.....

(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To amend the Immigration and Nationality Act to reform the process for granting parole, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. MCDOWELL introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Immigration and Nationality Act to reform the process for granting parole, 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 "Preventing the Abuse of Immigration Parole Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The use of parole under immigration law, under the discretion of the Secretary of Homeland

Security, is intended and should only be granted on a ''case-by-case'' basis, strictly evaluating each individual applicant's urgent humanitarian need or his or her significant public benefit.

(2) Under the Biden Administration, Secretary Mayorkas abused this program, paroling an estimated total of 2.8 million aliens into the United States, bypassing lawful visa and refugee processes.

(3) In its 2021 ruling in Texas v. Biden, the United States Fifth Circuit Court of Appeals wrote that Secretary Mayorkas' parole of inadmissible aliens ''en masse is the opposite of case-by-case decision making'' and these actions led to ''misenforcement, suspension of the Immigration Nationality Act, or both''.

(4) The systemic abuse of parole for aliens outside the United States is a threat to national security and future abuse should be prevented.

SEC. 3. IMMIGRATION PAROLE REFORM.

Section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)) is amended to read as follows:

''(5)(A) The Secretary of Homeland Security may, except as provided in subparagraph (B) or in section 214(f), in his discretion parole into the United States temporarily under such conditions as he may prescribe only

on a case-by-case basis for urgent humanitarian reasons or significant public benefit any alien applying for admission to the United States, but such parole of such alien shall not be regarded as an admission of the alien and when the purposes of such parole shall, in the opinion of the Secretary of Homeland Security, have been served the alien shall forthwith return or be returned to the custody from which he was paroled and thereafter his case shall continue to be dealt with in the same manner as that of any other applicant for admission to the United States.

''(B) The Secretary of Homeland Security may not parole into the United States any alien who is a national of a country of concern (as defined in section 1(m) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(m))) unless the Secretary of State issues a waiver with respect to the alien.

''(C) Beginning in fiscal year 2029, the total number of aliens granted parole pursuant to subparagraph (A) in each fiscal year shall not exceed 3,000.

''(D) The attorney general of a State, or other authorized State officer, alleging a violation of the limitation under subparagraph (A) that parole solely be granted on a case-by-case basis and solely for urgent humanitarian reasons or a significant public benefit, that harms such State or its residents shall have standing to bring an ac-

tion against the Secretary of Homeland Security on behalf of such State or the residents of such State in an appropriate district court of the United States to obtain appropriate injunctive relief. The court shall advance on the docket and expedite the disposition of a civil action filed under this subparagraph to the greatest extent practicable. For purposes of this subparagraph, a State or its residents shall be considered to have been harmed if the State or its residents experience harm, including financial harm in excess of $100.''.