

MAY 30, 2019

RULES COMMITTEE PRINT 116–16
TEXT OF H.R. 6, AMERICAN DREAM AND PROMISE
ACT OF 2019

**[Showing the text of H.R. 2820 and H.R. 2821, as ordered
reported by the Committee on the Judiciary]**

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 designated for temporary protected status or deferred enforced departure.

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”.

1 **Subtitle A—Treatment of Certain**
2 **Long-term Residents Who En-**
3 **tered the United States as Chil-**
4 **dren**

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

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

16 (b) **REQUIREMENTS.**—

17 (1) **IN GENERAL.**—Notwithstanding any other
18 provision of law, the Secretary or the Attorney Gen-
19 eral shall cancel the removal of, and adjust to the
20 status of an alien lawfully admitted for permanent
21 residence on a conditional basis, or without the con-
22 ditional basis as provided in section 113(c)(2), an
23 alien who is inadmissible or deportable from the
24 United States (or is under a grant of Deferred En-
25 forced Departure or has temporary protected status

1 under section 244 of the Immigration and Nation-
2 ality Act (8 U.S.C. 1254a)) if—

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

7 (B) the alien was younger than 18 years of
8 age on the date on which the alien entered the
9 United States and has continuously resided in
10 the United States since such entry;

11 (C) the alien—

12 (i) subject to section 123(d), is not in-
13 admissible under paragraph (1), (6)(E),
14 (6)(G), (8), or (10) of section 212(a) of
15 the Immigration and Nationality Act (8
16 U.S.C. 1182(a));

17 (ii) has not ordered, incited, assisted,
18 or otherwise participated in the persecution
19 of any person on account of race, religion,
20 nationality, membership in a particular so-
21 cial group, or political opinion; and

22 (iii) is not barred from adjustment of
23 status under this title based on the crimi-
24 nal and national security grounds de-

1 scribed under subsection (c), subject to the
2 provisions of such subsection; and

3 (D) the alien—

4 (i) has been admitted to an institution
5 of higher education;

6 (ii) has been admitted to an area ca-
7 reer and technical education school at the
8 postsecondary level;

9 (iii) in the United States, has ob-
10 tained—

11 (I) a high school diploma or a
12 commensurate alternative award from
13 a public or private high school;

14 (II) a General Education Devel-
15 opment credential, a high school
16 equivalency diploma recognized under
17 State law, or another similar State-
18 authorized credential;

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

23 (IV) a recognized postsecondary
24 credential; or

1 (iv) is enrolled in secondary school or
2 in an education program assisting students
3 in—

4 (I) obtaining a high school di-
5 ploma or its recognized equivalent
6 under State law;

7 (II) passing the General Edu-
8 cation Development test, a high school
9 equivalence diploma examination, or
10 other similar State-authorized exam;

11 (III) obtaining a certificate or
12 credential from an area career and
13 technical education school providing
14 education at the secondary level; or

15 (IV) obtaining a recognized post-
16 secondary credential.

17 (2) APPLICATION FEE.—

18 (A) IN GENERAL.—The Secretary may,
19 subject to an exemption under section 123(c),
20 require an alien applying under this section to
21 pay a reasonable fee that is commensurate with
22 the cost of processing the application but does
23 not exceed \$495.00.

24 (B) SPECIAL PROCEDURE FOR APPLICANTS
25 WITH DACA.—The Secretary shall establish a

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

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

22 (4) MILITARY SELECTIVE SERVICE.—An alien
23 applying for permanent resident status on a condi-
24 tional basis under this section, or without the condi-
25 tional basis as provided in section 113(c)(2), shall

1 establish that the alien has registered under the
2 Military Selective Service Act (50 U.S.C. 3801 et
3 seq.), if the alien is subject to registration under
4 such Act.

5 (c) CRIMINAL AND NATIONAL SECURITY BARS.—

6 (1) GROUNDS OF INELIGIBILITY.—Except as
7 provided in paragraph (2), an alien is ineligible for
8 adjustment of status under this title (whether on a
9 conditional basis or without the conditional basis as
10 provided in section 113(c)(2)) if any of the following
11 apply:

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

15 (B) Excluding any offense under State law
16 for which an essential element is the alien's im-
17 migration status, and any minor traffic offense,
18 the alien has been convicted of—

19 (i) any felony offense;

20 (ii) 3 or more misdemeanor offenses
21 (excluding simple possession of cannabis or
22 cannabis-related paraphernalia, any offense
23 involving cannabis or cannabis-related par-
24 aphernalia which is no longer prosecutable
25 in the State in which the conviction was

1 entered, and any offense involving civil dis-
2 obedience without violence) not occurring
3 on the same date, and not arising out of
4 the same act, omission, or scheme of mis-
5 conduct; or

6 (iii) a misdemeanor offense of domes-
7 tic violence, unless the alien demonstrates
8 that such crime is related to the alien hav-
9 ing been—

10 (I) a victim of domestic violence,
11 sexual assault, stalking, child abuse or
12 neglect, abuse or neglect in later life,
13 or human trafficking;

14 (II) battered or subjected to ex-
15 treme cruelty; or

16 (III) a victim of criminal activity
17 described in section 101(a)(15)(U)(iii)
18 of the Immigration and Nationality
19 Act (8 U.S.C. 1101(a)(15)(U)(iii)).

20 (2) WAIVERS FOR CERTAIN MISDEMEANORS.—

21 For humanitarian purposes, family unity, or if oth-
22 erwise in the public interest, the Secretary may—

23 (A) waive the grounds of inadmissibility
24 under subparagraphs (A), (C), and (D) of sec-
25 tion 212(a)(2) of the Immigration and Nation-

1 ality Act (8 U.S.C. 1182(a)(2)), unless the con-
2 viction forming the basis for inadmissibility
3 would otherwise render the alien ineligible
4 under paragraph (1)(B) (subject to subpara-
5 graph (B)); and

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

8 (i) one misdemeanor offense if the
9 alien has not been convicted of any offense
10 in the 5-year period preceding the date on
11 which the alien applies for adjustment of
12 status under this title; or

13 (ii) up to two misdemeanor offenses if
14 the alien has not been convicted of any of-
15 fense in the 10-year period preceding the
16 date on which the alien applies for adjust-
17 ment of status under this title.

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

20 (A) IN GENERAL.—Notwithstanding an
21 alien's eligibility for adjustment of status under
22 this title, and subject to the procedures de-
23 scribed in this paragraph, the Secretary of
24 Homeland Security may, as a matter of non-
25 delegable discretion, provisionally deny an appli-

1 cation for adjustment of status (whether on a
2 conditional basis or without the conditional
3 basis as provided in section 113(c)(2)) if the
4 Secretary, based on clear and convincing evi-
5 dence, which shall include credible law enforce-
6 ment information, determines that the alien is
7 described in subparagraph (B) or (D).

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

10 (i) excluding simple possession of can-
11 nabis or cannabis-related paraphernalia,
12 any offense involving cannabis or cannabis-
13 related paraphernalia which is no longer
14 prosecutable in the State in which the con-
15 viction was entered, any offense under
16 State law for which an essential element is
17 the alien's immigration status, any offense
18 involving civil disobedience without vio-
19 lence, and any minor traffic offense, the
20 alien—

21 (I) has been convicted of a mis-
22 demeanor offense punishable by a
23 term of imprisonment of more than
24 30 days; or

1 (II) has been adjudicated delin-
2 quent in a State or local juvenile court
3 proceeding that resulted in a disposi-
4 tion ordering placement in a secure
5 facility; and

6 (ii) the alien poses a significant and
7 continuing threat to public safety related
8 to such conviction or adjudication.

9 (C) PUBLIC SAFETY DETERMINATION.—
10 For purposes of subparagraph (B)(ii), the Sec-
11 retary shall consider the recency of the convic-
12 tion or adjudication; the length of any imposed
13 sentence or placement; the nature and serious-
14 ness of the conviction or adjudication, including
15 whether the elements of the offense include the
16 unlawful possession or use of a deadly weapon
17 to commit an offense or other conduct intended
18 to cause serious bodily injury; and any miti-
19 gating factors pertaining to the alien's role in
20 the commission of the offense.

21 (D) GANG PARTICIPATION.—An alien is
22 described in this subparagraph if the alien has,
23 within the 5 years immediately preceding the
24 date of the application, knowingly, willfully, and
25 voluntarily participated in offenses committed

1 by a criminal street gang (as described in sub-
2 sections (a) and (c) of section 521 of title 18,
3 United States Code) with the intent to promote
4 or further the commission of such offenses.

5 (E) EVIDENTIARY LIMITATION.—For pur-
6 poses of subparagraph (D), allegations of gang
7 membership obtained from a State or Federal
8 in-house or local database, or a network of
9 databases used for the purpose of recording and
10 sharing activities of alleged gang members
11 across law enforcement agencies, shall not es-
12 tablish the participation described in such para-
13 graph.

14 (F) NOTICE.—

15 (i) IN GENERAL.—Prior to rendering
16 a discretionary decision under this para-
17 graph, the Secretary of Homeland Security
18 shall provide written notice of the intent to
19 provisionally deny the application to the
20 alien (or the alien's counsel of record, if
21 any) by certified mail and, if an electronic
22 mail address is provided, by electronic mail
23 (or other form of electronic communica-
24 tion). Such notice shall—

1 (I) articulate with specificity all
2 grounds for the preliminary deter-
3 mination, including the evidence relied
4 upon to support the determination;
5 and

6 (II) provide the alien with not
7 less than 90 days to respond.

8 (ii) SECOND NOTICE.—Not more than
9 30 days after the issuance of the notice
10 under clause (i), the Secretary of Home-
11 land Security shall provide a second writ-
12 ten notice that meets the requirements of
13 such clause.

14 (iii) NOTICE NOT RECEIVED.—Not-
15 withstanding any other provision of law, if
16 an applicant provides good cause for not
17 contesting a provisional denial under this
18 paragraph, including a failure to receive
19 notice as required under this subpara-
20 graph, the Secretary of Homeland Security
21 shall, upon a motion filed by the alien, re-
22 open an application for adjustment of sta-
23 tus under this title and allow the applicant
24 an opportunity to respond, consistent with
25 clause (i)(II).

1 (G) JUDICIAL REVIEW.—An alien is enti-
2 tled to judicial review of the Secretary’s deci-
3 sion to provisionally deny an application under
4 this paragraph in accordance with the proce-
5 dures described in section 126(c).

6 (4) DEFINITIONS.—For purposes of this sub-
7 section—

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

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

16 (C) the term “crime of domestic violence”
17 means any offense that has as an element the
18 use, attempted use, or threatened use of phys-
19 ical force against a person committed by a cur-
20 rent or former spouse of the person, by an indi-
21 vidual with whom the person shares a child in
22 common, by an individual who is cohabiting
23 with or has cohabited with the person as a
24 spouse, by an individual similarly situated to a
25 spouse of the person under the domestic or

1 family violence laws of the jurisdiction where
2 the offense occurs, or by any other individual
3 against a person who is protected from that in-
4 dividual's acts under the domestic or family vio-
5 lence laws of the United States or any State,
6 Indian tribal government, or unit of local gov-
7 ernment; and

8 (D) the term "convicted" or "conviction"
9 does not include a judgment that has been ex-
10 punged or set aside, that resulted in a rehabili-
11 tative disposition, or the equivalent.

12 (d) LIMITATION ON REMOVAL OF CERTAIN ALIEN
13 MINORS.—An alien who is under 18 years of age and
14 meets the requirements under subparagraphs (A), (B),
15 and (C) of subsection (b)(1) shall be provided a reasonable
16 opportunity to meet the educational requirements under
17 subparagraph (D) of such subsection. The Attorney Gen-
18 eral or the Secretary may not commence or continue with
19 removal proceedings against such an alien.

20 (e) WITHDRAWAL OF APPLICATION.—The Secretary
21 of Homeland Security shall, upon receipt of a request to
22 withdraw an application for adjustment of status under
23 this section, cease processing of the application, and close
24 the case. Withdrawal of the application under this sub-
25 section shall not prejudice any future application filed by

1 the applicant for any immigration benefit under this title
2 or under the Immigration and Nationality Act (8 U.S.C.
3 1101 et seq.).

4 **SEC. 112. TERMS OF PERMANENT RESIDENT STATUS ON A**
5 **CONDITIONAL BASIS.**

6 (a) PERIOD OF STATUS.—Permanent resident status
7 on a conditional basis is—

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

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

11 (b) NOTICE OF REQUIREMENTS.—At the time an
12 alien obtains permanent resident status on a conditional
13 basis, the Secretary shall provide notice to the alien re-
14 garding the provisions of this title and the requirements
15 to have the conditional basis of such status removed.

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

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

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

22 (A) notice of the proposed revocation; and

23 (B) the opportunity for a hearing to pro-
24 vide evidence that the alien meets such require-

1 ments or otherwise to contest the proposed rev-
2 ocation.

3 (d) RETURN TO PREVIOUS IMMIGRATION STATUS.—

4 An alien whose permanent resident status on a conditional
5 basis expires under subsection (a)(1) or is revoked under
6 subsection (c), shall return to the immigration status that
7 the alien had immediately before receiving permanent resi-
8 dent status on a conditional basis.

9 **SEC. 113. REMOVAL OF CONDITIONAL BASIS OF PERMA-**
10 **NENT RESIDENT STATUS.**

11 (a) ELIGIBILITY FOR REMOVAL OF CONDITIONAL
12 BASIS.—

13 (1) IN GENERAL.—Subject to paragraph (2),
14 the Secretary shall remove the conditional basis of
15 an alien's permanent resident status granted under
16 this title and grant the alien status as an alien law-
17 fully admitted for permanent residence if the alien—

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

19 (B) has not abandoned the alien's resi-
20 dence in the United States during the period in
21 which the alien has permanent resident status
22 on a conditional basis; and

23 (C)(i) has obtained a degree from an insti-
24 tution of higher education, or has completed at
25 least 2 years, in good standing, of a program in

1 the United States leading to a bachelor's degree
2 or higher degree or a recognized postsecondary
3 credential from an area career and technical
4 education school providing education at the
5 postsecondary level;

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

9 (iii) demonstrates earned income for peri-
10 ods totaling at least 3 years and at least 75
11 percent of the time that the alien has had a
12 valid employment authorization, except that, in
13 the case of an alien who was enrolled in an in-
14 stitution of higher education, an area career
15 and technical education school to obtain a rec-
16 ognized postsecondary credential, or an edu-
17 cation program described in section
18 111(b)(1)(D)(iii), the Secretary shall reduce
19 such total 3-year requirement by the total of
20 such periods of enrollment.

21 (2) **HARDSHIP EXCEPTION.**—The Secretary
22 shall remove the conditional basis of an alien's per-
23 manent resident status and grant the alien status as
24 an alien lawfully admitted for permanent residence
25 if the alien—

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

3 (B) demonstrates compelling circumstances
4 for the inability to satisfy the requirements
5 under subparagraph (C) of such paragraph; and

6 (C) demonstrates that—

7 (i) the alien has a disability;

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

9 or

10 (iii) the removal of the alien from the
11 United States would result in hardship to
12 the alien or the alien's spouse, parent, or
13 child who is a national of the United
14 States or is lawfully admitted for perma-
15 nent residence.

16 (3) CITIZENSHIP REQUIREMENT.—

17 (A) IN GENERAL.—Except as provided in
18 subparagraph (B), the conditional basis of an
19 alien's permanent resident status granted under
20 this title may not be removed unless the alien
21 demonstrates that the alien satisfies the re-
22 quirements under section 312(a) of the Immi-
23 gration and Nationality Act (8 U.S.C. 1423(a)).

24 (B) EXCEPTION.—Subparagraph (A) shall
25 not apply to an alien who is unable to meet the

1 requirements under such section 312(a) due to
2 disability.

3 (4) APPLICATION FEE.—The Secretary may,
4 subject to an exemption under section 123(c), re-
5 quire aliens applying for removal of the conditional
6 basis of an alien's permanent resident status under
7 this section to pay a reasonable fee that is commensurate with the cost of processing the application.

9 (5) BACKGROUND CHECK.—The Secretary may
10 not remove the conditional basis of an alien's permanent resident status until the requirements of section 122 are satisfied.

13 (b) TREATMENT FOR PURPOSES OF NATURALIZATION.—
14

15 (1) IN GENERAL.—For purposes of title III of
16 the Immigration and Nationality Act (8 U.S.C. 1401
17 et seq.), an alien granted permanent resident status
18 on a conditional basis shall be considered to have
19 been admitted to the United States, and be present
20 in the United States, as an alien lawfully admitted
21 for permanent residence.

22 (2) LIMITATION ON APPLICATION FOR NATURALIZATION.—An alien may not apply for naturalization while the alien is in permanent resident
24 status on a conditional basis.
25

1 (c) TIMING OF APPROVAL OF LAWFUL PERMANENT
2 RESIDENT STATUS.—

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

8 (2) APPROVAL WITH REGARD TO INITIAL APPLI-
9 CATIONS.—

10 (A) IN GENERAL.—Notwithstanding any
11 other provision of law, the Secretary or the At-
12 torney General shall cancel the removal of, and
13 adjust to the status of an alien lawfully admit-
14 ted for permanent resident status without con-
15 ditional basis, any alien who—

16 (i) demonstrates eligibility for lawful
17 permanent residence status on a condi-
18 tional basis under section 111(b); and

19 (ii) subject to the exceptions described
20 in subsections (a)(2) and (a)(3)(B) of this
21 section, already has fulfilled the require-
22 ments of paragraphs (1) and (3) of sub-
23 section (a) of this section at the time such
24 alien first submits an application for bene-
25 fits under this title.

1 (B) BACKGROUND CHECKS.—Subsection
2 (a)(5) shall apply to an alien seeking lawful
3 permanent resident status without conditional
4 basis in an initial application in the same man-
5 ner as it applies to an alien seeking removal of
6 the conditional basis of an alien’s permanent
7 resident status. Section 111(b)(3) shall not be
8 construed to require the Secretary to conduct
9 more than one identical security or law enforce-
10 ment background check on such an alien.

11 (C) APPLICATION FEES.—In the case of an
12 alien seeking lawful permanent resident status
13 without conditional basis in an initial applica-
14 tion, the alien shall pay the fee required under
15 subsection (a)(4), subject to the exemption al-
16 lowed under section 123(c), but shall not be re-
17 quired to pay the application fee under section
18 111(b)(2).

19 **Subtitle B—General Provisions**

20 **SEC. 121. DEFINITIONS.**

21 In this title:

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

1 (2) APPROPRIATE UNITED STATES DISTRICT
2 COURT.—The term “appropriate United States dis-
3 trict court” mean the United States District Court
4 for the District of Columbia or the United States
5 district court with jurisdiction over the alien’s prin-
6 cipal place of residence.

7 (3) AREA CAREER AND TECHNICAL EDUCATION
8 SCHOOL.—The term “area career and technical edu-
9 cation school” has the meaning given such term in
10 section 3 of the Carl D. Perkins Career and Tech-
11 nical Education Act of 2006 (20 U.S.C. 2302).

12 (4) DACA.—The term “DACA” means de-
13 ferred action granted to an alien pursuant to the
14 Deferred Action for Childhood Arrivals policy an-
15 nounced by the Secretary of Homeland Security on
16 June 15, 2012.

17 (5) DISABILITY.—The term “disability” has the
18 meaning given such term in section 3(1) of the
19 Americans with Disabilities Act of 1990 (42 U.S.C.
20 12102(1)).

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

1 (7) HIGH SCHOOL; SECONDARY SCHOOL.—The
2 terms “high school” and “secondary school” have
3 the meanings given such terms in section 8101 of
4 the Elementary and Secondary Education Act of
5 1965 (20 U.S.C. 7801).

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

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

12 (A) except as provided in subparagraph
13 (B), has the meaning given such term in section
14 102 of the Higher Education Act of 1965 (20
15 U.S.C. 1002); and

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

18 (10) RECOGNIZED POSTSECONDARY CREDEN-
19 TIAL.—The term “recognized postsecondary creden-
20 tial” has the meaning given such term in section 3
21 of the Workforce Innovation and Opportunity Act
22 (29 U.S.C. 3102).

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

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

5 **SEC. 122. SUBMISSION OF BIOMETRIC AND BIOGRAPHIC**
6 **DATA; BACKGROUND CHECKS.**

7 (a) SUBMISSION OF BIOMETRIC AND BIOGRAPHIC
8 DATA.—The Secretary may not grant an alien adjustment
9 of status under this title, on either a conditional or perma-
10 nent basis, unless the alien submits biometric and bio-
11 graphic data, in accordance with procedures established
12 by the Secretary. The Secretary shall provide an alter-
13 native procedure for aliens who are unable to provide such
14 biometric or biographic data because of a physical impair-
15 ment.

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, on either a conditional or perma-
23 nent basis. The status of an alien may not be adjusted,
24 on either a conditional or permanent basis, unless security

1 and law enforcement background checks are completed to
2 the satisfaction of the Secretary.

3 **SEC. 123. LIMITATION ON REMOVAL; APPLICATION AND**
4 **FEE EXEMPTION; WAIVER OF GROUNDS FOR**
5 **INADMISSIBILITY AND OTHER CONDITIONS**
6 **ON ELIGIBLE INDIVIDUALS.**

7 (a) **LIMITATION ON REMOVAL.**—An alien who ap-
8 pears to be prima facie eligible for relief under this title
9 shall be given a reasonable opportunity to apply for such
10 relief and may not be removed until, subject to section
11 126(c), a final decision establishing ineligibility for relief
12 is rendered.

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

1 only after all available administrative and judicial rem-
2 edies have been exhausted.

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

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

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

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

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

15 (d) WAIVER OF GROUNDS OF INADMISSIBILITY.—
16 With respect to any benefit under this title, and in addi-
17 tion to the waivers under section 111(c)(2), the Secretary
18 may waive the grounds of inadmissibility under paragraph
19 (1), (6)(E), (6)(G), or (10)(D) of section 212(a) of the
20 Immigration and Nationality Act (8 U.S.C. 1182(a)) for
21 humanitarian purposes, for family unity, or because the
22 waiver is otherwise in the public interest.

23 (e) ADVANCE PAROLE.—During the period beginning
24 on the date on which an alien applies for adjustment of
25 status under this title and ending on the date on which

1 the Secretary makes a final decision regarding such appli-
2 cation, the alien shall be eligible to apply for advance pa-
3 role. Section 101(g) of the Immigration and Nationality
4 Act (8 U.S.C. 1101(g)) shall not apply to an alien granted
5 advance parole under this section.

6 (f) EMPLOYMENT.—An alien whose removal is stayed
7 pursuant to this title, who may not be placed in removal
8 proceedings pursuant to this title, or who has pending an
9 application under this title, shall, upon application to the
10 Secretary, be granted an employment authorization docu-
11 ment.

12 **SEC. 124. DETERMINATION OF CONTINUOUS PRESENCE**
13 **AND RESIDENCE.**

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

22 (b) TREATMENT OF CERTAIN BREAKS IN PRESENCE
23 OR RESIDENCE.—

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

4 (A) continuous physical presence in the
5 United States under this title if the alien has
6 departed from the United States for any period
7 exceeding 90 days or for any periods, in the ag-
8 gregate, exceeding 180 days; and

9 (B) continuous residence in the United
10 States under this title if the alien has departed
11 from the United States for any period exceeding
12 180 days, unless the alien establishes to the
13 satisfaction of the Secretary of Homeland Secu-
14 rity that the alien did not in fact abandon resi-
15 dence in the United States during such period.

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

24 (3) TRAVEL AUTHORIZED BY THE SEC-
25 RETARY.—Any period of travel outside of the United

1 States by an alien that was authorized by the Sec-
2 retary may not be counted toward any period of de-
3 parture from the United States under paragraph
4 (1).

5 (c) WAIVER OF PHYSICAL PRESENCE.—With respect
6 to aliens who were removed or departed the United States
7 on or after January 20, 2017, and who were continuously
8 physically present in the United States for at least 4 years
9 prior to such removal or departure, the Secretary may,
10 as a matter of discretion, waive the physical presence re-
11 quirement under section 111(b)(1)(A) for humanitarian
12 purposes, for family unity, or because a waiver is other-
13 wise in the public interest. The Secretary, in consultation
14 with the Secretary of State, shall establish a procedure
15 for such aliens to apply for relief under section 111 from
16 outside the United States if they would have been eligible
17 for relief under such section, but for their removal or de-
18 parture.

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

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

1 **SEC. 126. AVAILABILITY OF ADMINISTRATIVE AND JUDI-**
2 **CIAL REVIEW.**

3 (a) ADMINISTRATIVE REVIEW.—Not later than 30
4 days after the date of the enactment of this Act, the Sec-
5 retary shall provide to aliens who have applied for adjust-
6 ment of status under this title a process by which an appli-
7 cant may seek administrative appellate review of a denial
8 of an application for adjustment of status, or a revocation
9 of such status.

10 (b) JUDICIAL REVIEW.—Except as provided in sub-
11 section (c), and notwithstanding any other provision of
12 law, an alien may seek judicial review of a denial of an
13 application for adjustment of status, or a revocation of
14 such status, under this title in an appropriate United
15 States district court.

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

17 (1) IN GENERAL.—Notwithstanding any other
18 provision of law, if, after notice and the opportunity
19 to respond under section 111(c)(3)(E), the Secretary
20 provisionally denies an application for adjustment of
21 status under this title, the alien shall have 60 days
22 from the date of the Secretary's determination to
23 seek review of such determination in an appropriate
24 United States district court.

25 (2) SCOPE OF REVIEW AND DECISION.—Not-
26 withstanding any other provision of law, review

1 under paragraph (1) shall be de novo and based
2 solely on the administrative record, except that the
3 applicant shall be given the opportunity to supple-
4 ment the administrative record and the Secretary
5 shall be given the opportunity to rebut the evidence
6 and arguments raised in such submission. Upon
7 issuing its decision, the court shall remand the mat-
8 ter, with appropriate instructions, to the Depart-
9 ment of Homeland Security to render a final deci-
10 sion on the application.

11 (3) APPOINTED COUNSEL.—Notwithstanding
12 any other provision of law, an applicant seeking ju-
13 dicial review under paragraph (1) shall be rep-
14 resented by counsel. Upon the request of the appli-
15 cant, counsel shall be appointed for the applicant, in
16 accordance with procedures to be established by the
17 Attorney General within 90 days of the date of the
18 enactment of this Act, and shall be funded in ac-
19 cordance with fees collected and deposited in the Im-
20 migration Counsel Account under section 132.

21 (d) STAY OF REMOVAL.—

22 (1) IN GENERAL.—Except as provided in para-
23 graph (2), an alien seeking administrative or judicial
24 review under this title may not be removed from the
25 United States until a final decision is rendered es-

1 tablishing that the alien is ineligible for adjustment
2 of status under this title.

3 (2) EXCEPTION.—The Secretary may remove
4 an alien described in paragraph (1) pending judicial
5 review if such removal is based on criminal or na-
6 tional security grounds described in this title. Such
7 removal shall not affect the alien’s right to judicial
8 review under this title. The Secretary shall promptly
9 return a removed alien if a decision to deny an ap-
10 application for adjustment of status under this title, or
11 to revoke such status, is reversed.

12 **SEC. 127. DOCUMENTATION REQUIREMENTS.**

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

18 (1) A passport or national identity document
19 from the alien’s country of origin that includes the
20 alien’s name and the alien’s photograph or finger-
21 print.

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

24 (3) A school identification card that includes
25 the alien’s name and photograph, and school records

1 showing the alien's name and that the alien is or
2 was enrolled at the school.

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

5 (5) Any immigration or other document issued
6 by the United States Government bearing the alien's
7 name and photograph.

8 (6) A State-issued identification card bearing
9 the alien's name and photograph.

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

12 (b) DOCUMENTS ESTABLISHING ENTRY, CONTIN-
13 UOUS PHYSICAL PRESENCE, LACK OF ABANDONMENT OF
14 RESIDENCE.—To establish that an alien was younger than
15 18 years of age on the date on which the alien entered
16 the United States, and has continuously resided in the
17 United States since such entry, as required under section
18 111(b)(1)(B), that an alien has been continuously phys-
19 ically present in the United States, as required under sec-
20 tion 111(b)(1)(A), or that an alien has not abandoned res-
21 idence in the United States, as required under section
22 113(a)(1)(B), the alien may submit the following forms
23 of evidence:

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

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

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

6 (4) Employment records of the alien that in-
7 clude the employer's name and contact information,
8 or other records demonstrating earned income.

9 (5) Records of service from the Uniformed
10 Services.

11 (6) Official records from a religious entity con-
12 firming the alien's participation in a religious cere-
13 mony.

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

16 (8) Hospital or medical records showing med-
17 ical treatment or hospitalization, the name of the
18 medical facility or physician, and the date of the
19 treatment or hospitalization.

20 (9) Automobile license receipts or registration.

21 (10) Deeds, mortgages, or rental agreement
22 contracts.

23 (11) Rent receipts or utility bills bearing the
24 alien's name or the name of an immediate family
25 member of the alien, and the alien's address.

1 (12) Tax receipts.

2 (13) Insurance policies.

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

5 (15) Travel records.

6 (16) Dated bank transactions.

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

11 (A) the name, address, and telephone num-
12 ber of the affiant; and

13 (B) the nature and duration of the rela-
14 tionship between the affiant and the alien.

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

17 (c) DOCUMENTS ESTABLISHING ADMISSION TO AN
18 INSTITUTION OF HIGHER EDUCATION.—To establish that
19 an alien has been admitted to an institution of higher edu-
20 cation, the alien may submit to the Secretary a document
21 from the institution of higher education certifying that the
22 alien—

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

24 (2) is currently enrolled in the institution as a
25 student.

1 (d) DOCUMENTS ESTABLISHING RECEIPT OF A DE-
2 GREE FROM AN INSTITUTION OF HIGHER EDUCATION.—

3 To establish that an alien has acquired a degree from an
4 institution of higher education in the United States, the
5 alien may submit to the Secretary a diploma or other doc-
6 ument from the institution stating that the alien has re-
7 ceived such a degree.

8 (e) DOCUMENTS ESTABLISHING RECEIPT OF A HIGH
9 SCHOOL DIPLOMA, GENERAL EDUCATIONAL DEVELOP-
10 MENT CREDENTIAL, OR A RECOGNIZED EQUIVALENT.—

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

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

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

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

24 (4) Evidence that the alien successfully com-
25 pleted an area career and technical education pro-

1 gram, such as a certification, certificate, or similar
2 alternate award.

3 (5) Evidence that the alien obtained a recog-
4 nized postsecondary credential.

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

7 (f) DOCUMENTS ESTABLISHING ENROLLMENT IN AN
8 EDUCATIONAL PROGRAM.—To establish that an alien is
9 enrolled in any school or education program described in
10 section 111(b)(1)(D)(iv) or 113(a)(1)(C), the alien may
11 submit school records from the United States school that
12 the alien is currently attending that include—

13 (1) the name of the school; and

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

16 (g) DOCUMENTS ESTABLISHING EXEMPTION FROM
17 APPLICATION FEES.—To establish that an alien is exempt
18 from an application fee under section 123(c), the alien
19 may submit to the Secretary the following relevant docu-
20 ments:

21 (1) DOCUMENTS TO ESTABLISH AGE.—To es-
22 tablish that an alien meets an age requirement, the
23 alien may provide proof of identity, as described in
24 subsection (a), that establishes that the alien is
25 younger than 18 years of age.

1 (2) DOCUMENTS TO ESTABLISH INCOME.—To
2 establish the alien’s income, the alien may provide—

3 (A) employment records or other records of
4 earned income, including records that have been
5 maintained by the Social Security Administra-
6 tion, the Internal Revenue Service, or any other
7 Federal, State, or local government agency;

8 (B) bank records; or

9 (C) at least 2 sworn affidavits from indi-
10 viduals who are not related to the alien and
11 who have direct knowledge of the alien’s work
12 and income that contain—

13 (i) the name, address, and telephone
14 number of the affiant; and

15 (ii) the nature and duration of the re-
16 lationship between the affiant and the
17 alien.

18 (3) DOCUMENTS TO ESTABLISH FOSTER CARE,
19 LACK OF FAMILIAL SUPPORT, OR SERIOUS, CHRONIC
20 DISABILITY.—To establish that the alien is in foster
21 care, lacks parental or familial support, or has a se-
22 rious, chronic disability, the alien may provide at
23 least 2 sworn affidavits from individuals who are not
24 related to the alien and who have direct knowledge
25 of the circumstances that contain—

1 (A) a statement that the alien is in foster
2 care, otherwise lacks any parental or other fa-
3 miliar support, or has a serious, chronic dis-
4 ability, as appropriate;

5 (B) the name, address, and telephone num-
6 ber of the affiant; and

7 (C) the nature and duration of the rela-
8 tionship between the affiant and the alien.

9 (h) DOCUMENTS ESTABLISHING QUALIFICATION FOR
10 HARDSHIP EXEMPTION.—To establish that an alien satis-
11 fies one of the criteria for the hardship exemption set forth
12 in section 113(a)(2)(C), the alien may submit to the Sec-
13 retary at least 2 sworn affidavits from individuals who are
14 not related to the alien and who have direct knowledge
15 of the circumstances that warrant the exemption, that
16 contain—

17 (1) the name, address, and telephone number of
18 the affiant; and

19 (2) the nature and duration of the relationship
20 between the affiant and the alien.

21 (i) DOCUMENTS ESTABLISHING SERVICE IN THE
22 UNIFORMED SERVICES.—To establish that an alien has
23 served in the Uniformed Services for at least 2 years and,
24 if discharged, received an honorable discharge, the alien
25 may submit to the Secretary—

- 1 (1) a Department of Defense form DD–214;
- 2 (2) a National Guard Report of Separation and
- 3 Record of Service form 22;
- 4 (3) personnel records for such service from the
- 5 appropriate Uniformed Service; or
- 6 (4) health records from the appropriate Uni-
- 7 formed Service.

8 (j) DOCUMENTS ESTABLISHING EARNED INCOME.—

- 9 (1) IN GENERAL.—An alien may satisfy the
- 10 earned income requirement under section
- 11 113(a)(1)(C)(iii) by submitting records that—

12 (A) establish compliance with such require-

13 ment; and

14 (B) have been maintained by the Social Se-

15 curity Administration, the Internal Revenue

16 Service, or any other Federal, State, or local

17 government agency.

- 18 (2) OTHER DOCUMENTS.—An alien who is un-
- 19 able to submit the records described in paragraph
- 20 (1) may satisfy the earned income requirement by
- 21 submitting at least 2 types of reliable documents
- 22 that provide evidence of employment or other forms
- 23 of earned income, including—

- 24 (A) bank records;
- 25 (B) business records;

1 (C) employer or contractor records;

2 (D) records of a labor union, day labor
3 center, or organization that assists workers in
4 employment;

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

8 (i) the name, address, and telephone
9 number of the affiant; and

10 (ii) the nature and duration of the re-
11 lationship between the affiant and the
12 alien;

13 (F) remittance records; or

14 (G) any other evidence determined to be
15 credible by the Secretary.

16 (k) AUTHORITY TO PROHIBIT USE OF CERTAIN DOC-
17 UMENTS.—If the Secretary determines, after publication
18 in the Federal Register and an opportunity for public com-
19 ment, that any document or class of documents does not
20 reliably establish identity or that permanent resident sta-
21 tus under this title (whether on a conditional basis, or
22 without the conditional basis as provided in section
23 113(c)(2)) is being obtained fraudulently to an unaccept-
24 able degree, the Secretary may prohibit or restrict the use
25 of such document or class of documents.

1 **SEC. 128. 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 111 or
7 113(c)(2). Notwithstanding section 553 of title 5, United
8 States Code, the regulation shall be effective, on an in-
9 terim basis, immediately upon publication, but may be
10 subject to change and revision after public notice and op-
11 portunity for a period of public comment. The Secretary
12 shall finalize such rules not later than 180 days after the
13 date of publication.

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

18 **SEC. 129. CONFIDENTIALITY OF INFORMATION.**

19 (a) IN GENERAL.—The Secretary may not disclose
20 or use information (including information provided during
21 administrative or judicial review) provided in applications
22 filed under this title or in requests for DACA for the pur-
23 pose of immigration enforcement.

24 (b) REFERRALS PROHIBITED.—The Secretary, based
25 solely on information provided in an application for adjust-
26 ment of status under this title (including information pro-

1 vided during administrative or judicial review) or an appli-
2 cation for DACA, may not refer an applicant to U.S. Im-
3 migration and Customs Enforcement, U.S. Customs and
4 Border Protection, or any designee of either such entity.

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

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

12 (2) to identify or prevent fraudulent claims;

13 (3) for national security purposes; or

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

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

19 **SEC. 130. GRANT PROGRAM TO ASSIST ELIGIBLE APPLI-**
20 **CANTS.**

21 (a) ESTABLISHMENT.—The Secretary of Homeland
22 Security shall establish, within U.S. Citizenship and Immi-
23 gration Services, a program to award grants, on a com-
24 petitive basis, to eligible nonprofit organizations that will
25 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 (whether on a conditional basis, or
9 without the conditional basis as provided in section
10 113(c)(2)), particularly to individuals potentially eli-
11 gible for such status;

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

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

20 (B) completing applications and petitions,
21 including providing assistance in obtaining the
22 requisite documents and supporting evidence;
23 and

24 (C) providing any other assistance that the
25 Secretary or grantee considers useful or nec-

1 essary to apply for adjustment of status under
2 this title (whether on a conditional basis, or
3 without the conditional basis as provided in sec-
4 tion 113(c)(2)); and

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

8 (A) on the rights and responsibilities of
9 United States citizenship;

10 (B) in civics and English as a second lan-
11 guage;

12 (C) in preparation for the General Edu-
13 cation Development test; and

14 (D) in applying for adjustment of status
15 and United States citizenship.

16 (c) AUTHORIZATION OF APPROPRIATIONS.—

17 (1) AMOUNTS AUTHORIZED.—There are author-
18 ized to be appropriated such sums as may be nec-
19 essary for each of the fiscal years 2020 through
20 2030 to carry out this section.

21 (2) AVAILABILITY.—Any amounts appropriated
22 pursuant to paragraph (1) shall remain available
23 until expended.

1 **SEC. 131. PROVISIONS AFFECTING ELIGIBILITY FOR AD-**
2 **JUSTMENT OF STATUS.**

3 An alien's eligibility to be lawfully admitted for per-
4 manent residence under this title (whether on a condi-
5 tional basis, or without the conditional basis as provided
6 in section 113(c)(2)) shall not preclude the alien from
7 seeking any status under any other provision of law for
8 which the alien may otherwise be eligible.

9 **SEC. 132. SUPPLEMENTARY SURCHARGE FOR APPOINTED**
10 **COUNSEL.**

11 (a) IN GENERAL.—Except as provided in section 122
12 and in cases where the applicant is exempt from paying
13 a fee under section 123(c), in any case in which a fee is
14 charged pursuant to this title, an additional surcharge of
15 \$25 shall be imposed and collected for the purpose of pro-
16 viding appointed counsel to applicants seeking judicial re-
17 view of the Secretary's decision to provisionally deny an
18 application under section 126(c)(3).

19 (b) IMMIGRATION COUNSEL ACCOUNT.—There is es-
20 tablished in the general fund of the Treasury a separate
21 account which shall be known as the "Immigration Coun-
22 sel Account". Fees collected under subsection (a) shall be
23 deposited into the Immigration Counsel Account and shall
24 to remain available until expended for purposes of pro-
25 viding appointed counsel as required under this title.

1 (c) REPORT.—At the end of each 2-year period, be-
2 ginning with the establishment of this account, the Sec-
3 retary of Homeland Security shall submit a report to the
4 Congress concerning the status of the account, including
5 any balances therein, and recommend any adjustment in
6 the prescribed fee that may be required to ensure that the
7 receipts collected from the fee charged for the succeeding
8 two years equal, as closely as possible, the cost of pro-
9 viding appointed counsel as required under this title.

10 **SEC. 133. ANNUAL REPORT ON PROVISIONAL DENIAL AU-**
11 **THORITY.**

12 Not later than 1 year after the date of the enactment
13 of this Act, and annually thereafter, the Secretary of
14 Homeland Security shall submit to the Congress a report
15 detailing the number of applicants that receive—

- 16 (1) a provisional denial under this title;
17 (2) a final denial under this title without seek-
18 ing judicial review;
19 (3) a final denial under this title after seeking
20 judicial review; and
21 (4) an approval under this title after seeking ju-
22 dicial review.

1 **TITLE II—AMERICAN PROMISE**
2 **ACT**

3 **SEC. 201. SHORT TITLE.**

4 This title may be cited as the “American Promise Act
5 of 2019”.

6 **Subtitle A—Treatment of Certain**
7 **Nationals of Certain Countries**
8 **Designated for Temporary Pro-**
9 **ected Status or Deferred En-**
10 **forced Departure**

11 **SEC. 211. ADJUSTMENT OF STATUS FOR CERTAIN NATION-**
12 **ALS OF CERTAIN COUNTRIES DESIGNATED**
13 **FOR TEMPORARY PROTECTED STATUS OR**
14 **DEFERRED ENFORCED DEPARTURE.**

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

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

24 (2) has been continuously physically present in
25 the United States for a period of not less than 3

1 years before the date of the enactment of this Act;
2 and

3 (3) is not inadmissible under paragraph (1),
4 (2), (3), (6)(D), (6)(E), (6)(F), (6)(G), (8), or (10)
5 of section 212(a) of the Immigration and Nationality
6 Act (8 U.S.C. 1182(a)).

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

10 (1) who—

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

21 (B) has not engaged in conduct since such
22 date that would render the alien ineligible for
23 temporary protected status under section
24 244(c)(2) of the Immigration and Nationality
25 Act (8 U.S.C. 1245a(c)(2)); or

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

5 (c) APPLICATION.—

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

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

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

1 **Subtitle B—General Provisions**

2 **SEC. 221. DEFINITIONS.**

3 (a) IN GENERAL.—In this title:

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

8 (2) DISABILITY.—The term “disability” has the
9 meaning given such term in section 3(1) of the
10 Americans with Disabilities Act of 1990 (42 U.S.C.
11 12102(1)).

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

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

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

23 (6) UNIFORMED SERVICES.—The term “Uni-
24 formed Services” has the meaning given the term

1 “uniformed services” in section 101(a) of title 10,
2 United States Code.

3 (b) TREATMENT OF EXPUNGED CONVICTIONS.—For
4 purposes of adjustment of status under this title, the
5 terms “convicted” and “conviction”, as used in sections
6 212 and 244 of the Immigration and Nationality Act (8
7 U.S.C. 1182, 1254a), do not include a judgment that has
8 been expunged or set aside, that resulted in a rehabilita-
9 tive disposition, or the equivalent.

10 **SEC. 222. SUBMISSION OF BIOMETRIC AND BIOGRAPHIC**
11 **DATA; BACKGROUND CHECKS.**

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

20 (b) BACKGROUND CHECKS.—The Secretary shall use
21 biometric, biographic, and other data that the Secretary
22 determines appropriate to conduct security and law en-
23 forcement background checks and to determine whether
24 there is any criminal, national security, or other factor
25 that would render the alien ineligible for adjustment of

1 status under this title. The status of an alien may not
2 be adjusted unless security and law enforcement back-
3 ground checks are completed to the satisfaction of the Sec-
4 retary.

5 **SEC. 223. LIMITATION ON REMOVAL; APPLICATION AND**
6 **FEE EXEMPTION; WAIVER OF GROUNDS FOR**
7 **INADMISSIBILITY AND OTHER CONDITIONS**
8 **ON ELIGIBLE INDIVIDUALS.**

9 (a) **LIMITATION ON REMOVAL.**—An alien who ap-
10 pears to be prima facie eligible for relief under this title
11 shall be given a reasonable opportunity to apply for such
12 relief and may not be removed until, subject to section
13 226(c), a final decision establishing ineligibility for relief
14 is rendered.

15 (b) **APPLICATION.**—An alien present in the United
16 States who has been ordered removed or has been per-
17 mitted to depart voluntarily from the United States may,
18 notwithstanding such order or permission to depart, apply
19 for adjustment of status under this title. Such alien shall
20 not be required to file a separate motion to reopen, recon-
21 sider, or vacate the order of removal. If the Secretary ap-
22 proves the application, the Secretary shall cancel the order
23 of removal. If the Secretary renders a final administrative
24 decision to deny the application, the order of removal or
25 permission to depart shall be effective and enforceable to

1 the same extent as if the application had not been made,
2 only after all available administrative and judicial rem-
3 edies have been exhausted.

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

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

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

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

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

16 (d) WAIVER OF GROUNDS OF INADMISSIBILITY.—

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

1 tarian purposes, for family unity, or because the
2 waiver is otherwise in the public interest.

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

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

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

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

23 (a) EFFECT OF NOTICE TO APPEAR.—Any period of
24 continuous physical presence in the United States of an
25 alien who applies for adjustment of status under this title

1 shall not terminate when the alien is served a notice to
2 appear under section 239(a) of the Immigration and Na-
3 tionality Act (8 U.S.C. 1229(a)).

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

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

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

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

1 parture from the United States under paragraph
2 (1).

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

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

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

21 **SEC. 226. AVAILABILITY OF ADMINISTRATIVE AND JUDI-**
22 **CIAL REVIEW.**

23 (a) **ADMINISTRATIVE REVIEW.**—Not later than 30
24 days after the date of the enactment of this Act, the Sec-
25 retary shall provide to aliens who have applied for adjust-

1 ment of status under this title a process by which an appli-
2 cant may seek administrative appellate review of a denial
3 of an application for adjustment of status, or a revocation
4 of such status.

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

11 (c) STAY OF REMOVAL.—

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

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

1 ment of status under this title, or to revoke such
2 status, is reversed.

3 **SEC. 227. DOCUMENTATION REQUIREMENTS.**

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

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

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

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

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

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

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

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

3 (b) DOCUMENTS ESTABLISHING CONTINUOUS PHYS-
4 ICAL PRESENCE.—An alien’s application for permanent
5 resident status under this title may include, as evidence
6 that the alien has been continuously physically present in
7 the United States, as required under section 211(a)(2),
8 the following:

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

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

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

16 (4) Employment records of the alien that in-
17 clude the employer’s name and contact information.

18 (5) Records of service from the Uniformed
19 Services.

20 (6) Official records from a religious entity con-
21 firming the alien’s participation in a religious cere-
22 mony.

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

1 (8) Hospital or medical records showing med-
2 ical treatment or hospitalization, the name of the
3 medical facility or physician, and the date of the
4 treatment or hospitalization.

5 (9) Automobile license receipts or registration.

6 (10) Deeds, mortgages, or rental agreement
7 contracts.

8 (11) Rent receipts or utility bills bearing the
9 alien's name or the name of an immediate family
10 member of the alien, and the alien's address.

11 (12) Tax receipts;

12 (13) Insurance policies.

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

15 (15) Travel records.

16 (16) Dated bank transactions.

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

21 (A) the name, address, and telephone num-
22 ber of the affiant; and

23 (B) the nature and duration of the rela-
24 tionship between the affiant and the alien.

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

3 (c) DOCUMENTS ESTABLISHING EXEMPTION FROM
4 APPLICATION FEES.—An alien’s application for perma-
5 nent resident status under this title may include, as evi-
6 dence that the alien is exempt from an application fee
7 under section 223(c), the following:

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

13 (2) DOCUMENTS TO ESTABLISH INCOME.—To
14 establish the alien’s income, the alien may provide—

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

20 (B) bank records; or

21 (C) at least 2 sworn affidavits from indi-
22 viduals who are not related to the alien and
23 who have direct knowledge of the alien’s work
24 and income 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 (3) DOCUMENTS TO ESTABLISH FOSTER CARE,
7 LACK OF FAMILIAL SUPPORT, OR SERIOUS, CHRONIC
8 DISABILITY.—To establish that the alien is in foster
9 care, lacks parental or familial support, or has a se-
10 rious, chronic disability, the alien may provide at
11 least 2 sworn affidavits from individuals who are not
12 related to the alien and who have direct knowledge
13 of the circumstances that contain—

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

18 (B) the name, address, and telephone num-
19 ber of the affiant; and

20 (C) the nature and duration of the rela-
21 tionship between the affiant and the alien.

22 (d) AUTHORITY TO PROHIBIT USE OF CERTAIN DOC-
23 UMENTS.—If the Secretary determines, after publication
24 in the Federal Register and an opportunity for public com-
25 ment, that any document or class of documents does not

1 reliably establish identity or that permanent resident sta-
2 tus under this title is being obtained fraudulently to an
3 unacceptable degree, the Secretary may prohibit or re-
4 strict the use of such document or class of documents.

5 **SEC. 228. RULE MAKING.**

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

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

21 **SEC. 229. CONFIDENTIALITY OF INFORMATION.**

22 (a) IN GENERAL.—The Secretary may not disclose
23 or use information provided in applications filed under this
24 title (including information provided during administrative

1 or judicial review) for the purpose of immigration enforce-
2 ment.

3 (b) REFERRALS PROHIBITED.—The Secretary, based
4 solely on information provided in an application for adjust-
5 ment of status under this title (including information pro-
6 vided during administrative or judicial review), may not
7 refer an applicant to U.S. Immigration and Customs En-
8 forcement, U.S. Customs and Border Protection, or any
9 designee of either such entity .

10 (c) LIMITED EXCEPTION.—Notwithstanding sub-
11 sections (a) and (b), information provided in an applica-
12 tion for adjustment of status under this title may be
13 shared with Federal security and law enforcement agen-
14 cies—

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

17 (2) to identify or prevent fraudulent claims;

18 (3) for national security purposes; or

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

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

1 **SEC. 230. GRANT PROGRAM TO ASSIST ELIGIBLE APPLI-**
2 **CANTS.**

3 (a) ESTABLISHMENT.—The Secretary of Homeland
4 Security shall establish, within U.S. Citizenship and Immi-
5 gration Services, a program to award grants, on a com-
6 petitive basis, to eligible nonprofit organizations that will
7 use the funding to assist eligible applicants under this title
8 by providing them with the services described in sub-
9 section (b).

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

13 (1) information to the public regarding the eli-
14 gibility and benefits of permanent resident status
15 under this title, particularly to individuals poten-
16 tially eligible for such status;

17 (2) assistance, within the scope of authorized
18 practice of immigration law, to individuals submit-
19 ting applications for adjustment of status under this
20 title, including—

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

23 (B) completing applications and petitions,
24 including providing assistance in obtaining the
25 requisite documents and supporting evidence;
26 and

1 (C) providing any other assistance that the
2 Secretary or grantee considers useful or nec-
3 essary to apply for adjustment of status under
4 this title; and

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

8 (A) on the rights and responsibilities of
9 United States citizenship;

10 (B) in civics and English as a second lan-
11 guage;

12 (C) in preparation for the General Edu-
13 cation Development test; and

14 (D) in applying for adjustment of status
15 and United States citizenship.

16 (c) AUTHORIZATION OF APPROPRIATIONS.—

17 (1) AMOUNTS AUTHORIZED.—There are author-
18 ized to be appropriated such sums as may be nec-
19 essary for each of the fiscal years 2020 through
20 2030 to carry out this section.

21 (2) AVAILABILITY.—Any amounts appropriated
22 pursuant to paragraph (1) shall remain available
23 until expended.

1 **SEC. 231. PROVISIONS AFFECTING ELIGIBILITY FOR AD-**
2 **JUSTMENT OF STATUS.**

3 An alien's eligibility to be lawfully admitted for per-
4 manent residence under this title shall not preclude the
5 alien from seeking any status under any other provision
6 of law for which the alien may otherwise be eligible.

