

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.

S. 1494

To amend the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to protect alien minors and to amend the Immigration and Nationality Act to end abuse of the asylum system and establish refugee application and processing centers outside the United States, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. BLUMENTHAL

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Families Belong To-
5 gether Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **ELIGIBLE CHILD.**—The term “eligible
9 child” means a person who—

1 (A) entered the United States, before at-
2 taining 18 years of age, at a port of entry or
3 between ports of entry;

4 (B) was separated from his or her parent
5 or legal guardian by the Department of Home-
6 land Security, and the Department failed to
7 demonstrate in a hearing that the parent or
8 legal guardian was unfit or presented a danger
9 to the child;

10 (C)(i) was in the custody of the Depart-
11 ment of Homeland Security or the Office of
12 Refugee Resettlement on the date of the enact-
13 ment of this Act;

14 (ii) has been released to a sponsor, includ-
15 ing a family-member sponsor; or

16 (iii) has been repatriated to his or her
17 country of origin; and

18 (D) is not inadmissible under paragraph
19 (2)(C), (2)(E), (2)(G), (2)(H), (2)(I), (3),
20 (6)(E), (6)(G), (8), (10)(C), or (10)(D) of sec-
21 tion 212(a) of the Immigration and Nationality
22 Act (8 U.S.C. 1182(a)).

23 (2) ELIGIBLE PARENT.—

1 (A) IN GENERAL.—Subject to subpara-
2 graph (B), the term “eligible parent” means an
3 individual who—

4 (i) is—

5 (I) a parent of an eligible child;

6 or

7 (II) a legal guardian of an eligi-
8 ble child;

9 (ii) entered the United States at a
10 port of entry, or between ports of entry,
11 with an eligible child to whom he or she is
12 a parent or legal guardian; and

13 (iii) was separated from his or her eli-
14 gible child by the Department of Home-
15 land Security, which failed to demonstrate
16 in a hearing that the parent or legal
17 guardian was unfit or presented a danger
18 to the child.

19 (B) EXCLUSION.—An individual is not an
20 “eligible parent” if the individual is inadmis-
21 sible under paragraph (2)(C), (2)(E), (2)(G),
22 (2)(H), (2)(I), (3), (6)(E), (6)(G), (8), (10)(C),
23 or (10)(D) of section 212(a) of the Immigration
24 and Nationality Act (8 U.S.C. 1182(a)).

1 **SEC. 3. HUMANITARIAN PAROLE.**

2 The Director of U.S. Citizenship and Immigration
3 Services shall grant humanitarian parole into the United
4 States to all eligible parents and eligible children who ex-
5 pressly request such parole. The Director shall not impose
6 a fee for any such request.

7 **SEC. 4. ADJUSTMENT OF STATUS.**

8 (a) **ELIGIBLE PARENTS.**—Eligible parents in the
9 United States shall be eligible to apply to the Director of
10 U.S. Citizenship and Immigration Services to have their
11 status adjusted to that of an alien lawfully admitted for
12 permanent residence. Not later than 30 days after receiv-
13 ing such an application from an eligible parent, the Direc-
14 tor shall adjust the status of such parent to that of an
15 alien lawfully admitted for permanent residence.

16 (b) **ELIGIBLE CHILDREN.**—Eligible children in the
17 United States shall be eligible to apply to the Director of
18 U.S. Citizenship and Immigration Services to have their
19 status adjusted to that of an alien lawfully admitted for
20 permanent residence. Not later than 30 days after receiv-
21 ing such an application from an eligible child, the Director
22 shall adjust the status of such child to that of an alien
23 lawfully admitted for permanent residence.

24 (c) **APPLICATION FEES PROHIBITED.**—The Director
25 of U.S. Citizenship and Immigration Services shall not im-

1 pose a fee for any application submitted under this sec-
2 tion.

3 **SEC. 5. EXCEPTION TO GROUND OF INADMISSIBILITY.**

4 For purposes of this Act, assistance provided by a
5 person to a member of his or her nuclear family unit shall
6 not render the person inadmissible under section
7 212(a)(6)(E) of the Immigration and Nationality Act (8
8 U.S.C. 1182(a)(6)(E)).

9 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

10 In addition to any other amounts otherwise author-
11 ized to be appropriated for such purpose, there is author-
12 ized to be appropriated to the Executive Office for Immi-
13 gration Review \$5,000,000 for fiscal year 2019 to carry
14 out the Legal Orientation Program, including educating
15 eligible parents and eligible children of their rights under
16 this Act.