

S 425

Secure and Protect Act of 2023

Congress: 118 (2023–2025, Ended)

Chamber: Senate

Policy Area: Immigration

Introduced: Feb 14, 2023

Current Status: Read twice and referred to the Committee on the Judiciary.

Latest Action: Read twice and referred to the Committee on the Judiciary. (Feb 14, 2023)

Official Text: <https://www.congress.gov/bill/118th-congress/senate-bill/425>

Sponsor

Name: Sen. Graham, Lindsey [R-SC]

Party: Republican • **State:** SC • **Chamber:** Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Tillis, Thomas [R-NC]	R · NC		Feb 16, 2023

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Feb 14, 2023

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

No related bills are listed.

Secure and Protect Act of 2023

This bill makes changes to the handling of unaccompanied alien children and asylum applications. (*Aliens* is the term in federal law used to describe non-U.S. nationals.)

The *Flores* settlement (a court settlement imposing conditions on the treatment of detained alien minors) shall not restrict any activities. The Department of Homeland Security (DHS) shall have sole discretion as to the conditions of detention for such minors.

Statutory provisions governing the handling of unaccompanied alien children from U.S.-bordering countries shall now govern all unaccompanied alien children. The bill provides for requirements relating to the handling of such children. Certain immigration officer determinations relating to unaccompanied alien children shall be unreviewable.

DHS may detain accompanied alien children while removal proceedings are pending (some courts have ruled that *Flores* limits the detention of certain children to 20 days). States may not impose licensing requirements for family detention facilities.

An unaccompanied alien child may not be released from custody while immigration or removal proceedings are pending, with some exceptions.

The bill limits asylum eligibility to individuals entering the United States at a designated port of entry and provides for additional grounds for asylum ineligibility. A *credible fear of persecution* is redefined to mean that it is more likely than not that the individual would be able to establish eligibility for asylum.

The Department of State must establish refugee application and processing centers in Mexico and Central America.

The bill also requires the hiring of additional immigration judges, support staff, and U.S. Immigration and Customs Enforcement attorneys.

Actions Timeline

- **Feb 14, 2023:** Introduced in Senate
- **Feb 14, 2023:** Read twice and referred to the Committee on the Judiciary.