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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To authorize the expiration of final orders of removal after a 10-year period, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. SIMON introduced the following bill; which was referred to the Committee on _____

A BILL

To authorize the expiration of final orders of removal after a 10-year period, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Protect Our Neighbors Act''.

SEC. 2. FINAL ORDERS OF REMOVAL.

Title II of the Immigration and Nationality Act (8 U.S.C. 1151 et seq.) is amended by inserting after section 240C the following:

"SEC. 240D. EXPIRATION OF REMOVAL ORDERS.

''(a) EXPIRATION OF FINAL ORDER OF REMOVAL.—Each final order of removal shall expire on the date that is 10 years after the date on which such order was issued.

''(b) RENEWAL.—An immigration judge may renew an expired final order of removal if, upon motion by the Secretary of Homeland Security, it is established by clear and convincing evidence that—

''(1) there was significant cause for the delay in execution of the final order of removal unrelated to administrative or funding delays; and

''(2) renewal of the final order of removal is in the public interest based on new evidence in the matter.

''(c) STATUS.—

''(1) IN GENERAL.—An alien whose final order of removal has expired under subsection (a) and not been renewed under subsection (b) may petition an immigration officer of U.S. Citizenship and Immigration Services for any lawful status for which the individual is eligible if the individual—

''(A) has been physically present in the United States continuously for a period of not less than 10 years; and

''(B) has not been convicted of a crime for which a sentence of more than one year may be imposed.

''(2) LIMITATION.—An expired final order of removal may not be renewed while a petition under paragraph (1) is pending.''.

SEC. 3. ADJUSTMENT OF STATUS FOR ALIENS DEMONSTRATING AT LEAST ONE DECADE OF COMPLIANCE WITH ENFORCEMENT OBLIGATIONS.

Section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) is amended by inserting after subsection (m) the following:

''(o)(1) Notwithstanding the provisions of subsections (a) and (c), the Attorney General or Secretary of Homeland Security may cancel the removal and adjust to the status of lawful permanent resident any alien physically present in the United States who—

''(A) is subject to a final order of removal, exclusion, or deportation based only on a finding under—

''(i) paragraph (6)(A)(i) or (7) of section 212(a);

"(ii) section 237(a)(1)(A), based on a finding that the alien was inadmissible under paragraph (6)(A) or (6)(C) of section 212(a); or

"(iii) paragraph (1)(B) or (1)(C)(i) of section 237(a);

"(B) has not been removed from the United States after a period of 10 years beginning on the date of the entry of the removal;

"(C) was placed on any order of supervision, or released on their own recognizance, or other conditional release, and has not absconded since that placement or release; and

"(D) is not inadmissible under paragraph (1), (2), (3), (6)(E), (6)(G), (8), or (10) of section 212(a).

"(2)(A) The Secretary of Homeland Security shall impose a single fee of not more than $1,200 on an alien described in this subsection applying for adjustment of status.

"(B) Fees collected under this paragraph shall be deposited in the Treasury in accordance with section 286(s).

"(3) An alien described in this subsection filing an application for adjustment of status shall include, along with such application, a certified copy of the alien's Federal income tax return for the individual's most recent tax-

able year and a written statement, executed under oath or as permitted under penalty of perjury under section 1746 of title 28, United States Code, that the copies are certified copies of such returns.''.