

119TH CONGRESS  
2D SESSION

# S. 5138

To protect immigrant families, combat fraud, promote citizenship, and build community trust, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JULY 27, 2026

Ms. CORTEZ MASTO introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To protect immigrant families, combat fraud, promote citizenship, and build community trust, 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; TABLE OF CONTENTS.**

4       (a) SHORT TITLE.—This Act may be cited as the  
5       “Fairness for Immigrant Families Act of 2026”.

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

Sec. 1. Short title; table of contents.  
Sec. 2. Findings.  
Sec. 3. Definitions.

TITLE I—PROTECTING IMMIGRANT FAMILIES

Subtitle A—Expansion of Admissibility

- Sec. 101. Promoting family unity.
- Sec. 102. Extension of the application period for certain aliens present in the United States for adjustment of status.

Subtitle B—Relief From Removal

- Sec. 111. Individuals previously removed.
- Sec. 112. Expansion of cancellation of removal.
- Sec. 113. Prohibition on removal of certain aliens.
- Sec. 114. Motions to reopen in cases involving fraud, negligence, misrepresentation, extortion, and unauthorized practice of law.
- Sec. 115. Withdrawal without penalty in cases involving fraud, negligence, misrepresentation, extortion, and unauthorized practice of law.

Subtitle C—Provisions Relating to Removal of Parents of United States Citizens

- Sec. 121. Review of and reporting on removal of parents of United States citizens.
- Sec. 122. Report on enforcement actions against certain immigrants.
- Sec. 123. Report on United States citizens detained or deported.
- Sec. 124. Protections for United States citizen children abroad.

TITLE II—COMBATING FRAUD AND PROMOTING CITIZENSHIP

- Sec. 201. Combating immigration services fraud.
- Sec. 202. Requirements for immigration consultants.
- Sec. 203. Fee and backlog transparency.

TITLE III—BUILDING COMMUNITY TRUST

- Sec. 301. Protecting aliens who are victims of or witnesses to crimes or are defending civil rights.
- Sec. 302. Rule of construction.

**1 SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) Immigration plays a defining role in the  
 4 identity of the United States. Families throughout  
 5 the United States have roots in the immigration ex-  
 6 perience of earlier generations of immigrants who  
 7 came to the United States seeking better opportuni-  
 8 ties, safety from persecution, and ultimately, a  
 9 chance at the American dream.

1           (2) While the ancestors of some families arrived  
2           in the United States centuries ago, other families  
3           are continuing that tradition today. There are  
4           51,900,000 immigrants who live in the United  
5           States. The immigrant population of the United  
6           States comprises 15 percent of the population, while  
7           another 13 percent of the population are second-gen-  
8           eration Americans. There are 18,310,000 children in  
9           the United States who live with 1 or more immi-  
10          grant parents, representing 26.5 percent of all chil-  
11          dren.

12          (3) In the United States—

13                (A) 26,000,000 individuals live in a house-  
14                hold with 1 or more family members who are  
15                not authorized to be in the United States; and

16                (B) 4,600,000 United States citizen chil-  
17                dren live in a household with 1 or more family  
18                members who are not authorized to be in the  
19                United States.

20          (4) Children of immigrants are the future work-  
21          ers, leaders, voters, parents, and taxpayers of the  
22          United States and are critical to the health and well-  
23          being of the United States.

24          (5) In their pursuit of the American dream,  
25          generations of immigrant families have contributed

1 to their communities in the United States and will  
2 continue to do so, including as essential workers who  
3 keep the United States running at great risk to  
4 themselves and their families.

5 (6) Immigrants play a critical role in the  
6 United States economy, and providing a path to citi-  
7 zenship for undocumented immigrants is a necessary  
8 part of maintaining the economic strength of the  
9 United States.

10 (7) Immigrant entrepreneurs account for more  
11 than 30 percent of all new business owners in the  
12 United States. In 2025, 231 of the companies listed  
13 on the Fortune 500 were founded by immigrants or  
14 children of immigrants.

15 (8) As of 2023, approximately 9,700,000 work-  
16 ers in the United States were undocumented immi-  
17 grants. Undocumented immigrants contributed more  
18 than \$37,000,000,000 in State and local taxes in  
19 2022.

20 (9) Removing undocumented residents from  
21 mixed-status households cuts the median income of  
22 such households by 48 percent.

23 (10) Removing 8,300,000 undocumented work-  
24 ers from the workforce would reduce gross domestic  
25 product by as much as 7.4 percent by 2028.

1           (11) Approximately 1,500,000 mortgages are  
2 held by households with 1 or more undocumented in-  
3 dividuals.

4           (12) Indiscriminate immigration enforcement  
5 and the threat of immigration enforcement nega-  
6 tively impact the health, development, and well-being  
7 of children at risk of separation from a loved one  
8 due to detention or removal from the United States.  
9 Neurobiological research demonstrates the acute and  
10 lasting trauma that family separation, and the  
11 threat of separation, causes in children, such as  
12 changes in the architecture of the brain and in-  
13 creased likelihood to experience emotional and be-  
14 havioral issues, depression, anxiety, post-traumatic  
15 stress disorder, and suicidal ideation.

16 **SEC. 3. DEFINITIONS.**

17 In this Act:

18           (1) IN GENERAL.—Except as otherwise specifi-  
19 cally provided, any term used in this Act that is  
20 used in the immigration laws shall have the meaning  
21 given the term in the immigration laws.

22           (2) DACA RECIPIENT.—The term “DACA re-  
23 cipient” means an alien who has been granted de-  
24 ferred action pursuant to the Deferred Action for  
25 Childhood Arrivals program, as set forth in the final

rule issued by the Department of Homeland Security and entitled “Deferred Action for Childhood Arrivals” (87 Fed. Reg. 53152 (August 30, 2022)).

(3) IMMIGRATION LAWS.—The term “immigration laws” has the meaning given the term in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

## TITLE I—PROTECTING IMMIGRANT FAMILIES

### Subtitle A—Expansion of Admissibility

#### SEC. 101. PROMOTING FAMILY UNITY.

(a) ELIMINATION OF 3-YEAR AND 10-YEAR BARS AND MODIFICATION OF PERMANENT BAR.—Section 212(a)(9) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)) is amended—

(1) by striking subparagraph (B);

(2) by redesignating subparagraph (C) as subparagraph (B); and

(3) in subparagraph (B), as so redesignated—

(A) by amending clause (i) to read as follows:

“(i) IN GENERAL.—Any alien who knows he or she has received a final order of removal under section 240, and who en-

1           ters or attempts to reenter the United  
2           States without being admitted, is inadmis-  
3           sible.”;

4           (B) by amending clause (ii) to read as fol-  
5           lows:

6                   “(ii) EXCEPTIONS.—

7                           “(I) CONSENT TO REAPPLICA-  
8                           TION FOR ADMISSION.—Clause (i)  
9                           shall not apply to an alien seeking ad-  
10                          mission on a date that is more than 3  
11                          years after the date on which the alien  
12                          last departed the United States if the  
13                          Secretary of Homeland Security has  
14                          consented to a reapplication for ad-  
15                          mission by the alien.

16                       “(II) MINORS.—Clause (i) shall  
17                       not apply to an alien who is under 21  
18                       years of age.

19                       “(III) ASYLEES.—Clause (i) shall  
20                       not apply to an alien who has a bona  
21                       fide application for asylum pending  
22                       under section 208 or a bona fide ap-  
23                       plication for withholding of removal  
24                       under section 241(b)(3).

1 “(IV) FAMILY UNITY.—Clause (i)  
2 shall not apply to an alien who is a  
3 beneficiary of family unity protection  
4 pursuant to section 301 of the Immi-  
5 gration Act of 1990 (8 U.S.C. 1255a  
6 note).

7 “(V) VICTIMS OF A SEVERE  
8 FORM OF TRAFFICKING IN PER-  
9 SONS.—Clause (i) shall not apply to  
10 an alien who demonstrates that 1 or  
11 more severe forms of trafficking in  
12 persons (as defined in section 103 of  
13 the Trafficking Victims Protection Act  
14 of 2000 (22 U.S.C. 7102)) was a cen-  
15 tral reason for the unlawful presence  
16 of the alien in the United States.

17 “(VI) ALIENS WHO ENTERED AS  
18 CHILDREN.—Clause (i) shall not apply  
19 to an alien who—

20 “(aa) is the beneficiary of  
21 an approved petition under sec-  
22 tion 101(a)(15)(H);

23 “(bb)(AA) is in school, has  
24 graduated from high school, has  
25 obtained a general education de-

1                   velopment certificate recognized  
 2                   under State law or a high school  
 3                   equivalency diploma; or

4                   “(BB) is serving in the  
 5                   Armed Forces (as defined in sec-  
 6                   tion 101(a) of title 10, United  
 7                   States Code) or is an honorably  
 8                   discharged veteran of the Armed  
 9                   Forces; and

10                   “(cc) had not yet reached  
 11                   the age of 16 years on the date  
 12                   on which the alien initially en-  
 13                   tered the United States.”; and

14                   (C) in clause (iii)—

15                   (i) by redesignating subclauses (I) and  
 16                   (II) as items (aa) and (bb), respectively,  
 17                   and moving such items, as redesignated, 2  
 18                   ems to the right;

19                   (ii) by striking the clause designation  
 20                   and heading and all that follows through  
 21                   “Security” and insert the following:

22                   “(iii) WAIVERS.—

23                   “(I)           VAWA           SELF-PETI-  
 24                   TIONERS.—The Attorney General or

1 the Secretary of Homeland Security,  
2 as applicable,”; and

3 (iii) by adding at the end the fol-  
4 lowing:

5 “(II) EXTREME HARDSHIP.—The  
6 Attorney General or the Secretary of  
7 Homeland Security may, in the discre-  
8 tion of the Attorney General or the  
9 Secretary, waive clause (i) in the case  
10 of an alien who is the parent, spouse,  
11 or son or daughter of a United States  
12 citizen or of an alien lawfully admit-  
13 ted for permanent residence if it is es-  
14 tablished to the satisfaction of the At-  
15 torney General or the Secretary that a  
16 denial of admission to the alien would  
17 result in extreme hardship to the  
18 United States citizen or lawfully ad-  
19 mitted permanent resident son or  
20 daughter, spouse, or parent of the  
21 alien.”.

22 (b) MISREPRESENTATION OF CITIZENSHIP.—The  
23 Immigration and Nationality Act (8 U.S.C. 1101 et seq.)  
24 is amended—

25 (1) in section 212 (8 U.S.C. 1182)—

1 (A) in subsection (a)(6)(C)—

2 (i) by amending clause (ii) to read as  
3 follows:

4 “(ii) MISREPRESENTATION OF CITI-  
5 ZENSHIP.—

6 “(I) IN GENERAL.—Any alien  
7 who knowingly and willfully misrep-  
8 sents, or has knowingly and willfully  
9 misrepresented, himself or herself to  
10 be a citizen of the United States for  
11 any purpose or benefit under this Act  
12 (including section 274A) or any Fed-  
13 eral or State law is inadmissible.

14 “(II) EXCEPTIONS.—

15 “(aa) CHILDREN.—In the  
16 case of an alien who was under  
17 the age of 21 years at the time of  
18 making a misrepresentation de-  
19 scribed in subclause (I), the alien  
20 shall not be considered to be in-  
21 admissible under any provision of  
22 this subsection based on such  
23 misrepresentation.

24 “(bb) VAWA SELF-PETI-  
25 TIONERS.—An alien who is a

1 VAWA self-petitioner shall not be  
2 considered to be inadmissible  
3 under any provision of this sub-  
4 section based on a misrepresenta-  
5 tion that is connected to the  
6 alien's abuse.”; and

7 (ii) in clause (iii), by striking “of  
8 clause (i)”; and

9 (B) by amending subsection (i)(1) to read  
10 as follows:

11 “(i)(1) The Attorney General or the Secretary of  
12 Homeland Security may, in the discretion of the Attorney  
13 General or the Secretary, waive the application of sub-  
14 section (a)(6)(C) in the case of an alien who is the parent,  
15 spouse, or son or daughter of a United States citizen or  
16 of an alien lawfully admitted for permanent residence and  
17 in the case of an alien who is an alien granted classifica-  
18 tion under clause (iii) or (iv) of section 204(a)(1)(A), if  
19 it is established to the satisfaction of the Attorney General  
20 or the Secretary that the admission to the United States  
21 of such alien would not be contrary to the national welfare,  
22 safety, or security of the United States.”; and

23 (2) by amending section 237(a)(3)(D) (8  
24 U.S.C. 1227(a)(3)(D)) to read as follows:

1                   “(D) MISREPRESENTATION OF CITIZEN-  
2 SHIP.—

3                   “(i) IN GENERAL.—Any alien who  
4 knowingly and willfully misrepresents, or  
5 has knowingly and willfully misrepresented,  
6 himself or herself to be a citizen of the  
7 United States for any purpose or benefit  
8 under this Act (including section 274A) or  
9 any Federal or State law is deportable.

10                   “(ii) EXCEPTIONS.—

11                   “(I) CHILDREN.—In the case of  
12 an alien who was under the age of 21  
13 years at the time of making a mis-  
14 representation described in clause (i),  
15 the alien shall not be considered to be  
16 deportable under any provision of this  
17 subsection based on such misrepresen-  
18 tation.

19                   “(II) VAWA SELF-PETI-  
20 TIONERS.—An alien who is a VAWA  
21 self-petitioner shall not be considered  
22 to be deportable under any provision  
23 of this subsection based on a mis-  
24 representation that is connected to the  
25 alien’s abuse.”.

1 (c) CONFORMING AMENDMENTS.—

2 (1) Section 214(q) of the Immigration and Na-  
3 tionality Act (8 U.S.C. 1184(q)) is amended—

4 (A) by striking paragraph (2);

5 (B) in paragraph (3)(C), by striking  
6 “paragraphs (6)(A), (7), and (9)(B)” and in-  
7 serting “paragraphs (6)(A) and (7)”; and

8 (C) by redesignating paragraph (3) as  
9 paragraph (2).

10 (2) Section 245(h)(2)(A) of the Immigration  
11 and Nationality Act (8 U.S.C. 1255(h)(2)(A)) is  
12 amended by striking “(7)(A), and (9)(B)” and in-  
13 serting “and (7)(A)”.

14 (3) Section 248(a) of the Immigration and Na-  
15 tionality Act (8 U.S.C. 1258(a)) is amended, in the  
16 matter preceding paragraph (1), by striking “and  
17 who is not inadmissible under section  
18 212(a)(9)(B)(i)” and all that follows through “sec-  
19 tion 212(a)(9)(B)(v))”.

20 **SEC. 102. EXTENSION OF THE APPLICATION PERIOD FOR**  
21 **CERTAIN ALIENS PRESENT IN THE UNITED**  
22 **STATES FOR ADJUSTMENT OF STATUS.**

23 Section 245(i) of the Immigration and Nationality  
24 Act (8 U.S.C. 1255(i)) is amended—

25 (1) in paragraph (1)—

(A) in subparagraph (A), in the undesignated matter following clause (ii), by striking the semicolon and inserting “; and”;

(B) in subparagraph (B)—

(i) in clause (i), by striking “April 30, 2001” and inserting “the date that is not later than 5 years after the date of the enactment of the Fairness for Immigrant Families Act of 2026”; and

(ii) in clause (ii), by striking “; and” and inserting a period; and

(C) by striking subparagraph (C); and

(2) by amending paragraph (3)(B) to read as follows:

“(B) Any remaining portion of such fees remitted under such paragraphs shall be deposited into the Immigration Examinations Fee Account established under section 286(m).”.

## **Subtitle B—Relief From Removal**

### **SEC. 111. INDIVIDUALS PREVIOUSLY REMOVED.**

(a) DISCRETIONARY REINSTATEMENT OF REMOVAL ORDERS.—Section 241(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(a)(5)) is amended—

(1) by striking “If the Attorney General” and inserting the following:

1           “(A) IN GENERAL.—Except as provided in  
2           subparagraph (B), if the Secretary of Home-  
3           land Security”; and

4           (2) by adding at the end the following:

5           “(B) EXCEPTIONS.—

6           “(i) IN GENERAL.—Subparagraph (A)  
7           shall not apply to an alien—

8           “(I) who has not attained the age  
9           of 21 years on the date on which the  
10          alien reenters the United States; or

11          “(II) the reinstatement of the  
12          prior order of removal of whom—

13               “(aa) is not in the public in-  
14               terest;

15               “(bb) would result in hard-  
16               ship to the United States citizen  
17               or lawful permanent resident par-  
18               ent, spouse, or child of the alien;  
19               or

20               “(cc) would prevent consid-  
21               eration of an application for asy-  
22               lum that has not been previously  
23               adjudicated.

1                   “(ii) RULE OF CONSTRUCTION.—For  
 2                   purposes of this paragraph, family separa-  
 3                   tion shall be considered—

4                               “(I) not in the public interest;  
 5                               and

6                               “(II) a hardship.”.

7           (b) MOTIONS TO REOPEN AND RECONSIDER.—Sec-  
 8           tion 240(c) of the Immigration and Nationality Act (8  
 9           U.S.C. 1229a(c)) is amended by adding at the end the  
 10          following:

11                   “(8) SPECIAL RULE FOR RELATIVES OF UNITED  
 12                   STATES CITIZENS.—

13                               “(A) IN GENERAL.—Notwithstanding sub-  
 14                               paragraphs (A) and (B) of paragraph (6) and  
 15                               subparagraphs (A) and (C) of paragraph (7)—

16                                       “(i) an alien described in subpara-  
 17                                       graph (B) may file a motion to reconsider  
 18                                       under paragraph (6) or a motion to reopen  
 19                                       under paragraph (7) at any time and with-  
 20                                       out numerical limitation; and

21                                       “(ii) the Attorney General shall con-  
 22                                       sider any such motion.

23                               “(B) ALIEN DESCRIBED.—An alien de-  
 24                               scribed in this subparagraph is an alien who  
 25                               is—

1 “(i) outside the United States after  
 2 having been excluded, deported, or re-  
 3 moved from, or ordered to voluntarily de-  
 4 part, the United States on or after Janu-  
 5 ary 20, 2025; and

6 “(ii) the spouse, child, or parent of a  
 7 citizen of the United States or an alien  
 8 lawfully admitted for permanent residence.

9 “(C) TREATMENT OF PHYSICAL PRES-  
 10 ENCE.—For purposes of any physical presence  
 11 or continuous residence requirement for relief  
 12 under the immigration laws, with respect to an  
 13 alien described in subparagraph (B), a period  
 14 outside the United States after having been ex-  
 15 cluded, deported, or removed from, or ordered  
 16 to voluntarily depart the United States on or  
 17 after January 20, 2025, shall not be considered  
 18 to toll or break the alien’s physical presence or  
 19 continuous residence in the United States.”.

20 **SEC. 112. EXPANSION OF CANCELLATION OF REMOVAL.**

21 (a) IN GENERAL.—Section 240A of the Immigration  
 22 and Nationality Act (8 U.S.C. 1229b) is amended—

23 (1) in subsection (b)—

24 (A) in paragraph (1)—

1 (i) in subparagraph (A), by striking  
 2 “10” and inserting “7”; and

3 (ii) by amending subparagraph (D) to  
 4 read as follows:

5 “(D) establishes that removal would result  
 6 in extreme hardship to—

7 “(i) the alien; or

8 “(ii) the alien’s spouse, parent, or  
 9 child who is a citizen of the United States  
 10 or an alien lawfully admitted for perma-  
 11 nent residence.”; and

12 (B) by adding at the end the following:

13 “(7) WAIVER OF EXTREME HARDSHIP.—The  
 14 Attorney General or the Secretary of Homeland Se-  
 15 curity may, in the discretion of the Attorney General  
 16 or the Secretary, waive the application of subsection  
 17 (b)(1)(D) in the case of an alien who is the parent,  
 18 spouse, or son or daughter of a United States citizen  
 19 or of an alien lawfully admitted for permanent resi-  
 20 dence and in the case of an alien who is an alien  
 21 granted classification under clause (iii) or (iv) of sec-  
 22 tion 204(a)(1)(A), if it is established to the satisfac-  
 23 tion of the Attorney General or the Secretary that  
 24 the admission to the United States of such alien

1 would not be contrary to the national welfare, safety,  
2 or security of the United States.

3 “(8) AFFIRMATIVE APPLICATION PROCESS.—

4 “(A) IN GENERAL.—The Secretary of  
5 Homeland Security may cancel the removal of,  
6 and adjust to the status of an alien lawfully ad-  
7 mitted for permanent residence, an alien de-  
8 scribed in paragraph (1) or (2), who—

9 “(i) demonstrates that the alien is the  
10 spouse, parent, son or daughter, or legal  
11 guardian of a citizen of the United States;  
12 and

13 “(ii) submits to the Secretary of  
14 Homeland Security an application at such  
15 time, in such manner, and containing such  
16 information as the Secretary may reason-  
17 ably require.

18 “(B) NUMERICAL LIMITATIONS.—Notwith-  
19 standing any other provision of law, an alien  
20 admitted to the United States under this sec-  
21 tion shall not be subject to any numerical limi-  
22 tation.”; and

23 (2) by striking subsection (e).

24 (b) REGULATIONS.—Not later than 9 months after  
25 the date of the enactment of this Act, the Secretary of

1 Homeland Security shall promulgate final regulations set-  
 2 ting forth procedures and requirements with respect to the  
 3 processing and adjudication of affirmative applications for  
 4 cancellation of removal under paragraph (7) of section  
 5 240A(b) of the Immigration and Nationality Act (8 U.S.C.  
 6 1229b(b)), as added by subsection (a)(1)(B).

7 **SEC. 113. PROHIBITION ON REMOVAL OF CERTAIN ALIENS.**

8 (a) IN GENERAL.—Section 235 of the Immigration  
 9 and Nationality Act (8 U.S.C. 1225) is amended—

10 (1) in the section heading, by inserting “**;** **PRO-**  
 11 **HIBITION ON REMOVAL**” after “**HEARING**”; and

12 (2) by adding at the end the following:

13 “(e) PROHIBITION ON REMOVAL OF ALIENS WITH  
 14 CERTAIN PENDING PETITIONS AND APPLICATIONS.—

15 “(1) BENEFICIARIES OF PETITIONS FOR IMMI-  
 16 GRANT VISAS.—An alien who is the beneficiary (in-  
 17 cluding a spouse or child of the principal alien, if eli-  
 18 gible to receive a visa under section 203(d)) of a pe-  
 19 tition for classification under section 204 or for clas-  
 20 sification as a VAWA self-petitioner that was filed  
 21 with the Secretary of Homeland Security and who is  
 22 prima facie eligible for approval may not be removed  
 23 while such petition or application is pending or a de-  
 24 cision on such petition or application is on appeal.

1           “(2) APPLICANTS FOR CERTAIN NONIMMIGRANT  
2           AND SPECIAL IMMIGRANT CLASSIFICATIONS AND  
3           CANCELLATION OF REMOVAL.—An applicant for  
4           classification as a nonimmigrant described in sub-  
5           paragraph (T), (U), or (V) of section 101(a)(15), an  
6           applicant for classification as a special immigrant  
7           under section 101(a)(27)(J), or an applicant for  
8           cancellation of removal under section 240A may not  
9           be removed while such application is pending or a  
10          decision on such application is on appeal.

11          “(3) STAY OF REMOVAL.—An individual who is  
12          prima facie eligible to receive a visa under section  
13          203(d) of a petition for classification under section  
14          204 due to the changes enacted by the Fairness for  
15          Immigrant Families Act of 2026, or who is prima  
16          facie eligible to apply for cancellation of removal  
17          under the changes enacted by such Act may not be  
18          removed during the period beginning on the date of  
19          the enactment of such Act and ending on the date  
20          that is 6 months after the date on which the rules  
21          for the implementation of such provisions are final-  
22          ized.

23          “(f) PROHIBITION ON REMOVAL OF DACA RECIPI-  
24          ENTS.—An alien who has an active grant of deferred ac-  
25          tion pursuant to the Deferred Action for Childhood Arriv-

1 als program, as set forth in the final rule issued by the  
 2 Department of Homeland Security and entitled ‘Deferred  
 3 Action for Childhood Arrivals’ (87 Fed. Reg. 53152 (Au-  
 4 gust 30, 2022)), or whose application for renewal of such  
 5 deferred action is pending adjudication by U.S. Citizen-  
 6 ship and Immigration Services, may not be removed.

7 “(g) PRESUMPTION OF NON-DETENTION.—There  
 8 shall be a presumption of nondetention for individuals de-  
 9 scribed in subsections (e) and (f). This presumption shall  
 10 not apply if the Secretary of Homeland Security, the Com-  
 11 missioner of U.S. Customs and Border Protection, the Di-  
 12 rector of U.S. Immigration and Customs Enforcement, or  
 13 an immigration judge specifically determines that the alien  
 14 is a threat to himself or herself, the public, or national  
 15 security.”.

16 (b) CONFORMING AMENDMENT.—The table of con-  
 17 tents at the beginning of the Immigration and Nationality  
 18 Act (8 U.S.C. 1101 et seq.) is amended by striking the  
 19 item relating to section 235 and inserting the following:

“Sec. 235. Inspection by immigration officers; expedited removal of inadmis-  
 sible arriving aliens; referral for hearing; prohibition on re-  
 moval.”.

1 **SEC. 114. MOTIONS TO REOPEN IN CASES INVOLVING**  
2 **FRAUD, NEGLIGENCE, MISREPRESENTATION,**  
3 **EXTORTION, AND UNAUTHORIZED PRACTICE**  
4 **OF LAW.**

5 Section 240(c)(7)(C) of the Immigration and Nation-  
6 ality Act (8 U.S.C. 1229a(c)(7)(C)) is amended by adding  
7 at the end the following:

8 “(v) FRAUD, NEGLIGENCE, MISREPRE-  
9 SENTATION, OR EXTORTION BY, OR AT-  
10 TEMPTED, PROMISED, OR ACTUAL PRAC-  
11 TICE OF LAW WITHOUT AUTHORIZATION  
12 ON THE PART OF A REPRESENTATIVE.—  
13 Notwithstanding subparagraph (A) and  
14 clause (i), an alien may file a motion to re-  
15 open at any time to apply for relief due to  
16 fraud, negligence, misrepresentation, or ex-  
17 tortion by, or attempted, promised, or ac-  
18 tual practice of law without authorization  
19 on the part of, a representative described  
20 in subsection (a) or (b) of section 1292.1  
21 of title 8, Code of Federal Regulations, or  
22 a person who claimed to be such a rep-  
23 resentative if the alien establishes by a pre-  
24 ponderance of the evidence such fraud,  
25 negligence, misrepresentation, or extortion  
26 by, or attempted, promised, or actual prac-

1                   tice of law without authorization on the  
2                   part of, such a representative or person.”.

3 **SEC. 115. WITHDRAWAL WITHOUT PENALTY IN CASES IN-**  
4 **VOLVING FRAUD, NEGLIGENCE, MISREPRE-**  
5 **SENTATION, EXTORTION, AND UNAUTHOR-**  
6 **IZED PRACTICE OF LAW.**

7           Section 239 of the Immigration and Nationality Act  
8 (8 U.S.C. 1229) is amended by adding at the end the fol-  
9 lowing:

10           “(f) FRAUD, NEGLIGENCE, MISREPRESENTATION, OR  
11 EXTORTION BY, OR ATTEMPTED, PROMISED, OR ACTUAL  
12 PRACTICE OF LAW WITHOUT AUTHORIZATION ON THE  
13 PART OF, A REPRESENTATIVE.—

14           “(1) IN GENERAL.—An alien may withdraw an  
15 application or petition submitted by the alien with-  
16 out penalty due to fraud, negligence, misrepresenta-  
17 tion, or extortion by, or attempted, promised, or ac-  
18 tual practice of law without authorization on the  
19 part of, a representative described in subsection (a)  
20 or (b) of section 1292.1 of title 8, Code of Federal  
21 Regulations, or an individual who claimed to be such  
22 a representative, if the alien establishes such fraud,  
23 negligence, misrepresentation, or extortion by, or at-  
24 tempted, promised, or actual practice of law without

1 authorization on the part of, such a representative  
 2 or individual, by a preponderance of the evidence.

3 “(2) PROHIBITION ON ISSUANCE OF NOTICE TO  
 4 APPEAR.—The Secretary of Homeland Security shall  
 5 not issue a Notice to Appear based on information  
 6 provided in an application, petition, or withdrawal  
 7 request submitted by an alien described in para-  
 8 graph (1).”.

9 **Subtitle C—Provisions Relating to**  
 10 **Removal of Parents of United**  
 11 **States Citizens**

12 **SEC. 121. REVIEW OF AND REPORTING ON REMOVAL OF**  
 13 **PARENTS OF UNITED STATES CITIZENS.**

14 (a) IN GENERAL.—Before the removal from the  
 15 United States of an alien parent or legal guardian of a  
 16 child under the age of 21 years who is a citizen of the  
 17 United States or an alien lawfully admitted for permanent  
 18 residence, the Director of U.S. Immigration and Customs  
 19 Enforcement (referred to in this section as the “Direc-  
 20 tor”) shall review and approve the removal of such alien.

21 (b) QUARTERLY REPORT.—Not less frequently than  
 22 quarterly, the Director shall submit to Congress a report  
 23 on each review conducted under subsection (a) during the  
 24 preceding quarter that—

25 (1) describes the result of the review; and

1           (2) includes the rational for removal in each  
2       case.

3       (c) NONDELEGATION.—The Director may not dele-  
4       gate the responsibilities under this section.

5       **SEC. 122. REPORT ON ENFORCEMENT ACTIONS AGAINST**  
6                               **CERTAIN IMMIGRANTS.**

7       (a) IN GENERAL.—With respect to covered aliens—

8           (1) not later than 90 days after the date of the  
9       enactment of this Act, the Secretary of Homeland  
10      Security shall submit to Congress a report on the  
11      number of such aliens removed from the United  
12      States during the period beginning on January 20,  
13      2025, and ending on the date of the enactment of  
14      this Act; and

15          (2) not less frequently than quarterly, the Sec-  
16      retary of Homeland Security shall submit to Con-  
17      gress, for the preceding quarter, a report on—

18                  (A) the number of such aliens arrested by  
19                  U.S. Immigration and Customs Enforcement or  
20                  U.S. Customs and Border Protection;

21                  (B) the number of such aliens detained by  
22                  U.S. Immigration and Customs Enforcement or  
23                  U.S. Customs and Border Protection;

1 (C) the number of such aliens for whom  
 2 U.S. Immigration and Customs Enforcement  
 3 has obtained a final order of removal;

4 (D) the number of such aliens removed  
 5 from the United States and the countries to  
 6 which such aliens were removed; and

7 (E) the number of such aliens processed  
 8 through partnership programs with local law  
 9 enforcement, including—

10 (i) a written agreement under section  
 11 287(g) of the Immigration and Nationality  
 12 Act (8 U.S.C. 1357(g)); and

13 (ii) detainers placed by U.S. Immigra-  
 14 tion and Customs Enforcement.

15 (b) COVERED ALIENS DEFINED.—In this section, the  
 16 term “covered aliens” means—

17 (1) alien parents of children who—

18 (A) are citizens of the United States;

19 (B) are lawfully admitted for permanent  
 20 residence (as defined in section 101(a) of the  
 21 Immigration and Nationality Act (8 U.S.C.  
 22 1101(a))); or

23 (C) have been granted deferred action pur-  
 24 suant to the Deferred Action for Childhood Ar-  
 25 rivals program set forth in the final rule issued

1 by the Department of Homeland Security enti-  
2 tled “Deferred Action for Childhood Arrivals”  
3 (87 Fed. Reg. 53152 (August 30, 2022));

4 (2) aliens who have been granted deferred ac-  
5 tion pursuant to the Deferred Action for Childhood  
6 Arrivals program set forth in the final rule issued by  
7 the Department of Homeland Security entitled “De-  
8 ferred Action for Childhood Arrivals” (87 Fed. Reg.  
9 53152 (August 30, 2022));

10 (3) aliens with pending applications for classi-  
11 fication as VAWA self-petitioners (as defined in sec-  
12 tion 101(a)(51) of the Immigration and Nationality  
13 Act (8 U.S.C. 1101(a)(51)));

14 (4) aliens who are applicants for status as non-  
15 immigrants described in subparagraph (T) or (U) of  
16 section 101(a)(15) of that Act (8 U.S.C.  
17 1101(a)(15));

18 (5) aliens who are applicants for status as spe-  
19 cial immigrants described in section 101(a)(27)(J)  
20 of that Act (8 U.S.C. 1101(a)(27)(J)); and

21 (6) aliens granted status as special immigrants  
22 under that section.

1 **SEC. 123. REPORT ON UNITED STATES CITIZENS DETAINED**  
2 **OR DEPORTED.**

3 (a) INITIAL REPORT.—Not later than 90 days after  
4 the date of the enactment of this Act, the Secretary of  
5 Homeland Security shall submit to Congress a report on  
6 the number of United States citizens detained or removed  
7 from the United States during the period beginning on  
8 January 20, 2025, and ending on the date of the enact-  
9 ment of this Act.

10 (b) IMMEDIATE REPORT.—Not later than 24 hours  
11 after the detention or removal of a United States citizen,  
12 the Secretary of Homeland Security shall submit to Con-  
13 gress a report regarding the incident, including a descrip-  
14 tion of the actions being taken in response to such inci-  
15 dent.

16 (c) QUARTERLY REPORT.—Not less frequently than  
17 quarterly, the Secretary of Homeland Security shall sub-  
18 mit to Congress a report on any United States citizen de-  
19 tained or removed from the United States during the pre-  
20 ceding quarter, including a description of the actions  
21 taken by the Secretary in response to each such detention  
22 or removal.

23 **SEC. 124. PROTECTIONS FOR UNITED STATES CITIZEN**  
24 **CHILDREN ABROAD.**

25 (a) REPORT ON UNITED STATES CITIZEN CHILDREN  
26 ACCOMPANYING REMOVED PARENTS.—

1           (1) IN GENERAL.—Not less frequently than  
2           semiannually, the Secretary of State, with the co-  
3           operation of the Secretary of Homeland Security,  
4           shall submit to Congress a report on known citizens  
5           of the United States under 18 years of age who  
6           leave the United States to accompany an alien par-  
7           ent or legal guardian who has been removed from  
8           the United States.

9           (2) ELEMENTS.—Each report required under  
10          paragraph (1) shall include, for the preceding re-  
11          porting period—

12                 (A) the number of such citizens of the  
13                 United States; and

14                 (B) for each such citizen of the United  
15                 States—

16                         (i) his or her current age;

17                         (ii) the age at which he or she de-  
18                         parted the United States;

19                         (iii) his or her country of residence;

20                         (iv) an assessment whether—

21                                 (I) either parent was deported or  
22                                 removed from the United States;

23                                 (II) either parent remains in the  
24                                 United States; and

1 (III) he or she was in foster care  
2 in the United States at any time; and  
3 (v) an identification of any pending  
4 custody case in the United States with re-  
5 spect to such citizen, as applicable.

6 (3) COOPERATION OF SECRETARY OF HOME-  
7 LAND SECURITY.—The Secretary of Homeland Secu-  
8 rity shall provide to the Secretary of State any data  
9 of the Department of Homeland Security that the  
10 Secretary of State may require to prepare the report  
11 under this subsection.

12 (b) DIRECTORATE OF COMMUNITY OUTREACH.—  
13 There is established within the Department of State a di-  
14 rectorate for the purpose of conducting outreach to citi-  
15 zens of the United States under the age of 18 years who  
16 have left the United States to accompany an alien family  
17 member who has been removed from the United States.

18 (c) DUTIES.—The duties of the directorate estab-  
19 lished under subsection (b) shall include—

20 (1) facilitating access to passports, birth certifi-  
21 cates, education records, health records, and any  
22 other documents necessary for United States citizen  
23 children's integration into destination country and  
24 travel to the United States;

1           (2) working with destination countries to ensure  
 2       United States citizen children’s integration into new  
 3       communities;

4           (3) assisting United States citizen children with  
 5       information regarding eligibility for any benefits and  
 6       responsibilities, such as education, voting, and selec-  
 7       tive service;

8           (4) to the extent feasible, conducting voluntary  
 9       pre-departure consultations with families to establish  
 10      the needs of the United States citizen children for  
 11      successful integration in the destination country;  
 12      and

13          (5) other duties to fulfill the purpose described  
 14      in subsection (b).

## 15       **TITLE II—COMBATING FRAUD** 16       **AND PROMOTING CITIZENSHIP**

### 17       **SEC. 201. COMBATING IMMIGRATION SERVICES FRAUD.**

18          (a) SCHEMES TO PROVIDE FRAUDULENT IMMIGRA-  
 19      TION SERVICES.—

20           (1) IN GENERAL.—Chapter 47 of title 18,  
 21      United States Code, is amended by adding at the  
 22      end the following:

23      **“§ 1041. Schemes to provide fraudulent immigration**  
 24                           **services**

25          “(a) IN GENERAL.—

1           “(1) OFFENSE.—It shall be unlawful to know-  
2           ingly or recklessly execute a scheme or artifice, in  
3           connection with any matter that is authorized by or  
4           arises under any Federal immigration law or any  
5           matter the offender claims or represents is author-  
6           ized by or arises under any Federal immigration  
7           law, to—

8                   “(A) defraud any person; or

9                   “(B) obtain or receive money or anything  
10           else of value from any person by means of false  
11           or fraudulent pretenses, representations, or  
12           promises.

13           “(2) PENALTY.—Any person who violates para-  
14           graph (1) shall be fined under this title, imprisoned  
15           for not more than 10 years, or both.

16           “(b) MISREPRESENTATION.—

17           “(1) OFFENSE.—It shall be unlawful for a per-  
18           son to knowingly and falsely represent that such  
19           person is an attorney or an accredited representative  
20           (as that term is defined in section 1292.1 of title 8,  
21           Code of Federal Regulations (or any successor regu-  
22           lation)) in any matter arising under any Federal im-  
23           migration law.

1           “(2) PENALTY.—Any person who violates para-  
 2           graph (1) shall be fined under this title, imprisoned  
 3           for not more than 15 years, or both.

4           “(c) REIMBURSEMENT.—Any person convicted of an  
 5           offense under this section shall fully reimburse the client  
 6           for any services that person fraudulently provided.”.

7           (2) CLERICAL AMENDMENT.—The table of sec-  
 8           tions for chapter 47 of title 18, United States Code,  
 9           is amended by inserting after the item relating to  
 10          section 1040 the following:

“1041. Schemes to provide fraudulent immigration services.”.

11          (b) LOCAL IMMIGRATION CONSUMER FRAUD INFOR-  
 12          MATION HOTLINES AND ASSISTANCE WEBSITES.—Title I  
 13          of the Omnibus Crime Control and Safe Streets Act of  
 14          1968 (34 U.S.C. 10101 et seq.) is amended by adding at  
 15          the end the following:

16          **“PART PP—IMMIGRATION CONSUMER FRAUD**  
 17                 **HOTLINES AND DIGITAL TOOLS**  
 18          **“SEC. 3061. IMMIGRATION CONSUMER FRAUD HOTLINES**  
 19                 **AND DIGITAL TOOLS.**

20          “(a) GRANT AUTHORIZATION.—The Attorney Gen-  
 21          eral shall make grants to States, units of local govern-  
 22          ment, or any combination thereof, in partnership with  
 23          stakeholders, service providers, and nonprofit organiza-  
 24          tions.

1       “(b) MANDATORY GRANT USES.—Grant funds  
2 awarded under this section shall be expended for each of  
3 the following purposes:

4           “(1) IMMIGRATION CONSUMER FRAUD INFOR-  
5 MATION DIGITAL TOOLS.—To provide for the estab-  
6 lishment and operation of an immigration consumer  
7 fraud information and assistance digital tools, in-  
8 cluding websites or applications, which shall be a  
9 highly secure internet resource that provides infor-  
10 mation and assistance to victims of immigration con-  
11 sumer fraud. In establishing and operating the im-  
12 migration consumer fraud and assistance digital  
13 tool, the grantee shall—

14           “(A) use grant funds for startup and oper-  
15 ation costs associated with establishing and op-  
16 erating the tool;

17           “(B) use a name or acronym as part of its  
18 website that identifies the tool with the geo-  
19 graphic locality receiving the grant under sub-  
20 section (a);

21           “(C) provide accurate information that de-  
22 scribes the services available to immigration  
23 consumer fraud victims, including free or low-  
24 cost legal assistance;

1           “(D) clearly include, in all pages of the  
2           tool, that the information presented is for ref-  
3           erence purposes only and does not constitute as  
4           legal advice; and

5           “(E) provide translation of resource con-  
6           tent, in languages that are consistent with the  
7           criteria outlined in subsection (d)(2)(E)(i), ei-  
8           ther with a web page interface, or mirrored  
9           pages.

10          “(2) IMMIGRATION CONSUMER FRAUD HOT-  
11          LINES.—To establish or expand an immigration con-  
12          sumer fraud hotline to provide information and as-  
13          sistance to victims of immigration consumer fraud.  
14          In addition, grantees may, in operating with the hot-  
15          line, work in conjunction with other local programs  
16          and activities that serve victims of immigration con-  
17          sumer fraud. In establishing and operating the hot-  
18          line, the entity shall—

19               “(A) contract with a carrier for the use of  
20               a toll-free telephone line;

21               “(B) employ, train and supervise personnel  
22               to answer incoming calls and provide assistance  
23               and referral services to callers on a 24-hour-a-  
24               day basis;

1           “(C) assemble and maintain a current  
2           database of information relating to services for  
3           victims of immigration consumer fraud to which  
4           callers throughout the United States may be re-  
5           ferred; and

6           “(D) be prohibited from asking hotline  
7           callers about their citizenship status.

8           “(c) RULE OF CONSTRUCTION.—Nothing in this Act  
9           shall require a grantee receiving funds under this Act to  
10          comply with a request lawfully made by the Department  
11          of Homeland Security under section 236 or 287 of the  
12          Immigration and Nationality Act (8 U.S.C. 1226 and  
13          1357) to comply with a detainer for, or notify about the  
14          use of services provided under this Act by an individual.

15          “(d) APPLICATION.—The Attorney General may ap-  
16          prove an application for a grant under this section only  
17          if such application—

18                 “(1) contains such agreements, assurances, and  
19                 information, is in such form, and is submitted in  
20                 such manner, as the Attorney General shall by rule  
21                 require;

22                 “(2) in the case of an application for a grant  
23                 to carry out activities described in subsection (b)(2),  
24                 includes a complete description of the applicant’s

1 plan for the operation of an immigration consumer  
2 fraud hotline, including descriptions of—

3 “(A) the training program for hotline per-  
4 sonnel, including technology training to ensure  
5 that all persons affiliated with the hotline are  
6 able to effectively operate any technological sys-  
7 tems used by the hotline;

8 “(B) the hiring criteria for hotline per-  
9 sonnel;

10 “(C) the methods for the creation, mainte-  
11 nance, and updating of a resource database;

12 “(D) a plan for publicizing the availability  
13 of the hotline;

14 “(E) a plan for providing service to non-  
15 English speaking callers that—

16 “(i) is based on data from the Bureau  
17 of the Census and be consistent with the  
18 local area demographics where the immi-  
19 gration consumer fraud hotline will operate  
20 such plan and outline which languages are  
21 most prevalent and commonly requested  
22 for translation services; or

23 “(ii) is based on qualitative and quan-  
24 titative observation from community serv-

1 ice providers offering immigration-related  
2 services; and

3 “(F) a plan for facilitating access to the  
4 hotline by persons with hearing impairments;  
5 and

6 “(3) in the case of an application for a grant  
7 to carry out activities described in subsection  
8 (b)(1)—

9 “(A) include a complete description of the  
10 applicant’s plan for the development, operation,  
11 maintenance, and updating of information and  
12 resources of the immigration consumer fraud  
13 information and assistance website;

14 “(B) include a certification that the appli-  
15 cant will implement a high level security system  
16 to ensure the confidentiality of the website, tak-  
17 ing into consideration the safety of immigration  
18 consumer fraud victims;

19 “(C) include an assurance that, after the  
20 third year of the website project, the recipient  
21 of the grant will develop a plan to secure other  
22 public or private funding resources to ensure  
23 the continued operation and maintenance of the  
24 website; and

1           “(D) demonstrate that the applicant has  
2           recognized expertise in the area of immigration  
3           consumer fraud and a record of high quality  
4           service to victims of immigration consumer  
5           fraud, including a demonstration of support  
6           from advocacy groups.

7           “(e) RENEWAL OF GRANTS.—A grant made under  
8           this section may be renewed, without limitations on the  
9           duration of such renewal, to provide additional funds, if  
10          the Attorney General determines that the funds made  
11          available to the recipient were used in a manner required  
12          under an approved application and if the recipient can  
13          demonstrate significant progress in achieving the objec-  
14          tives of the initial application.

15          “(f) NO COST EXTENSIONS.—Notwithstanding sub-  
16          section (e), the Attorney General may extend a grant pe-  
17          riod, without limitations as to the duration of such exten-  
18          sion, to provide additional time to complete the objectives  
19          of the initial grant award.

20          “(g) AUTHORIZATION OF APPROPRIATIONS.—

21                 “(1) IN GENERAL.—There is authorized to be  
22                 appropriated to carry out this section \$15,000,000  
23                 for fiscal year 2027, and for each succeeding fiscal  
24                 year.

1           “(2) WEBSITES.—Of the amounts appropriated  
2           to carry out this section, not less than 20 percent  
3           shall be used for purposes of carrying out activities  
4           under subsection (b)(1).

5           “(3) AVAILABILITY.—Funds authorized to be  
6           appropriated under this section may remain avail-  
7           able until expended.

8           “(h) PROHIBITION OF DATA SHARING FOR IMMIGRA-  
9           TION ENFORCEMENT PURPOSES.—

10           “(1) IN GENERAL.—Notwithstanding section  
11           642 of the Illegal Immigration Reform and Immig-  
12           grant Responsibility Act of 1996 (8 U.S.C. 1373),  
13           an entity receiving a grant under this section may  
14           not disclose or use personally identifiable informa-  
15           tion provided by individuals using a website or a hot-  
16           line under subsection (b), for the purposes of enforce-  
17           ing the immigration laws.

18           “(2) REFERRALS PROHIBITED.—An entity re-  
19           ceiving a grant under this section may not refer any  
20           individual participating in any program funded  
21           under this section to U.S. Immigration and Customs  
22           Enforcement or to U.S. Customs and Border Protec-  
23           tion.

24           “(3) DEFINED TERM.—In this section, the term  
25           ‘personally identifiable information’ means any infor-

1       mation about an individual elicited, collected, stored,  
 2       or maintained by an entity receiving a grant under  
 3       this section, including—

4               “(A) any information that can be used to  
 5       distinguish or trace the identity of an indi-  
 6       vidual, such as a name, residential address, a  
 7       social security number, an alien registration  
 8       number, a date and place of birth, or a parent’s  
 9       maiden name; and

10              “(B) any other information that is linked  
 11       or linkable to an individual, such as medical,  
 12       educational, financial, and employment informa-  
 13       tion.

14   **“SEC. 3062. REPORT.**

15       “A State or unit of local government that receives  
 16   funds under this part during a fiscal year shall submit  
 17   to the Attorney General a description and an evaluation  
 18   report on a date specified by the Attorney General regard-  
 19   ing the effectiveness of the programs carried out with a  
 20   grant under this part.”.

21       (c) GRANTS TO STATES AND LOCAL JURISDICTIONS  
 22   TO PROMOTE OUTREACH CAMPAIGNS AGAINST IMMIGRA-  
 23   TION CONSUMER FRAUD.—Title I of the Omnibus Crime  
 24   Control and Safe Streets Act of 1968 (34 U.S.C. 10101

1 et seq.), as amended by subsection (b), is amended by in-  
 2 serting after part PP the following:

3 **“PART QQ—GRANTS TO STATES AND LOCAL JU-**  
 4 **RISDICTIONS TO PROMOTE OUTREACH CAM-**  
 5 **PAIGNS AGAINST IMMIGRATION CONSUMER**  
 6 **FRAUD**

7 **“SEC. 3071. GRANTS TO STATES AND LOCAL JURISDICTIONS**  
 8 **TO PROMOTE OUTREACH CAMPAIGNS**  
 9 **AGAINST IMMIGRATION CONSUMER FRAUD.**

10 “(a) GRANT AUTHORIZATION.—

11 “(1) IN GENERAL.—The Attorney General shall  
 12 make grants to States, units of local government, or  
 13 any combination thereof, in partnership with stake-  
 14 holders, service providers, and nonprofit organiza-  
 15 tions.

16 “(2) PURPOSE.—The purpose of grants distrib-  
 17 uted under this subsection is to enable States and  
 18 localities to work with parties in paragraph (1) to  
 19 carry out outreach campaigns in any of the fol-  
 20 lowing:

21 “(A) Access to legal resources, including  
 22 free or low-cost legal resources for persons of  
 23 low-income.

24 “(B) Workshops educating the general  
 25 public on immigration consumer fraud, includ-

1 ing methods to identify such fraud and best  
2 practices on prevention.

3 “(C) Hiring of casework staff, attorneys,  
4 translators, accredited representatives and other  
5 similar staff to provide support for outreach ob-  
6 jectives.

7 “(D) Printed materials or digital media de-  
8 signed with the intent to educate the public on  
9 where to obtain trusted legal resources, and  
10 how to prevent becoming a victim of immigra-  
11 tion consumer fraud.

12 “(E) Public service announcements in tele-  
13 vision or radio, providing information on re-  
14 sources and assistance on preventing immigra-  
15 tion consumer fraud.

16 “(F) Translation services, including trans-  
17 lated equivalents of subparagraphs (A), (B),  
18 (C) or (D), consistent with the grantee’s imme-  
19 diate translation needs based on—

20 “(i) data from the Bureau of the Cen-  
21 sus that is consistent with the local area  
22 demographics where the outreach cam-  
23 paign will operate, along with a description  
24 of the languages are most prevalent or

1 commonly requested for translation serv-  
2 ices; or

3 “(ii) quantitative or qualitative obser-  
4 vation from community service providers  
5 offering immigration-related services.

6 “(b) CONTENTS.—In accordance with such require-  
7 ments as the Attorney General may by rule establish, each  
8 application for a grant under this section shall—

9 “(1) include a long-term strategy and detailed  
10 implementation plan that reflects consultation with  
11 community groups and appropriate stakeholders;

12 “(2) explain the applicant’s inability to address  
13 the need without Federal assistance;

14 “(3) identify related governmental and commu-  
15 nity initiatives which compliment or will be coordi-  
16 nated with the proposal; and

17 “(4) identify local service providers and non-  
18 profit organizations that have substantial or signifi-  
19 cant experience dealing with immigration-related  
20 matters.

21 “(c) RENEWAL OF GRANTS.—A grant made under  
22 this section may be renewed, without limitations on the  
23 duration of such renewal, to provide additional funds, if  
24 the Attorney General determines that the funds made  
25 available to the recipient were used in a manner required

1 under an approved application and if the recipient can  
2 demonstrate significant progress in achieving the objec-  
3 tives of the initial application.

4 “(d) NO COST EXTENSIONS.—Notwithstanding sub-  
5 section (c), the Attorney General may extend a grant pe-  
6 riod, without limitations as to the duration of such exten-  
7 sion, to provide additional time to complete the objectives  
8 of the initial grant award.

9 “(e) SUSPENSION OF FUNDS.—If the Attorney Gen-  
10 eral determines that a grant recipient under this section  
11 is not in substantial compliance with the terms and re-  
12 quirements of an approved grant application, the Attorney  
13 General may revoke or suspend funding of that grant, in  
14 whole, or in part.

15 “(f) AUTHORIZATION OF APPROPRIATIONS.—

16 “(1) IN GENERAL.—There is authorized to be  
17 appropriated to carry out this section \$10,000,000  
18 for fiscal year 2027, and for each succeeding fiscal  
19 year.

20 “(2) AVAILABILITY.—Funds authorized to be  
21 appropriated under this section may remain avail-  
22 able until expended.

23 “(g) PROHIBITION ON DATA SHARING FOR IMMIGRA-  
24 TION ENFORCEMENT PURPOSES.—

1           “(1) IN GENERAL.—Notwithstanding section  
2           642 of the Illegal Immigration Reform and Immigrant  
3           Responsibility Act of 1996 (8 U.S.C. 1373),  
4           an entity receiving a grant under this section may  
5           not disclose or use personally identifiable information  
6           provided by individuals participating in outreach  
7           campaigns specified in subsection (a) for the purposes  
8           of enforcing the immigration laws.

9           “(2) REFERRALS PROHIBITED.—An entity receiving  
10          a grant under this section may not refer any  
11          individual participating in any program funded  
12          under this section to U.S. Immigration and Customs  
13          Enforcement or to U.S. Customs and Border Protection.  
14          

15          “(3) DEFINED TERM.—In this section, the term  
16          ‘personally identifiable information’ means any information  
17          about an individual elicited, collected, stored,  
18          or maintained by an entity receiving a grant under  
19          this section, including—

20                 “(A) any information that can be used to  
21                 distinguish or trace the identity of an individual,  
22                 such as a name, residential address, a  
23                 social security number, a date and place of  
24                 birth, or a parent’s maiden name; and

1           “(B) any other information that is linked  
 2           or linkable to an individual, such as medical,  
 3           educational, financial, and employment informa-  
 4           tion.

5   **“SEC. 3072. REPORT.**

6           “A State or unit of local government that receives  
 7   funds under this part during a fiscal year shall submit  
 8   to the Attorney General a description and an evaluation  
 9   report on a date specified by the Attorney General regard-  
 10   ing the effectiveness of the programs carried out with a  
 11   grant under this part.”.

12       (d) GRANTS TO STATES AND LOCAL JURISDICTIONS  
 13   TO INCREASE ENFORCEMENT AGAINST IMMIGRATION  
 14   CONSUMER FRAUD.—Title I of the Omnibus Crime Con-  
 15   trol and Safe Streets Act of 1968 (34 U.S.C. 10101 et  
 16   seq.), as amended by subsections (b) and (c), is amended  
 17   by inserting after part QQ the following:

18   **“PART RR—GRANTS TO STATES AND LOCAL JU-**  
 19       **RISDICTIONS TO INCREASE ENFORCEMENT**  
 20       **AGAINST IMMIGRATION CONSUMER FRAUD**

21   **“SEC. 3081. GRANTS TO STATES AND LOCAL JURISDICTIONS**  
 22               **TO INCREASE ENFORCEMENT AGAINST IMMI-**  
 23               **GRATION CONSUMER FRAUD.**

24       “(a) GRANT AUTHORIZATION.—

1           “(1) IN GENERAL.—The Attorney General shall  
2           make grants to States, units of local government, or  
3           any combination thereof.

4           “(2) PURPOSE.—The purpose of grants distrib-  
5           uted under this subsection is to enable States and  
6           localities to increase the enforcement of—

7                   “(A) State and local laws against immigra-  
8                   tion consumer fraud; and

9                   “(B) section 1041 of title 18, United  
10                  States Code.

11           “(3) PERMITTED USE OF FUNDS.—A State or  
12           unit of local government that receives a grant under  
13           this section may use funds from the grant for activi-  
14           ties, including—

15                   “(A) hiring staff, such as compliance offi-  
16                   cers that are charged with investigating and en-  
17                   forcing Federal, State, and local laws against  
18                   immigration consumer fraud;

19                   “(B) training staff, such as the compliance  
20                   officers described in subparagraph (A);

21                   “(C) investigating complaints of immigra-  
22                   tion consumer fraud; and

23                   “(D) taking action against violations of  
24                  Federal, State, and local laws relating to immi-

1           gration consumer fraud, which may include the  
2           prosecution of violators.

3           “(b) CONTENTS.—In accordance with such require-  
4           ments as the Attorney General may by rule establish, each  
5           application for a grant under this section shall—

6           “(1) include a detailed implementation plan  
7           that reflects consultation with community groups  
8           and appropriate stakeholders; and

9           “(2) explain the inability of the State or unit of  
10          local government to address the need to increase en-  
11          forcement of immigration consumer fraud laws with-  
12          out Federal assistance.

13          “(c) RENEWAL OF GRANTS.—A grant made under  
14          this section may be renewed, without limitations on the  
15          duration of such renewal, to provide additional funds, if  
16          the Attorney General determines that the funds made  
17          available to the recipient were used in a manner required  
18          under an approved application and if the recipient can  
19          demonstrate significant progress in achieving the objec-  
20          tives of the initial application.

21          “(d) NO COST EXTENSIONS.—Notwithstanding sub-  
22          section (c), the Attorney General may extend a grant pe-  
23          riod, without limitations as to the duration of such exten-  
24          sion, to provide additional time to complete the objectives  
25          of the initial grant award.

1       “(e) SUSPENSION OF FUNDS.—If the Attorney Gen-  
2 eral determines that a grant recipient under this section  
3 is not in substantial compliance with the terms and re-  
4 quirements of an approved grant application, the Attorney  
5 General may revoke or suspend funding of that grant, in  
6 whole, or in part.

7       “(f) AUTHORIZATION OF APPROPRIATIONS.—

8           “(1) IN GENERAL.—There is authorized to be  
9 appropriated to carry out this section \$10,000,000  
10 for fiscal year 2027, and for each succeeding fiscal  
11 year.

12          “(2) AVAILABILITY.—Funds authorized to be  
13 appropriated under this section may remain avail-  
14 able until expended.

15       “(g) PROHIBITION ON DATA SHARING FOR IMMIGRA-  
16 TION ENFORCEMENT PURPOSES.—

17           “(1) IN GENERAL.—

18           “(A) DISCLOSURE PROHIBITED.—Notwith-  
19 standing section 642 of the Illegal Immigration  
20 Reform and Immigrant Responsibility Act of  
21 1996 (8 U.S.C. 1373), an entity receiving a  
22 grant under this section may not disclose or use  
23 personally identifiable information provided by  
24 an individual involved with the work funded

1 under this section for the purposes of enforcing  
2 the immigration laws.

3 “(B) EXCEPTION.—An entity receiving a  
4 grant under this section may disclose or use  
5 personally identifiable information provided by  
6 an individual involved with the work funded  
7 under this section if—

8 “(i) the disclosure or use required in  
9 order to prosecute a case; and

10 “(ii) the individual explicitly permits  
11 the use or disclosure.

12 “(2) REFERRALS PROHIBITED.—An entity re-  
13 ceiving a grant under this section may not refer any  
14 individual involved with work funded under this sec-  
15 tion to U.S. Immigration and Customs Enforcement  
16 or to U.S. Customs and Border Protection.

17 “(3) DEFINED TERM.—In this section, the term  
18 ‘personally identifiable information’ means any infor-  
19 mation about an individual elicited, collected, stored,  
20 or maintained by an entity receiving a grant under  
21 this section, including—

22 “(A) any information that can be used to  
23 distinguish or trace the identity of an indi-  
24 vidual, such as a name, residential address, a

1 social security number, a date and place of  
 2 birth, or a parent's maiden name; and

3 “(B) any other information that is linked  
 4 or linkable to an individual, such as medical,  
 5 educational, financial, and employment informa-  
 6 tion.

7 **“SEC. 3082. REPORT.**

8 “A State or unit of local government that receives  
 9 funds under this part during a fiscal year shall submit  
 10 to the Attorney General a description and an evaluation  
 11 report on a date specified by the Attorney General regard-  
 12 ing the effectiveness of the programs carried out with a  
 13 grant under this part.”.

14 **SEC. 202. REQUIREMENTS FOR IMMIGRATION CONSULT-**  
 15 **ANTS.**

16 (a) IN GENERAL.—Not later than 180 days after the  
 17 date of the enactment of this Act, the Commission, in con-  
 18 sultation with the Director of the Executive Office for Im-  
 19 migration Review and the Secretary of Homeland Secu-  
 20 rity, shall promulgate regulations, in accordance with sec-  
 21 tion 553 of title 5, United States Code, that require an  
 22 immigration consultant—

23 (1) to disclose in all advertising or promotional  
 24 material and by displaying a notice at the regular  
 25 place of business (if any) of the consultant that the

1 consultant is not an immigration attorney, cannot  
2 provide legal advice or legal services on immigration  
3 matters, and is not authorized to represent aliens  
4 before an immigration court or the Board of Immi-  
5 gration Appeals or authorized to represent others be-  
6 fore the Department of Homeland Security in con-  
7 nection with an application for an immigration ben-  
8 efit or an immigration proceeding;

9 (2) if the consultant enters into a written con-  
10 tract for the provision of immigration consulting  
11 services—

12 (A) to ensure that the contract states  
13 that—

14 (i) the consultant is not an immigra-  
15 tion attorney, cannot provide legal advice  
16 or legal services on immigration matters,  
17 and is not authorized to represent aliens  
18 before an immigration court or the Board  
19 of Immigration Appeals or authorized to  
20 represent others before the Department of  
21 Homeland Security in connection with an  
22 application for an immigration benefit or  
23 an immigration proceeding; and

24 (ii) the client has the right to have the  
25 contract reviewed by an attorney;

1 (B) to provide the client with a copy of the  
2 contract in English and, if requested by the cli-  
3 ent, in one or more other languages;

4 (C) to inform the client of the right to re-  
5 quest a copy of the contract in languages other  
6 than English, as required by subparagraph (B);  
7 and

8 (D) to ensure that the contract provides  
9 the client with the right to rescind the contract  
10 at any time during the 72-hour period after en-  
11 tering into the contract;

12 (3) not to collect fees for immigration con-  
13 sulting services before having rendered the services  
14 for which the fees are charged;

15 (4) to return to the client any original docu-  
16 ment obtained from the client (unless the original  
17 document must be provided to a Federal or State  
18 agency or another person and has been so provided)  
19 and to furnish to the client for no additional charge  
20 a copy of any document prepared or obtained by the  
21 consultant for the client or otherwise used in connec-  
22 tion with immigration consulting services for the cli-  
23 ent (other than notes or other documents prepared  
24 by the consultant for internal use in order to provide  
25 such services); and

1           (5) to retain for not less than 3 years after  
 2           ceasing to provide immigration consulting services  
 3           for a client a copy of any document required by  
 4           paragraph (4) to be returned or furnished to the cli-  
 5           ent.

6           (b) DEFINITIONS.—In this section:

7           (1) COMMISSION.—The term “Commission”  
 8           means the Federal Trade Commission.

9           (2) IMMIGRATION CONSULTANT.—The term  
 10          “immigration consultant” means a person engaged  
 11          in the provision of immigration consulting services,  
 12          except that such term does not include a person who  
 13          is—

14                (A) authorized to represent aliens before  
 15                an immigration court or the Board of Immigra-  
 16                tion Appeals; or

17                (B) authorized to represent others in con-  
 18                nection with an application or proceeding de-  
 19                scribed in paragraph (3)(A) before the Depart-  
 20                ment of Homeland Security in accordance with  
 21                regulations promulgated by the Secretary of  
 22                Homeland Security.

23          (3) IMMIGRATION CONSULTING SERVICES.—

24                (A) IN GENERAL.—The term “immigration  
 25                consulting services” means assistance, advice,

1 or services provided to an individual in connec-  
2 tion with—

3 (i) application (or consideration of ap-  
4 plication) by such individual for an immi-  
5 gration benefit; or

6 (ii) an immigration proceeding involv-  
7 ing such individual before or with the De-  
8 partment of Homeland Security or the Ex-  
9 ecutive Office for Immigration Review.

10 (B) INCLUSIONS.—Such term includes the  
11 following:

12 (i) Assistance with procuring sup-  
13 porting documentation requested by such  
14 an agency, such as a birth certificate or  
15 marriage license.

16 (ii) Referring a client to an attorney  
17 for legal representation.

18 (iii) Assistance with complying with  
19 requirements relating to biometric services.

20 (C) EXCLUSIONS.—Such term does not in-  
21 clude the following:

22 (i) Completing a form of a Federal or  
23 State agency or submitting such form to  
24 such agency.

1 (ii) Translating the responses of a cli-  
2 ent to the information requested on such a  
3 form or in other communications with such  
4 an agency.

5 (4) STATE.—The term “State” means each of  
6 the several States, the District of Columbia, each  
7 commonwealth, territory, or possession of the United  
8 States, and each federally recognized Indian tribe.

9 (c) APPLICABILITY AND ENFORCEMENT OF REGULA-  
10 TIONS.—

11 (1) GENERAL APPLICATION.—The requirements  
12 of the regulations promulgated under subsection (a)  
13 apply, according to their terms, to those persons,  
14 partnerships, and corporations over which the Com-  
15 mission has authority pursuant to section 5(a)(2) of  
16 the Federal Trade Commission Act (15 U.S.C.  
17 45(a)(2)).

18 (2) ENFORCEMENT BY FEDERAL TRADE COM-  
19 MISSION.—

20 (A) UNFAIR OR DECEPTIVE ACTS OR PRAC-  
21 TICES.—A violation of a regulation promulgated  
22 under subsection (a) shall be treated as a viola-  
23 tion of a regulation under section 18(a)(1)(B)  
24 of the Federal Trade Commission Act (15

1 U.S.C. 57a(a)(1)(B)) regarding unfair or decep-  
2 tive acts or practices.

3 (B) POWERS OF COMMISSION.—The Com-  
4 mission shall enforce the regulations promul-  
5 gated under subsection (a) in the same manner,  
6 by the same means, and with the same jurisdic-  
7 tion, powers, and duties provided in the Federal  
8 Trade Commission Act (15 U.S.C. 41 et seq.),  
9 and any person who violates such a regulation  
10 shall be subject to the penalties and entitled to  
11 the privileges and immunities provided in such  
12 Act.

13 (3) ACTIONS BY STATES.—

14 (A) IN GENERAL.—In any case in which  
15 the attorney general of a State, or an official or  
16 agency of a State, has reason to believe that an  
17 interest of the residents of such State has been  
18 or is threatened or adversely affected by an act  
19 or practice in violation of a regulation promul-  
20 gated under subsection (a), the State, as *parens*  
21 *patriae*, may bring a civil action on behalf of  
22 the residents of the State in an appropriate  
23 State court or an appropriate district court of  
24 the United States—

25 (i) to enjoin such act or practice;

1 (ii) to enforce compliance with such  
2 regulation;

3 (iii) to obtain on behalf of residents of  
4 the State—

5 (I) damages for actual monetary  
6 loss from the violation, or up to  
7 \$10,000 in damages for each such vio-  
8 lation, whichever is greater;

9 (II) restitution; or

10 (III) other compensation; or

11 (iv) to obtain such other legal and eq-  
12 uitable relief as the court may consider to  
13 be appropriate.

14 (B) NOTICE.—Before filing an action  
15 under this subsection, the attorney general, offi-  
16 cial, or agency of the State involved shall pro-  
17 vide to the Commission a written notice of such  
18 action and a copy of the complaint for such ac-  
19 tion. If the attorney general, official, or agency  
20 determines that it is not feasible to provide the  
21 notice described in this paragraph before the  
22 filing of the action, the attorney general, offi-  
23 cial, or agency shall provide written notice of  
24 the action and a copy of the complaint to the

Commission immediately upon the filing of the action.

(C) AUTHORITY OF FEDERAL TRADE COMMISSION.—

(i) IN GENERAL.—On receiving notice under subparagraph (B) of an action under this subsection, the Commission shall have the right—

(I) to intervene in the action;

(II) upon so intervening, to be heard on all matters arising therein; and

(III) to file petitions for appeal.

(ii) LIMITATION ON STATE ACTION WHILE FEDERAL ACTION IS PENDING.—If the Commission or the Attorney General of the United States has instituted a civil action for violation of a regulation promulgated under subsection (a) (referred to in this subparagraph as the “Federal action”), no State attorney general, official, or agency may bring an action under this subsection during the pendency of the Federal action against any defendant named in the complaint in the Federal action for any

1 violation of such regulation alleged in such  
2 complaint.

3 (D) RULE OF CONSTRUCTION.—For pur-  
4 poses of bringing a civil action under this para-  
5 graph, nothing in this Act shall be construed to  
6 prevent an attorney general, official, or agency  
7 of a State from exercising the powers conferred  
8 on the attorney general, official, or agency by  
9 the laws of such State to conduct investigations,  
10 administer oaths and affirmations, or compel  
11 the attendance of witnesses or the production of  
12 documentary and other evidence.

13 (4) PRIVATE RIGHT OF ACTION.—

14 (A) IN GENERAL.—A person injured by an  
15 act or practice in violation of a regulation pro-  
16 mulgated under subsection (a) may bring in an  
17 appropriate State court or an appropriate dis-  
18 trict court of the United States—

19 (i) an action to enjoin the violation;

20 (ii) an action to recover damages for  
21 actual monetary loss from the violation, or  
22 to receive up to \$10,000 in damages for  
23 each such violation, whichever is greater;  
24 or

25 (iii) both such actions.

## (B) WILLFUL OR KNOWING VIOLATIONS.—

If the court finds that the defendant acted willfully or knowingly in committing a violation described in subparagraph (A), the court may, in its discretion, increase the amount of the award to an amount equal to not more than 3 times the amount available under subparagraph (A)(ii).

## (C) COSTS AND ATTORNEY'S FEES.—The

court shall award to a prevailing plaintiff in an action under this subsection the costs of such action and reasonable attorney's fees, as determined by the court.

## (D) NONEXCLUSIVE REMEDY.—The rem-

edy provided by this subsection shall be in addition to any other remedies available to the person.

**SEC. 203. FEE AND BACKLOG TRANSPARENCY.**

Section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)) is amended to read as follows:

## “(m) IMMIGRATION SERVICE FEES.—

“(1) IN GENERAL.—Except as provided in paragraph (2), all fees designated by the Secretary of Homeland Security in regulations as ‘immigration adjudication fees’ shall be deposited as offsetting re-

1        ceipts into the ‘Immigration Examinations Fee Ac-  
 2        count’ in the Treasury of the United States, whether  
 3        such fees are collected directly by the Secretary or  
 4        through clerks of courts.

5            “(2) VIRGIN ISLANDS AND GUAM.—

6            “(A) GUAM.—All fees described in para-  
 7        graph (1) that are received by the Secretary of  
 8        Homeland Security from applicants residing in  
 9        Guam shall be remitted to the Department of  
 10       Revenue and Taxation of Guam.

11          “(B) VIRGIN ISLANDS.—All fees described  
 12        in paragraph (1) that are received by the Sec-  
 13        retary of Homeland Security from applicants  
 14        residing in the United States Virgin Islands  
 15        shall be remitted to the Treasury Division of  
 16        the United States Virgin Islands.

17          “(3) ANNUAL REPORT ON IMMIGRATION  
 18        FEES.—Not less frequently than annually, the Sec-  
 19        retary of Homeland Security shall submit to the  
 20        Committee on the Judiciary of the Senate and the  
 21        Committee on the Judiciary of the House of Rep-  
 22        resentatives a report on the collection and use of im-  
 23        migration fees that—

24          “(A) identifies—

1                   “(i) total fee revenue collected,  
2                   disaggregated by the type of immigration  
3                   benefit for which fees were collected;

4                   “(ii) the expenditures of such revenue,  
5                   disaggregated by major function, including  
6                   adjudications, customer service, fraud de-  
7                   tection or vetting, and information tech-  
8                   nology modernization; and

9                   “(iii) any transfer of funds from the  
10                  Immigration Examinations Fee Account  
11                  and any funds appropriated to U.S. Citi-  
12                  zenship and Immigration Services to other  
13                  divisions within the Department of Home-  
14                  land Security or to other Federal depart-  
15                  ments or agencies; and

16                  “(B) describes the use of carryover bal-  
17                  ances and reserves related to the Immigration  
18                  Examinations Fee Account.

19                  “(4) ACCOUNTABILITY RELATING TO FEE IN-  
20                  CREASES.—The Secretary of Homeland Security  
21                  may not increase any immigration service fee above  
22                  the level of such fee as of January 1, 2026, before  
23                  the date that is 60 days after the date on which the  
24                  Secretary submits to the Committee on the Judici-

1       ary of the Senate and the Committee on the Judici-  
2       ary of the House of Representatives a report that—

3               “(A) identifies the direct and indirect costs  
4               associated with providing adjudication and nat-  
5               uralization services;

6               “(B) distinguishes the costs referred to in  
7               subparagraph (A) from immigration enforce-  
8               ment and national security costs;

9               “(C) identifies the costs allocated for pre-  
10              mium processing services to business customers,  
11              as prescribed under subsection (u);

12              “(D) describes the extent to which the fee  
13              prescribed in subsection (u) is set at a level  
14              that ensures full recovery of the costs referred  
15              to in subparagraph (C);

16              “(E) identifies the amount of funding that  
17              is being allocated for the infrastructure im-  
18              provements in the adjudication and customer-  
19              service processes prescribed under subsection  
20              (u);

21              “(F) contains information regarding the  
22              amount by which such fee will be increased;

23              “(G) itemizes the total amount an appli-  
24              cant may be required to pay; and

1           “(H) identifies which parts of the fee are  
2           waivable.

3           “(5) ADJUDICATIONS DELAY AND BACKLOG RE-  
4           PORT.—Not less frequently than quarterly, the Sec-  
5           retary of Homeland Security shall submit to the  
6           Committee on the Judiciary of the Senate and the  
7           Committee on the Judiciary of the House of Rep-  
8           resentatives a report that identifies for the preceding  
9           quarter—

10           “(A)     median     processing     times,  
11           disaggregated by form number;

12           “(B)     total     pending     caseloads,  
13           disaggregated by form number;

14           “(C) the number of applications received,  
15           completed, approved, denied, and pending;

16           “(D) staffing levels for adjudications;

17           “(E) the percentage of applications proc-  
18           essed in conformity with U.S. Citizenship and  
19           Immigration Services processing goals;

20           “(F) each instance in which the processing  
21           time of more than 10 percent of adjudications  
22           in any single category of immigration benefits  
23           surpasses the agency’s stated processing goal as  
24           of January 1, 2026;

1 “(G) each instance in which the processing  
 2 time of more than 5 percent of applications for  
 3 lawful permanent residence surpasses 150 days;  
 4 and

5 “(H) each instance in which the processing  
 6 time of more than 5 percent of applications for  
 7 naturalization surpasses 150 days.”.

8 **TITLE III—BUILDING**  
 9 **COMMUNITY TRUST**

10 **SEC. 301. PROTECTING ALIENS WHO ARE VICTIMS OF OR**  
 11 **WITNESSES TO CRIMES OR ARE DEFENDING**  
 12 **CIVIL RIGHTS.**

13 (a) IN GENERAL.—The Director of U.S. Immigration  
 14 and Customs Enforcement shall ensure, except as provided  
 15 in subsection (b), that removal is not effectuated, removal  
 16 proceedings are not initiated, and expedited removal is not  
 17 invoked against any alien who is known to be—

18 (1) a victim of domestic violence, human traf-  
 19 ficking, or any other serious crime;

20 (2) a witness involved in a pending criminal in-  
 21 vestigation or prosecution at the Federal, State,  
 22 local, or Tribal level;

23 (3) a plaintiff in a nonfrivolous lawsuit regard-  
 24 ing violations of his or her civil rights, including  
 25 with respect to union organizing and employment

1 discrimination, as described in the memorandum of  
2 the U.S. Immigration and Customs Enforcement en-  
3 titled “Prosecutorial Discretion: Certain Victims and  
4 Witnesses of Exploitative Labor Practices” issued on  
5 January 23, 2023;

6 (4) a recipient of deferred action related to  
7 worksite enforcement, as described in the memo-  
8 randum of the Department of Homeland Security  
9 entitled “Worksite Enforcement: The Strategy to  
10 Protect the American Labor Market, the Conditions  
11 of the American Worksite, and the Dignity of the  
12 Individual” issued on October 12, 2021; or

13 (5) actively engaged in an activity related to the  
14 preservation of his or her employment, housing, or  
15 other legally protected rights.

16 (b) EXCEPTIONS.—

17 (1) IN GENERAL.—Notwithstanding subsection  
18 (a), an alien described in such subsection may be  
19 subject to removal proceedings if the Secretary of  
20 Homeland Security determines, on a case-by-case  
21 basis, that there is sufficient evidence to conclude  
22 that the alien—

23 (A) has been convicted of a serious crime;

24 (B) poses an individualized threat to any  
25 person or public safety;

1           (C) has engaged in serious violations of  
2           human rights;

3           (D) is complicit in significant immigration  
4           fraud; or

5           (E) has filed a claim in bad faith with in-  
6           tent to delay or avoid the removal of an alien.

7           (2) SAVINGS PROVISION.—Nothing in this sub-  
8           section may be construed to deny any alien who has  
9           been a victim of domestic violence, human traf-  
10          ficking, or certain other crimes from receiving the  
11          immigration benefits to which he or she is entitled  
12          under the Violence Against Women Act of 1994  
13          (title IV of Public Law 103–322), the Trafficking  
14          Victims Protection Act of 2000 (22 U.S.C. 7101 et  
15          seq.), or any other applicable law.

16          (c) EFFECT OF VIOLATION.—With respect to a re-  
17          moval proceeding commenced as a result of an enforce-  
18          ment action carried out in violation of subsection (a)—

19               (1) information resulting from such enforce-  
20               ment action may not be entered into the record of  
21               proceeding or received into evidence;

22               (2) the alien who is the subject of the removal  
23               proceeding may file a motion for the immediate ter-  
24               mination of the removal proceeding; and

1           (3) in considering whether to administratively  
2       close the removal proceeding, the immigration judge  
3       shall give appropriate weight to the circumstances of  
4       such enforcement action.

5       (d) PRESUMPTION OF NON-DETENTION.—There  
6       shall be a presumption of nondetention for individuals de-  
7       scribed in subsection (a). Such presumption shall not  
8       apply if the Secretary of Homeland Security, the Commis-  
9       sioner of U.S. Customs and Border Protection, the Direc-  
10      tor of U.S. Immigration and Customs Enforcement, or an  
11      immigration judge specifically determines that the alien  
12      is a threat to himself or herself, the public, or national  
13      security.

14      (e) REPORT.—The Secretary of Homeland Security  
15      shall submit a semiannual report to the Committee on the  
16      Judiciary of the Senate, the Committee on Appropriations  
17      of the Senate the Committee on the Judiciary of the  
18      House of Representatives, and the Committee on Appro-  
19      priations of the House of Representatives that identifies,  
20      for the most recent 180-day period for which such data  
21      is available, the number of arrests, detentions, and remov-  
22      als of aliens described in subsection (a).

23      **SEC. 302. RULE OF CONSTRUCTION.**

24      Nothing in this Act, or in the amendments made by  
25      this Act, may be construed to modify—

1           (1) the applicability of any ground of inadmis-  
2           sibility or deportability relating to criminal convic-  
3           tions; or

4           (2) the eligibility criteria relating to criminal  
5           convictions for any application or form of relief  
6           under the immigration laws.

