

## S 672

Child Status Protection Act

**Congress:** 107 (2001–2003, Ended)

**Chamber:** Senate

**Policy Area:** Immigration

**Introduced:** Apr 2, 2001

**Current Status:** Held at the desk.

**Latest Action:** Held at the desk. (Jun 17, 2002)

**Official Text:** <https://www.congress.gov/bill/107th-congress/senate-bill/672>

### Sponsor

**Name:** Sen. Feinstein, Dianne [D-CA]

**Party:** Democratic • **State:** CA • **Chamber:** Senate

### Cosponsors (8 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Boxer, Barbara [D-CA]	D · CA		Jun 7, 2001
Sen. Graham, Bob [D-FL]	D · FL		Jun 11, 2001
Sen. Kennedy, Edward M. [D-MA]	D · MA		Jun 20, 2001
Sen. Hagel, Chuck [R-NE]	R · NE		Jun 25, 2001
Sen. DeWine, Mike [R-OH]	R · OH		Jul 12, 2001
Sen. Brownback, Sam [R-KS]	R · KS		May 16, 2002
Sen. Hatch, Orrin G. [R-UT]	R · UT		May 16, 2002
Sen. Leahy, Patrick J. [D-VT]	D · VT		May 16, 2002

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	May 16, 2002

### Subjects & Policy Tags

**Policy Area:**

Immigration

### Related Bills

Bill	Relationship	Last Action
107 HR 1209	Related bill	Aug 6, 2002: Became Public Law No: 107-208.

## Summary (as of Jun 13, 2002)

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Child Status Protection Act - Amends the Immigration and Nationality Act to provide that the determination of whether an unmarried alien son or daughter of a U.S. citizen is considered an "immediate relative child" (under 21 years old) shall be made at the time an immigration visa petition is filed for such classification on his or her behalf. (Under existing law unmarried children may apply for immigrant status as immediate relatives without numerical limitation.)

Makes similar determinations in the case of: (1) permanent resident parents who subsequently naturalize after having filed family-sponsored immigration petitions for a son or daughter (age determination at time of parents' naturalization); or (2) citizen parents who filed family-sponsored immigration petitions for a married son or daughter and such son or daughter later divorces (age determination at time of divorce).

(Sec. 3) States that with respect to an unmarried son or daughter seeking status as family-sponsored, employment-based, or diversity "child" (unmarried, under 21 years old) immigrant: (1) such an alien's age will be determined using the age of the alien on the date on which an immigrant visa becomes available reduced by the number of days in which the petition was pending; and (2) if the alien's age is determined to be 21 years or older the original (pre-21 years old) priority date shall be retained.

(Sec. 4) States that a son or daughter who was unmarried and under 21 years old when the parent applied for asylee or refugee status shall retain such "child" classification during the pendency of the asylee or refugee application.

(Sec. 6) Provides that the family-sponsored petition of an unmarried alien son or daughter whose permanent resident alien parent subsequently becomes a naturalized U.S. citizen shall be converted to a petition for an unmarried son or daughter of a U.S. citizen, unless the son or daughter elects otherwise. States that any petition priority date assigned prior to such naturalization may be maintained regardless of whether or not the petition is converted.

(Sec. 7) States that nothing in this Act shall be construed to limit or deny specified benefits for alien children.

(Sec. 8) States that the amendments made by this Act shall take effect upon enactment of this Act and shall apply to an alien beneficiary of: (1) an immigrant petition approved but not with a final determination prior to such date; (2) a petition pending on or after such date; or (3) an application pending before the Department of Justice or Department of State on or after such date.

## Actions Timeline

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- **Jun 17, 2002:** Message on Senate action sent to the House.
- **Jun 17, 2002:** Received in the House.
- **Jun 17, 2002:** Held at the desk.
- **Jun 13, 2002:** Measure laid before Senate by unanimous consent. (consideration: CR S5558-5560; text of measure as reported in Senate: CR S5558-5559)
- **Jun 13, 2002:** The committee substitute as amended agreed to by Unanimous Consent.
- **Jun 13, 2002:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(text: CR S5559-5560)
- **Jun 13, 2002:** Passed Senate with an amendment by Unanimous Consent. (text: CR S5559-5560)
- **May 16, 2002:** Committee on the Judiciary. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **May 16, 2002:** Committee on the Judiciary. Reported by Senator Leahy with an amendment in the nature of a substitute. Without written report.
- **May 16, 2002:** Committee on the Judiciary. Reported by Senator Leahy with an amendment in the nature of a substitute. Without written report.
- **May 16, 2002:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 374.
- **Apr 2, 2001:** Introduced in Senate
- **Apr 2, 2001:** Sponsor introductory remarks on measure. (CR S3275-3276)
- **Apr 2, 2001:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S3276)