

119TH CONGRESS  
1ST SESSION

# S. 3322

To amend or repeal certain provisions of Public Law 119–21 that undermine protections and heighten dangers for unaccompanied alien children, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

DECEMBER 3, 2025

Ms. CORTEZ MASTO (for herself, Mr. BLUMENTHAL, Mr. WYDEN, Ms. ROSEN, Mr. MERKLEY, Mr. LUJÁN, Mr. KING, Mr. HICKENLOOPER, Mr. KIM, Mr. WELCH, Ms. HIRONO, Mr. SCHIFF, Ms. DUCKWORTH, Mr. KELLY, Ms. SMITH, Mr. BENNET, Mrs. MURRAY, Mr. HEINRICH, Mr. MARKEY, Mr. SANDERS, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend or repeal certain provisions of Public Law 119–21 that undermine protections and heighten dangers for unaccompanied alien children, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Upholding Protections  
5 for Unaccompanied Children Act of 2025”.

1 **SEC. 2. FEES.**

2 (a) **ASYLUM FEE.**—Section 100002 of Public Law  
3 119–21 is amended by adding at the end the following:

4 “(f) **EXCEPTION.**—The fee otherwise required under  
5 this section shall not apply to any individual who is, or  
6 was previously determined to be, an unaccompanied alien  
7 child (as defined in section 462(g)(2) of the Homeland Se-  
8 curity Act of 2002 (6 U.S.C. 279(g)(2))).”.

9 (b) **EMPLOYMENT AUTHORIZATION DOCUMENT**  
10 **FEE.**—Section 100003 of Public Law 119–21 is amended  
11 by adding at the end the following:

12 “(d) **EXCEPTION.**—The fee otherwise required under  
13 this section shall not apply to any individual who is, or  
14 was previously determined to be, an unaccompanied alien  
15 child (as defined in section 462(g)(2) of the Homeland Se-  
16 curity Act of 2002 (6 U.S.C. 279(g)(2))).”.

17 (c) **SPECIAL IMMIGRANT JUVENILE FEE.**—

18 (1) **REPEAL.**—Section 100005 of Public Law  
19 119–21 is repealed.

20 (2) **CLARIFICATION.**—The Secretary of Home-  
21 land Security may not impose a fee in connection  
22 with any alien, parent, or legal guardian of an alien  
23 applying for special immigrant juvenile status under  
24 section 101(a)(27)(J) of the Immigration and Na-  
25 tionality Act (8 U.S.C. 1101(a)(27)(J)).

1 (d) ANNUAL ASYLUM FEE.—Section 100009 of Pub-  
2 lie Law 119–21 is amended by adding at the end the fol-  
3 lowing:

4 “(e) EXCEPTION.—The fee otherwise required under  
5 this section shall not apply to any individual who is, or  
6 was previously determined to be, an unaccompanied alien  
7 child (as defined in section 462(g)(2) of the Homeland Se-  
8 curity Act of 2002 (6 U.S.C. 279(g)(2))).”.

9 (e) EMPLOYMENT AUTHORIZATION RENEWAL  
10 FEES.—

11 (1) EMPLOYMENT AUTHORIZATION FOR PAROL-  
12 EES.—Section 100010 of Public Law 119–21 is  
13 amended by adding at the end the following:

14 “(e) EXCEPTION.—The fee otherwise required under  
15 this section shall not apply to any individual who is, or  
16 was previously determined to be, an unaccompanied alien  
17 child (as defined in section 462(g)(2) of the Homeland Se-  
18 curity Act of 2002 (6 U.S.C. 279(g)(2))).”.

19 (2) EMPLOYMENT AUTHORIZATION FOR ASY-  
20 LUM APPLICANTS.—Section 100011 of Public Law  
21 119–21 is amended by adding at the end the fol-  
22 lowing:

23 “(e) EXCEPTION.—The fee otherwise required under  
24 this section shall not apply to any individual who is, or  
25 was previously determined to be, an unaccompanied alien

1 child (as defined in section 462(g)(2) of the Homeland Se-  
2 curity Act of 2002 (6 U.S.C. 279(g)(2))).”.

3 (3) EMPLOYMENT AUTHORIZATION FOR ALIENS  
4 GRANTED TEMPORARY PROTECTED STATUS.—Sec-  
5 tion 100012 of Public Law 119–21 is amended by  
6 adding at the end the following:

7 “(e) EXCEPTION.—The fee otherwise required under  
8 this section shall not apply to any individual who is, or  
9 was previously determined to be, an unaccompanied alien  
10 child (as defined in section 462(g)(2) of the Homeland Se-  
11 curity Act of 2002 (6 U.S.C. 279(g)(2))).”.

12 (f) IMMIGRATION COURT FEES.—Section 100013 of  
13 Public Law 119–21 is amended by adding at the end the  
14 following:

15 “(l) EXCEPTION.—The fees otherwise required under  
16 this section shall not apply to any individual who is, or  
17 was previously determined to be, an unaccompanied alien  
18 child (as defined in section 462(g)(2) of the Homeland Se-  
19 curity Act of 2002 (6 U.S.C. 279(g)(2))).”.

20 (g) IN ABSENTIA REMOVAL FEE.—Section  
21 100016(c) of Public Law 119–21 is amended by inserting  
22 before the period at the end the following: “, or to any  
23 individual who is, or was previously determined to be, an  
24 unaccompanied alien child (as defined in section 462(g)(2)

1 of the Homeland Security Act of 2002 (6 U.S.C.  
2 279(g)(2)))”.

3 (h) BORDER APPREHENSION FEE.—Section 100017  
4 of Public Law 119–21 is amended by inserting at the end  
5 the following:

6 “(e) EXCEPTION.—The fee otherwise required under  
7 this section shall not apply to any individual who is, or  
8 was previously determined to be, an unaccompanied alien  
9 child (as defined in section 462(g)(2) of the Homeland Se-  
10 curity Act of 2002 (6 U.S.C. 279(g)(2))).”.

11 **SEC. 3. UPHOLDING PROTECTION SCREENINGS AND A FAIR**

12 **LEGAL PROCESS.**

13 Section 100051 of Public Law 119–21 is amended  
14 by striking paragraph (8).

15 **SEC. 4. LIMITATIONS ON BODY EXAMINATIONS.**

16 (a) BODY EXAMINATIONS CONDUCTED BY THE OF-  
17 FICE OF REFUGEE RESETTLEMENT.—Section 87001(b)  
18 of Public Law 119–21 is amended—

19 (1) by striking paragraph (3); and

20 (2) by redesignating paragraphs (4) and (5) as  
21 paragraphs (3) and (4), respectively.

22 (b) BODY EXAMINATIONS CONDUCTED BY THE DE-  
23 PARTMENT OF HOMELAND SECURITY.—Section 100051  
24 of Public Law 119–21 is amended—

25 (1) by striking paragraph (11); and

1           (2) by redesignating paragraphs (9), (10), and  
2           (12) as paragraphs (8), (9), and (10), respectively.

3 **SEC. 5. SPONSOR INFORMATION SHARING.**

4           Section 87001 of Public Law 119–21, as amended  
5 by section 4(a), is further amended by adding at the end  
6 the following:

7           “(d) LIMITATION ON INFORMATION SHARING.—The  
8 Secretary of Health and Human Services shall ensure that  
9 information obtained under this section is not shared with  
10 Department of Homeland Security or any other Federal  
11 agency for the purpose of enforcing the immigration laws  
12 (as defined in section 101(a)(17) of the Immigration and  
13 Nationality Act (8 U.S.C. 1101(a)(17))).”.

14 **SEC. 6. REFUND OF FEES.**

15           Not later than 180 days after the date of the enact-  
16 ment of this Act, the Secretary of Homeland Security or  
17 the Attorney General shall refund each fee paid by, or on  
18 behalf of, any individual under a provision of law that is  
19 repealed or amended under this Act to exempt such indi-  
20 vidual from such payment to the individual or entity who  
21 paid such fee.

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