

HR 9304

Funding Attorneys for Indigent Removal (FAIR) Proceedings Act

Congress: 117 (2021–2023, Ended)

Chamber: House

Policy Area: Immigration

Introduced: Nov 15, 2022

Current Status: Referred to the House Committee on the Judiciary.

Latest Action: Referred to the House Committee on the Judiciary. (Nov 15, 2022)

Official Text: <https://www.congress.gov/bill/117th-congress/house-bill/9304>

Sponsor

Name: Rep. McEachin, A. Donald [D-VA-4]

Party: Democratic • **State:** VA • **Chamber:** House

Cosponsors (9 total)

Cosponsor	Party / State	Role	Date Joined
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Nov 15, 2022
Rep. Bonamici, Suzanne [D-OR-1]	D · OR		Nov 15, 2022
Rep. Brownley, Julia [D-CA-26]	D · CA		Nov 15, 2022
Rep. Jackson Lee, Sheila [D-TX-18]	D · TX		Nov 15, 2022
Rep. Lofgren, Zoe [D-CA-19]	D · CA		Nov 15, 2022
Rep. McGovern, James P. [D-MA-2]	D · MA		Nov 15, 2022
Rep. Newman, Marie [D-IL-3]	D · IL		Nov 15, 2022
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Nov 15, 2022
Rep. Scanlon, Mary Gay [D-PA-5]	D · PA		Nov 16, 2022

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred To	Nov 15, 2022

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

No related bills are listed.

Funding Attorneys for Indigent Removal (FAIR) Proceedings Act

This bill expands access to counsel for non-U.S. nationals (*aliens* under federal law) in immigration proceedings and provides protections related to such proceedings.

Such an individual shall have the privilege of being represented by counsel in any immigration proceeding, whereas currently this privilege is statutorily provided for only in removal proceedings.

Similarly, the Department of Justice (DOJ) may provide counsel at government expense to individuals in any immigration proceeding, whereas currently DOJ is statutorily authorized to provide counsel only for removal proceedings and at no expense to the government.

Under this bill, DOJ shall provide counsel to children and vulnerable individuals in such proceedings, at government expense if necessary. If DOJ fails to do so, certain limits on filing a motion to reopen removal proceedings (such as the time limit for filing) shall not apply, and the individual's removal shall be stayed upon the motion's filing.

The bill establishes the Immigration Counsel Account to be used to provide counsel under this bill. A portion of certain immigration fees shall be deposited into the account.

The Department of Homeland Security (DHS) shall provide each individual, generally at the beginning of proceedings, a complete copy of the individual's case file in DHS possession, unless the individual waives this right in writing. Failure to provide such documents shall delay the individual's removal proceeding.

DHS shall facilitate for all detained individuals access to counsel and programs that inform such individuals of their immigration-related rights and obligations.

Actions Timeline

- **Nov 15, 2022:** Introduced in House
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