

HR 9040

Protect Asylum Seekers Act

Congress: 116 (2019–2021, Ended)

Chamber: House

Policy Area: Immigration

Introduced: Dec 21, 2020

Current Status: Referred to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, if

Latest Action: Referred to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. (Dec 21, 2020)

Official Text: <https://www.congress.gov/bill/116th-congress/house-bill/9040>

Sponsor

Name: Rep. Amash, Justin [L-MI-3]

Party: Republican • **State:** MI • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security Committee	House	Referred To	Dec 21, 2020
Judiciary Committee	House	Referred To	Dec 21, 2020

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

Bill	Relationship	Last Action
116 S 292	Related bill	Jan 31, 2019: Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure: CR S802-803)

Protect Asylum Seekers Act

This bill limits the separation of alien families and provides protections for asylum seekers.

Certain civil and criminal penalties related to improper entry into the United States shall not apply if, after entering the United States, an alien without delay communicates to an immigration or asylum officer a non-fraudulent (1) desire to seek asylum, or (2) fear of persecution.

The Departments of Homeland Security (DHS), Justice, and Health and Human Services shall not separate a child from a parent or legal guardian unless

- a state court terminates the parent or legal guardian's rights;
- a state child welfare agency or court determines it is in the child's best interests to be removed; or
- the child is determined to be a trafficking victim or at risk of becoming one, the accompanying adult is most likely not the parent or legal guardian, or the child is in danger of abuse or neglect.

An agency may not separate a child from a parent or legal guardian solely to deter migration into the United States or to promote compliance with immigration laws.

DHS shall develop (1) training related to the bill's family separation requirements, and (2) guidance for how parents and legal guardians may locate a separated child. DHS shall provide parents and legal guardians periodic status updates about a separated child.

The Government Accountability Office shall report to Congress on the criminal prosecution of asylum seekers.

Actions Timeline

- **Dec 21, 2020:** Introduced in House
- **Dec 21, 2020:** Referred to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.