UNITED STATES HOUSE OF REPRESENTATIVES

JUDICIARY COMMITTEE

CHAIRMAN BOB GOODLATTE

The Protection of Children Act| Rep. John Carter (R-Texas)

Summary:

- **Repatriation of Unaccompanied Alien Minors (UAMs):** In 2014, an unprecedented number of UAMs were apprehended along our borders – in excess of 68,000, which is a 945% increase since 2011. The Trafficking Victims Protection Reauthorization Act of 2008 created two sets of rules regarding UAMs apprehended from contiguous and non-contiguous countries. Under current law, minors from contiguous countries (such as Mexico) can be immediately returned (if they consent, have not been trafficked and don't have a credible fear of persecution). However, minors from other countries must be placed in very lengthy removal proceedings in immigration court (during which they are usually released into the United States, often to the very parents who attempted to smuggle them into the U.S.). The bill eliminates the conflicting rules and subjects all minors to expeditious return if they have not been trafficked and don't have a credible fear of persecution.

- **Agreements:** The bill provides authority for the Secretary of State to negotiate agreements with foreign countries regarding UAMs, including protections for the safety of minors returned to their countries of nationality.

- **Hearings:** The bill ensures that minors who are victims of severe forms of trafficking are afforded a hearing before an Immigration Judge within 14 days.

- **Information on Sponsors:** The bill provides for greater transparency and safety of minors by requiring HHS to provide DHS with biographical information regarding the sponsors or family members to whom the minors are released. Currently, there is no requirement to share sponsor or family information with DHS. Without this information, there is a danger these minors will be lost in the system, or worse, be inadvertently delivered into the hands of criminals or abusers. The bill also mandates that DHS follow up with the sponsors with whom the minors are placed to verify the sponsors' immigration status and issue notices for the sponsors to appear in immigration court where appropriate.

- **Special Immigrant Juvenile Status:** Due to a mistake in current law, juveniles are able to obtain legal status if they can simply show they have been abandoned by a single parent. The bill reaffirms the original intent of the law to only provide protected status to juveniles who have lost or been abandoned by both parents.

- **Asylum Applications:** The bill closes a commonly exploited loophole that allows minors to get two bites of the apple with regard to review of their asylum applications.