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(Original Signature of Member)

114TH CONGRESS
2D SESSION

H. R. _____

To amend the Immigration and Nationality Act to modify the procedure to designate a foreign state, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. BROOKS of Alabama introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Immigration and Nationality Act to modify the procedure to designate a foreign state, 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 “TPS Reform Act of
5 2016”.

1 **SEC. 2. TEMPORARY PROTECTED STATUS.**

2 (a) POWER TO DESIGNATE A FOREIGN STATE.—Sec-
3 tion 244(b) of the Immigration and Nationality Act (8
4 U.S.C. 1254a(b)) is amended—

5 (1) by striking paragraphs (1), (2), and (3) and
6 inserting the following:

7 “(1) INITIAL DESIGNATION.—For purposes of
8 this section, a foreign state shall be designated upon
9 the enactment of an Act that satisfies the following
10 requirements:

11 “(A) The Act shall contain a finding—

12 “(i) that there is an ongoing armed
13 conflict within the state and, due to such
14 conflict, requiring the return of aliens who
15 are nationals of that state (or to the part
16 of the state) would pose a serious threat to
17 their personal safety;

18 “(ii) that—

19 “(I) there has been an earth-
20 quake, flood, drought, epidemic, or
21 other immediately life-threatening en-
22 vironmental disaster in the state re-
23 sulting in a substantial, but tem-
24 porary, disruption of living conditions
25 in the area affected;

1 “(II) the foreign state is unable,
2 temporarily, to handle adequately the
3 return to the state of aliens who are
4 nationals of the state; and

5 “(III) the foreign state officially
6 has requested designation under this
7 subparagraph; or

8 “(iii) that there exist extraordinary
9 and temporary conditions in the foreign
10 state that prevent aliens who are nationals
11 of the state from returning to the state in
12 safety and that permitting the aliens to re-
13 main temporarily in the United States is
14 not contrary to the national interest of the
15 United States.

16 “(B) The Act shall include—

17 “(i) an estimate of the number of na-
18 tionals of the foreign state who are (or
19 within the effective period of the designa-
20 tion are likely to become) eligible for tem-
21 porary protected status under this section;

22 “(ii) such nationals’ immigration sta-
23 tus in the United States; and

1 “(iii) a time period for the effective-
2 ness of the designation that is not greater
3 than 18 months.

4 “(2) TERMINATION.—

5 “(A) TIMELY TERMINATION.—If an initial
6 designation of a foreign state is not extended
7 under paragraph (3), the initial designation
8 shall terminate at the end of the time period
9 described in paragraph (1)(B)(iii).

10 “(B) EARLY TERMINATION.—For purposes
11 of this section, the designation of a foreign
12 state shall be terminated upon the enactment of
13 an Act that contains a finding that the foreign
14 state (or part of such foreign state) no longer
15 meets the conditions for designation under
16 paragraph (1)(A).

17 “(3) EXTENSION.—For purposes of this sec-
18 tion, the time period for the effectiveness of the des-
19 ignation of a foreign state shall be extended upon
20 the enactment of an Act that includes—

21 “(A) a finding that the conditions for des-
22 ignation under paragraph (1)(A) continue to be
23 met; and

1 “(B) a time period for the effectiveness of
2 the extension that is not greater than 12
3 months.”; and

4 (2) in paragraph (5)(A), by striking “of the At-
5 torney General” and inserting “made in any Act”.

6 (b) ALIENS LACKING LAWFUL IMMIGRATION STA-
7 TUS.—Section 244(c)(2)(B) of the Immigration and Na-
8 tionality Act (8 U.S.C. 1254a(c)(2)(B)) is amended—

9 (1) in clause (i), by striking “, or” at the end
10 and inserting a semicolon;

11 (2) in clause (ii), by striking the period at the
12 end and inserting “; or”; and

13 (3) by adding at the end the following:

14 “(iii) the alien lacks a lawful immigra-
15 tion status.”.

16 (c) CONFORMING AMENDMENTS.—Section 244 of the
17 Immigration and Nationality Act (8 U.S.C. 1254a et seq.)
18 is amended—

19 (1) in subsection (d)(3), by striking “If the At-
20 torney General terminates the designation of a for-
21 eign state (or part of such foreign state) under sub-
22 section (b)(3)(B)” and inserting “If the designation
23 of a foreign state (or part of such foreign state) is
24 terminated under section 244(b)(2)”; and

25 (2) in subsection (i)(1)—

1 (A) in subparagraph (A), by striking the
2 comma at the end and adding “; and”;

3 (B) in subparagraph (B), by striking “,
4 and” at the end and inserting a period; and

5 (C) by striking subparagraph (C).

6 (d) TECHNICAL CORRECTIONS.—Section 244 of the
7 Immigration and Nationality Act (8 U.S.C. 1254a), as
8 amended by subsections (a) and (b) of this Act, is further
9 amended by striking “Attorney General” each place it ap-
10 pears and inserting “Secretary of Homeland Security”.