

117TH CONGRESS
1ST SESSION

H. R. 161

To designate Venezuela under section 244 of the Immigration and Nationality Act to permit nationals of Venezuela to be eligible for temporary protected status under such section, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2021

Mr. SOTO (for himself, Mr. DIAZ-BALART, and Ms. WASSERMAN SCHULTZ) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To designate Venezuela under section 244 of the Immigration and Nationality Act to permit nationals of Venezuela to be eligible for temporary protected status under such section, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Venezuela TPS Act
5 of 2021”.

1 **SEC. 2. DESIGNATION FOR PURPOSES OF GRANTING TEM-**
2 **PORARY PROTECTED STATUS.**

3 (a) DESIGNATION.—

4 (1) IN GENERAL.—For purposes of section 244
5 of the Immigration and Nationality Act (8 U.S.C.
6 1254a), Venezuela shall be treated as if it had been
7 designated under subsection (b)(1)(C) of that sec-
8 tion, subject to the provisions of this section.

9 (2) PERIOD OF DESIGNATION.—The initial pe-
10 riod of the designation referred to in paragraph (1)
11 shall be for the 18-month period beginning on the
12 date of the enactment of this Act.

13 (b) ALIENS ELIGIBLE.—As a result of the designa-
14 tion made under subsection (a), an alien who is a national
15 of Venezuela is deemed to satisfy the requirements under
16 paragraph (1) of section 244(c) of the Immigration and
17 Nationality Act (8 U.S.C. 1254a(c)), subject to paragraph
18 (3) of such section, if the alien—

19 (1) has been continuously physically present in
20 the United States since the date of the enactment of
21 this Act;

22 (2) is admissible as an immigrant, except as
23 otherwise provided in paragraph (2)(A) of such sec-
24 tion, and is not ineligible for temporary protected
25 status under paragraph (2)(B) of such section; and

1 (3) registers for temporary protected status in
2 a manner established by the Secretary of Homeland
3 Security.

4 (c) CONSENT TO TRAVEL ABROAD.—

5 (1) IN GENERAL.—The Secretary of Homeland
6 Security shall give prior consent to travel abroad, in
7 accordance with section 244(f)(3) of the Immigra-
8 tion and Nationality Act (8 U.S.C. 1254a(f)(3)), to
9 an alien who is granted temporary protected status
10 pursuant to the designation made under subsection
11 (a) if the alien establishes to the satisfaction of the
12 Secretary of Homeland Security that emergency and
13 extenuating circumstances beyond the control of the
14 alien require the alien to depart for a brief, tem-
15 porary trip abroad.

16 (2) TREATMENT UPON RETURN.—An alien re-
17 turning to the United States in accordance with an
18 authorization described in paragraph (1) shall be
19 treated as any other returning alien provided tem-
20 porary protected status under section 244 of the Im-
21 migration and Nationality Act (8 U.S.C. 1254a).

22 (d) FEE.—

23 (1) IN GENERAL.—In addition to any other fee
24 authorized by law, the Secretary of Homeland Secu-
25 rity is authorized to charge and collect a fee of \$360

1 for each application for temporary protected status
2 under section 244 of the Immigration and Nation-
3 ality Act by a person who is only eligible for such
4 status by reason of subsection (a).

5 (2) WAIVER.—The Secretary of Homeland Se-
6 curity shall permit aliens to apply for a waiver of
7 any fees associated with filing an application re-
8 ferred to in paragraph (1).

9 **SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.**

10 The budgetary effects of this Act, for the purpose of
11 complying with the Statutory Pay-As-You-Go Act of 2010,
12 shall be determined by reference to the latest statement
13 titled “Budgetary Effects of PAYGO Legislation” for this
14 Act, submitted for printing in the Congressional Record
15 by the Chairman of the House Budget Committee, pro-
16 vided that such statement has been submitted prior to the
17 vote on passage.

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