



House of Representatives  
**Judiciary Committee**

Chairman Bob Goodlatte

## **THE PROTECTION OF CHILDREN ACT**

**SPONSORED BY JOHN CARTER (R-TX)**

### **Expediently and Safely Returns Unaccompanied Alien Minors Home:**

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 United States. 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. The bill also provides authority for the Secretary of State to negotiate agreements with foreign countries regarding unaccompanied alien minors, including protections for the safety of minors returned to their countries of nationality.

### **Provides Victims of Trafficking Prompt Access to Justice:**

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

### **Protects Unaccompanied Minors from Criminals and Child Abusers:**

The bill provides for greater transparency and safety of minors by requiring the Department of Health and Human Services to provide the Department of Homeland Security (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.

### **Clarifies Congressional Intent Regarding 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.

### **Strengthens the Integrity of the Asylum Process:**

The bill remedies a commonly exploited loophole that allows unaccompanied minors to get two bites of the apple with regard to review of their asylum applications. Specifically, the bill streamlines the asylum process for unaccompanied minors by providing the immigration court with primary jurisdiction to adjudicate the application in certain cases.