of the Immigration and Na-
2 tionality Act (8 U.S.C. 1229(a)).

3 (b) TREATMENT OF CERTAIN BREAKS IN PRES-
4 ENCE.—

5 (1) IN GENERAL.—Except as provided in para-
6 graphs (2) and (3), an alien shall be considered to
7 have failed to maintain continuous physical presence
8 in the United States under this title if the alien has
9 departed from the United States for any period ex-
10 ceeding 90 days or for any periods, in the aggregate,
11 exceeding 180 days.

12 (2) EXTENSIONS FOR EXTENUATING CIR-
13 CUMSTANCES.—The Secretary may extend the time
14 periods described in paragraph (1) for an alien who
15 demonstrates that the failure to timely return to the
16 United States was due to extenuating circumstances
17 beyond the alien's control, including the serious ill-
18 ness of the alien, or death or serious illness of a par-
19 ent, grandparent, sibling, or child of the alien.

20 (3) TRAVEL AUTHORIZED BY THE SEC-
21 RETARY.—Any period of travel outside of the United
22 States by an alien that was authorized by the Sec-
23 retary may not be counted toward any period of de-
24 parture from the United States under paragraph
25 (1).

1 (c) WAIVER OF PHYSICAL PRESENCE.—With respect
2 to aliens who were removed or departed the United States
3 on or after January 20, 2017, and who were continuously
4 physically present in the United States for at least 3 years
5 prior to such removal or departure, the Secretary may,
6 as a matter of discretion, waive the physical presence re-
7 quirement under section 211(a)(2) for humanitarian pur-
8 poses, for family unity, or because a waiver is otherwise
9 in the public interest. The Secretary, in consultation with
10 the Secretary of State, shall establish a procedure for such
11 aliens to apply for relief under section 211 from outside
12 the United States if they would have been eligible for relief
13 under such section, but for their removal or departure.

14 **SEC. 225. EXEMPTION FROM NUMERICAL LIMITATIONS.**

15 Nothing in this title or in any other law may be con-
16 strued to apply a numerical limitation on the number of
17 aliens who may be granted permanent resident status
18 under this title.

19 **SEC. 226. AVAILABILITY OF ADMINISTRATIVE AND JUDI-**
20 **CIAL REVIEW.**

21 (a) ADMINISTRATIVE REVIEW.—Not later than 30
22 days after the date of the enactment of this Act, the Sec-
23 retary shall provide to aliens who have applied for adjust-
24 ment of status under this title a process by which an appli-
25 cant may seek administrative appellate review of a denial

1 of an application for adjustment of status, or a revocation
2 of such status.

3 (b) JUDICIAL REVIEW.—Notwithstanding any other
4 provision of law, an alien may seek judicial review of a
5 denial of an application for adjustment of status, or a rev-
6 ocation of such status, under this title in the United
7 States district court with jurisdiction over the alien’s resi-
8 dence.

9 (c) STAY OF REMOVAL.—

10 (1) IN GENERAL.—Except as provided in para-
11 graph (2), an alien seeking administrative or judicial
12 review under this title may not be removed from the
13 United States until a final decision is rendered es-
14 tablishing that the alien is ineligible for adjustment
15 of status under this title.

16 (2) EXCEPTION.—The Secretary may remove
17 an alien described in paragraph (1) pending judicial
18 review if such removal is based on criminal or na-
19 tional security grounds. Such removal does not af-
20 fect the alien’s right to judicial review under this
21 title. The Secretary shall promptly return a removed
22 alien if a decision to deny an application for adjust-
23 ment of status under this title, or to revoke such
24 status, is reversed.

1 **SEC. 227. DOCUMENTATION REQUIREMENTS.**

2 (a) DOCUMENTS ESTABLISHING IDENTITY.—An
3 alien’s application for permanent resident status under
4 this title may include, as evidence of identity, the fol-
5 lowing:

6 (1) A passport or national identity document
7 from the alien’s country of origin that includes the
8 alien’s name and the alien’s photograph or finger-
9 print.

10 (2) The alien’s birth certificate and an identity
11 card that includes the alien’s name and photograph.

12 (3) A school identification card that includes
13 the alien’s name and photograph, and school records
14 showing the alien’s name and that the alien is or
15 was enrolled at the school.

16 (4) A Uniformed Services identification card
17 issued by the Department of Defense.

18 (5) Any immigration or other document issued
19 by the United States Government bearing the alien’s
20 name and photograph.

21 (6) A State-issued identification card bearing
22 the alien’s name and photograph.

23 (7) Any other evidence determined to be cred-
24 ible by the Secretary.

25 (b) DOCUMENTS ESTABLISHING CONTINUOUS PHYS-
26 ICAL PRESENCE.—An alien’s application for permanent

1 resident status under this title may include, as evidence
2 that the alien has been continuously physically present in
3 the United States, as required under section 211(a)(2),
4 the following:

5 (1) Passport entries, including admission
6 stamps on the alien's passport.

7 (2) Any document from the Department of Jus-
8 tice or the Department of Homeland Security noting
9 the alien's date of entry into the United States.

10 (3) Records from any educational institution
11 the alien has attended in the United States.

12 (4) Employment records of the alien that in-
13 clude the employer's name and contact information.

14 (5) Records of service from the Uniformed
15 Services.

16 (6) Official records from a religious entity con-
17 firming the alien's participation in a religious cere-
18 mony.

19 (7) A birth certificate for a child who was born
20 in the United States.

21 (8) Hospital or medical records showing med-
22 ical treatment or hospitalization, the name of the
23 medical facility or physician, and the date of the
24 treatment or hospitalization.

25 (9) Automobile license receipts or registration.

1 (10) Deeds, mortgages, or rental agreement
2 contracts.

3 (11) Rent receipts or utility bills bearing the
4 alien's name or the name of an immediate family
5 member of the alien, and the alien's address.

6 (12) Tax receipts.

7 (13) Insurance policies.

8 (14) Remittance records, including copies of
9 money order receipts sent in or out of the country.

10 (15) Travel records.

11 (16) Dated bank transactions.

12 (17) Two or more sworn affidavits from individ-
13 uals who are not related to the alien who have direct
14 knowledge of the alien's continuous physical pres-
15 ence in the United States, that contain—

16 (A) the name, address, and telephone num-
17 ber of the affiant; and

18 (B) the nature and duration of the rela-
19 tionship between the affiant and the alien.

20 (18) Any other evidence determined to be cred-
21 ible by the Secretary.

22 (c) DOCUMENTS ESTABLISHING EXEMPTION FROM
23 APPLICATION FEES.—An alien's application for perma-
24 nent resident status under this title may include, as evi-

1 dence that the alien is exempt from an application fee
2 under section 223(c), the following:

3 (1) DOCUMENTS TO ESTABLISH AGE.—To es-
4 tablish that an alien meets an age requirement, the
5 alien may provide proof of identity, as described in
6 subsection (a), that establishes that the alien is
7 younger than 18 years of age.

8 (2) DOCUMENTS TO ESTABLISH INCOME.—To
9 establish the alien's income, the alien may provide—

10 (A) employment records or other records of
11 earned income, including records that have been
12 maintained by the Social Security Administra-
13 tion, the Internal Revenue Service, or any other
14 Federal, State, or local government agency;

15 (B) bank records; or

16 (C) at least two sworn affidavits from indi-
17 viduals who are not related to the alien and
18 who have direct knowledge of the alien's work
19 and income that contain—

20 (i) the name, address, and telephone
21 number of the affiant; and

22 (ii) the nature and duration of the re-
23 lationship between the affiant and the
24 alien.

1 (3) DOCUMENTS TO ESTABLISH FOSTER CARE,
2 LACK OF FAMILIAL SUPPORT, OR SERIOUS, CHRONIC
3 DISABILITY.—To establish that the alien is in foster
4 care, lacks parental or familial support, or has a se-
5 rious, chronic disability, the alien may provide at
6 least two sworn affidavits from individuals who are
7 not related to the alien and who have direct knowl-
8 edge of the circumstances that contain—

9 (A) a statement that the alien is in foster
10 care, otherwise lacks any parental or other fa-
11 miliar support, or has a serious, chronic dis-
12 ability, as appropriate;

13 (B) the name, address, and telephone num-
14 ber of the affiant; and

15 (C) the nature and duration of the rela-
16 tionship between the affiant and the alien.

17 (d) AUTHORITY TO PROHIBIT USE OF CERTAIN DOC-
18 UMENTS.—If the Secretary determines, after publication
19 in the Federal Register and an opportunity for public com-
20 ment, that any document or class of documents does not
21 reliably establish identity or that permanent resident sta-
22 tus under this title is being obtained fraudulently to an
23 unacceptable degree, the Secretary may prohibit or re-
24 strict the use of such document or class of documents.

1 **SEC. 228. RULE MAKING.**

2 (a) IN GENERAL.—Not later than 90 days after the
3 date of the enactment of this Act, the Secretary shall pub-
4 lish in the Federal Register interim final rules imple-
5 menting this title, which shall allow eligible individuals to
6 immediately apply for relief under section 211. Notwith-
7 standing section 553 of title 5, United States Code, the
8 regulation shall be effective, on an interim basis, imme-
9 diately upon publication, but may be subject to change and
10 revision after public notice and opportunity for a period
11 of public comment. The Secretary shall finalize such rules
12 not later than 180 days after the date of publication.

13 (b) PAPERWORK REDUCTION ACT.—The require-
14 ments under chapter 35 of title 44, United States Code,
15 (commonly known as the “Paperwork Reduction Act”)
16 shall not apply to any action to implement this title.

17 **SEC. 229. CONFIDENTIALITY OF INFORMATION.**

18 (a) IN GENERAL.—The Secretary may not disclose
19 or use information provided in applications filed under this
20 title (including information provided during administrative
21 or judicial review) for the purpose of immigration enforce-
22 ment.

23 (b) REFERRALS PROHIBITED.—The Secretary, based
24 solely on information provided in an application for adjust-
25 ment of status under this title (including information pro-
26 vided during administrative or judicial review), may not

1 refer an applicant to U.S. Immigration and Customs En-
2 forcement, U.S. Customs and Border Protection, or any
3 designee of either such entity.

4 (c) LIMITED EXCEPTION.—Notwithstanding sub-
5 sections (a) and (b), information provided in an applica-
6 tion for adjustment of status under this title may be
7 shared with Federal security and law enforcement agen-
8 cies—

9 (1) for assistance in the consideration of an ap-
10 plication for adjustment of status under this title;

11 (2) to identify or prevent fraudulent claims;

12 (3) for national security purposes; or

13 (4) for the investigation or prosecution of any
14 felony not related to immigration status.

15 (d) PENALTY.—Any person who knowingly uses, pub-
16 lishes, or permits information to be examined in violation
17 of this section shall be fined not more than \$10,000.

18 **SEC. 230. GRANT PROGRAM TO ASSIST ELIGIBLE APPLI-**
19 **CANTS.**

20 (a) ESTABLISHMENT.—The Secretary of Homeland
21 Security shall establish, within U.S. Citizenship and Immi-
22 gration Services, a program to award grants, on a com-
23 petitive basis, to eligible nonprofit organizations that will
24 use the funding to assist eligible applicants under this title

1 by providing them with the services described in sub-
2 section (b).

3 (b) USE OF FUNDS.—Grant funds awarded under
4 this section shall be used for the design and implementa-
5 tion of programs that provide—

6 (1) information to the public regarding the eli-
7 gibility and benefits of permanent resident status
8 under this title, particularly to individuals poten-
9 tially eligible for such status;

10 (2) assistance, within the scope of authorized
11 practice of immigration law, to individuals submit-
12 ting applications for adjustment of status under this
13 title, including—

14 (A) screening prospective applicants to as-
15 sess their eligibility for such status;

16 (B) completing applications and petitions,
17 including providing assistance in obtaining the
18 requisite documents and supporting evidence;
19 and

20 (C) providing any other assistance that the
21 Secretary or grantee considers useful or nec-
22 essary to apply for adjustment of status under
23 this title; and

1 (3) assistance, within the scope of authorized
2 practice of immigration law, and instruction, to indi-
3 viduals—

4 (A) on the rights and responsibilities of
5 United States citizenship;

6 (B) in civics and English as a second lan-
7 guage;

8 (C) in preparation for the General Edu-
9 cation Development test; and

10 (D) in applying for adjustment of status
11 and United States citizenship.

12 (c) AUTHORIZATION OF APPROPRIATIONS.—

13 (1) AMOUNTS AUTHORIZED.—There are author-
14 ized to be appropriated such sums as may be nec-
15 essary for each of the fiscal years 2020 through
16 2030 to carry out this section.

17 (2) AVAILABILITY.—Any amounts appropriated
18 pursuant to paragraph (1) shall remain available
19 until expended.

20 **SEC. 231. PROVISIONS AFFECTING ELIGIBILITY FOR AD-**
21 **JUSTMENT OF STATUS.**

22 An alien's eligibility to be lawfully admitted for per-
23 manent residence under this title shall not preclude the

- 1 alien from seeking any status under any other provision
- 2 of law for which the alien may otherwise be eligible.

Passed the House of Representatives June 4, 2019.

Attest:

Clerk.

116TH CONGRESS
1ST SESSION

H. R. 6

AN ACT

To authorize the cancellation of removal and adjustment of status of certain aliens, and for other purposes.