

119TH CONGRESS
1ST SESSION

S. 3348

To authorize the cancellation of removal and adjustment of status of certain individuals who are long-term United States residents and who entered the United States as children, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 4, 2025

Mr. DURBIN (for himself and Ms. MURKOWSKI) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To authorize the cancellation of removal and adjustment of status of certain individuals who are long-term United States residents and who entered the United States as children, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Dream Act of 2025”.

5 **SEC. 2. DEFINITIONS.**

6 In this Act:

7 (1) IN GENERAL.—Except as otherwise specifi-
8 cally provided, any term used in this Act that is

1 used in the immigration laws shall have the meaning
2 given such term in the immigration laws.

3 (2) APPLICABLE FEDERAL TAX LIABILITY.—

4 The term “applicable Federal tax liability” means li-
5 ability for Federal taxes imposed under the Internal
6 Revenue Code of 1986, including any penalties and
7 interest on Federal taxes imposed under that Code.

8 (3) ARMED FORCES.—The term “Armed

9 Forces” has the meaning given the term “armed
10 forces” in section 101 of title 10, United States
11 Code.

12 (4) DACA.—The term “DACA” means de-

13 ferred action granted to an alien pursuant to the
14 Deferred Action for Childhood Arrivals program an-
15 nounced by President Obama on June 15, 2012.

16 (5) DISABILITY.—The term “disability” has the

17 meaning given such term in section 3(1) of the
18 Americans with Disabilities Act of 1990 (42 U.S.C.
19 12102(1)).

20 (6) EARLY CHILDHOOD EDUCATION PRO-

21 GRAM.—The term “early childhood education pro-
22 gram” has the meaning given such term in section
23 103 of the Higher Education Act of 1965 (20
24 U.S.C. 1003).

1 (7) ELEMENTARY SCHOOL; HIGH SCHOOL; SEC-
 2 ONDARY SCHOOL.—The terms “elementary school”,
 3 “high school”, and “secondary school” have the
 4 meanings given such terms in section 8101 of the
 5 Elementary and Secondary Education Act of 1965
 6 (20 U.S.C. 7801).

7 (8) IMMIGRATION LAWS.—The term “immigra-
 8 tion laws” has the meaning given such term in sec-
 9 tion 101(a)(17) of the Immigration and Nationality
 10 Act (8 U.S.C. 1101(a)(17)).

11 (9) INSTITUTION OF HIGHER EDUCATION.—The
 12 term “institution of higher education”—

13 (A) except as provided in subparagraph
 14 (B), has the meaning given such term in section
 15 102 of the Higher Education Act of 1965 (20
 16 U.S.C. 1002); and

17 (B) does not include an institution of high-
 18 er education outside of the United States.

19 (10) PERMANENT RESIDENT STATUS ON A CON-
 20 DITIONAL BASIS.—The term “permanent resident
 21 status on a conditional basis” means status as an
 22 alien lawfully admitted for permanent residence on
 23 a conditional basis under this Act.

24 (11) POVERTY LINE.—The term “poverty line”
 25 has the meaning given such term in section 673 of

1 the Community Services Block Grant Act (42 U.S.C.
2 9902).

3 (12) SECRETARY.—Except as otherwise specifi-
4 cally provided, the term “Secretary” means the Sec-
5 retary of Homeland Security.

6 (13) UNIFORMED SERVICES.—The term “Uni-
7 formed Services” has the meaning given the term
8 “uniformed services” in section 101(a) of title 10,
9 United States Code.

10 **SEC. 3. PERMANENT RESIDENT STATUS ON A CONDITIONAL**
11 **BASIS FOR CERTAIN LONG-TERM RESIDENTS**
12 **WHO ENTERED THE UNITED STATES AS CHIL-**
13 **DREN.**

14 (a) CONDITIONAL BASIS FOR STATUS.—Notwith-
15 standing any other provision of law, an alien shall be con-
16 sidered, at the time of obtaining the status of an alien
17 lawfully admitted for permanent residence under this sec-
18 tion, to have obtained such status on a conditional basis
19 subject to the provisions under this Act.

20 (b) REQUIREMENTS.—

21 (1) IN GENERAL.—Notwithstanding any other
22 provision of law, the Secretary shall cancel the re-
23 moval of, and adjust to the status of an alien law-
24 fully admitted for permanent residence on a condi-
25 tional basis, an alien who is inadmissible or deport-

1 able from the United States, is in temporary pro-
2 tected status under section 244 of the Immigration
3 and Nationality Act (8 U.S.C. 1254a), or is the son
4 or daughter of an alien admitted as a nonimmigrant
5 described in subparagraph (E)(i), (E)(ii), (H)(i)(b),
6 or (L) of section 101(a)(15) of such Act (8 U.S.C.
7 1101(a)(15)) if—

8 (A) the alien has been continuously phys-
9 ically present in the United States since the
10 date that is 4 years before the date of the en-
11 actment of this Act;

12 (B) the alien was younger than 18 years of
13 age on the date on which the alien initially en-
14 tered the United States;

15 (C) subject to paragraphs (2) and (3), the
16 alien—

17 (i) is not inadmissible under para-
18 graph (2), (3), (6)(E), (6)(G), (8),
19 (10)(A), (10)(C), or (10)(D) of section
20 212(a) of the Immigration and Nationality
21 Act (8 U.S.C. 1182(a));

22 (ii) has not ordered, incited, assisted,
23 or otherwise participated in the persecution
24 of any person on account of race, religion,

nationality, membership in a particular social group, or political opinion; and

(iii) has not been convicted of—

(I) any offense under Federal or State law, other than a State offense for which an essential element is the alien's immigration status, that is punishable by a maximum term of imprisonment of more than 1 year; or

(II) 3 or more offenses under Federal or State law, other than State offenses for which an essential element is the alien's immigration status, for which the alien was convicted on different dates for each of the 3 offenses and imprisoned for an aggregate of 90 days or more;

(D) the alien—

(i) has been admitted to an institution of higher education;

(ii) has earned a high school diploma or a commensurate alternative award from a public or private high school, or has obtained a general education development certificate recognized under State law or a

1 high school equivalency diploma in the
2 United States;

3 (iii) is enrolled in secondary school or
4 in an education program assisting students
5 in—

6 (I) obtaining a regular high
7 school diploma or its recognized equiv-
8 alent under State law; or

9 (II) in passing a general edu-
10 cational development exam, a high
11 school equivalence diploma examina-
12 tion, or other similar State-authorized
13 exam; or

14 (iv)(I) has served, is serving, or has
15 enlisted in the Armed Forces; or

16 (II) in the case of an alien who has
17 been discharged from the Armed Forces,
18 has received an honorable discharge; and

19 (E) the alien has sworn under penalty of
20 perjury that the alien—

21 (i) has no unpaid applicable Federal
22 tax liability, which is assessed and is not
23 being disputed;

24 (ii) has entered into an agreement to
25 resolve any such assessed and undisputed

1 Federal tax liability (via an installment
2 agreement, an offer in compromise, or oth-
3 erwise) which has been approved by the
4 Commissioner of Internal Revenue; or

5 (iii) has applied in good faith to enter
6 into an agreement to resolve any such as-
7 sessed and undisputed Federal tax liability,
8 which has not been rejected by the Com-
9 missioner of Internal Revenue.

10 (2) WAIVER.—With respect to any benefit
11 under this Act, the Secretary may waive the grounds
12 of inadmissibility under paragraph (2), (6)(E),
13 (6)(G), or (10)(D) of section 212(a) of the Immigra-
14 tion and Nationality Act (8 U.S.C. 1182(a)) for hu-
15 manitarian purposes or family unity or if the waiver
16 is otherwise in the public interest.

17 (3) TREATMENT OF EXPUNGED CONVIC-
18 TIONS.—An expunged conviction shall not automati-
19 cally be treated as an offense under paragraph (1).
20 The Secretary shall evaluate expunged convictions
21 on a case-by-case basis according to the nature and
22 severity of the offense to determine whether, under
23 the particular circumstances, the Secretary deter-
24 mines that the alien should be eligible for cancella-
25 tion of removal, adjustment to permanent resident

1 status on a conditional basis, or other adjustment of
2 status.

3 (4) DACA RECIPIENTS.—The Secretary shall
4 cancel the removal of, and adjust to the status of an
5 alien lawfully admitted for permanent residence on
6 a conditional basis, an alien who was granted DACA
7 unless the alien has engaged in conduct since the
8 alien was granted DACA that would make the alien
9 ineligible for DACA.

10 (5) APPLICATION FEE.—

11 (A) IN GENERAL.—The Secretary may re-
12 quire an alien applying for permanent resident
13 status on a conditional basis under this section
14 to pay a reasonable fee that is commensurate
15 with the cost of processing the application.

16 (B) EXEMPTION.—An applicant may be
17 exempted from paying the fee required under
18 subparagraph (A) if the alien—

19 (i)(I) is younger than 18 years of age;

20 (II) received total income, during the
21 12-month period immediately preceding the
22 date on which the alien files an application
23 under this section, that is less than 150
24 percent of the poverty line; and

1 (III) is in foster care or otherwise
2 lacking any parental or other familial sup-
3 port;

4 (ii) is younger than 18 years of age
5 and is homeless;

6 (iii)(I) cannot care for himself or her-
7 self because of a serious, chronic disability;
8 and

9 (II) received total income, during the
10 12-month period immediately preceding the
11 date on which the alien files an application
12 under this section, that is less than 150
13 percent of the poverty line; or

14 (iv)(I) during the 12-month period im-
15 mediately preceding the date on which the
16 alien files an application under this sec-
17 tion, accumulated \$10,000 or more in debt
18 as a result of unreimbursed medical ex-
19 penses incurred by the alien or an imme-
20 diate family member of the alien; and

21 (II) received total income, during the
22 12-month period immediately preceding the
23 date on which the alien files an application
24 under this section, that is less than 150
25 percent of the poverty line.

1 (6) SUBMISSION OF BIOMETRIC AND BIO-
2 GRAPHIC DATA.—The Secretary may not grant an
3 alien permanent resident status on a conditional
4 basis under this section unless the alien submits bio-
5 metric and biographic data, in accordance with pro-
6 cedures established by the Secretary. The Secretary
7 shall provide an alternative procedure for aliens who
8 are unable to provide such biometric or biographic
9 data because of a physical impairment.

10 (7) BACKGROUND CHECKS.—

11 (A) REQUIREMENT FOR BACKGROUND
12 CHECKS.—The Secretary shall utilize biometric,
13 biographic, and other data that the Secretary
14 determines appropriate—

15 (i) to conduct security and law en-
16 forcement background checks of an alien
17 seeking permanent resident status on a
18 conditional basis under this section; and

19 (ii) to determine whether there is any
20 criminal, national security, or other factor
21 that would render the alien ineligible for
22 such status.

23 (B) COMPLETION OF BACKGROUND
24 CHECKS.—The security and law enforcement
25 background checks of an alien required under

1 subparagraph (A) shall be completed, to the
2 satisfaction of the Secretary, before the date on
3 which the Secretary grants such alien perma-
4 nent resident status on a conditional basis
5 under this section.

6 (8) MEDICAL EXAMINATION.—

7 (A) REQUIREMENT.—An alien applying for
8 permanent resident status on a conditional
9 basis under this section shall undergo a medical
10 examination.

11 (B) POLICIES AND PROCEDURES.—The
12 Secretary, with the concurrence of the Sec-
13 retary of Health and Human Services, shall
14 prescribe policies and procedures for the nature
15 and timing of the examination required under
16 subparagraph (A).

17 (9) MILITARY SELECTIVE SERVICE.—An alien
18 applying for permanent resident status on a condi-
19 tional basis under this section shall establish that
20 the alien has registered under the Military Selective
21 Service Act (50 U.S.C. 3801 et seq.), if the alien is
22 subject to registration under such Act.

23 (c) DETERMINATION OF CONTINUOUS PRESENCE.—

24 (1) TERMINATION OF CONTINUOUS PERIOD.—

25 Any period of continuous physical presence in the

1 United States of an alien who applies for permanent
2 resident status on a conditional basis under this sec-
3 tion shall not terminate when the alien is served a
4 notice to appear under section 239(a) of the Immi-
5 gration and Nationality Act (8 U.S.C. 1229(a)).

6 (2) TREATMENT OF CERTAIN BREAKS IN PRES-
7 ENCE.—

8 (A) IN GENERAL.—Except as provided in
9 subparagraphs (B) and (C), an alien shall be
10 considered to have failed to maintain contin-
11 uous physical presence in the United States
12 under subsection (b)(1)(A) if the alien has de-
13 parted from the United States for any period
14 exceeding 90 days or for any periods, in the ag-
15 gregate, exceeding 180 days.

16 (B) EXTENSIONS FOR EXTENUATING CIR-
17 CUMSTANCES.—The Secretary may extend the
18 time periods described in subparagraph (A) for
19 an alien who demonstrates that the failure to
20 timely return to the United States was due to
21 extenuating circumstances beyond the alien's
22 control, including the serious illness of the
23 alien, or death or serious illness of a parent,
24 grandparent, sibling, or child of the alien.

1 (C) TRAVEL AUTHORIZED BY THE SEC-
2 RETARY.—Any period of travel outside of the
3 United States by an alien that was authorized
4 by the Secretary may not be counted toward
5 any period of departure from the United States
6 under subparagraph (A).

7 (d) LIMITATION ON REMOVAL OF CERTAIN
8 ALIENS.—

9 (1) IN GENERAL.—The Secretary or the Attor-
10 ney General may not remove an alien who appears
11 prima facie eligible for relief under this section.

12 (2) ALIENS SUBJECT TO REMOVAL.—The Sec-
13 retary shall provide a reasonable opportunity to
14 apply for relief under this section to any alien who
15 requests such an opportunity or who appears prima
16 facie eligible for relief under this section if the alien
17 is in removal proceedings, is the subject of a final
18 removal order, or is the subject of a voluntary depar-
19 ture order.

20 (3) CERTAIN ALIENS ENROLLED IN ELEMEN-
21 TARY OR SECONDARY SCHOOL.—

22 (A) STAY OF REMOVAL.—The Attorney
23 General shall stay the removal proceedings of
24 an alien who—

1 (i) meets all the requirements under
2 subparagraphs (A), (B), and (C) of sub-
3 section (b)(1), subject to paragraphs (2)
4 and (3) of such subsection;

5 (ii) is at least 5 years of age; and

6 (iii) is enrolled in an elementary
7 school, a secondary school, or an early
8 childhood education program.

9 (B) COMMENCEMENT OF REMOVAL PRO-
10 CEEDINGS.—The Secretary may not commence
11 removal proceedings for an alien described in
12 subparagraph (A).

13 (C) EMPLOYMENT.—An alien whose re-
14 moval is stayed pursuant to subparagraph (A)
15 or who may not be placed in removal pro-
16 ceedings pursuant to subparagraph (B) shall,
17 upon application to the Secretary, be granted
18 an employment authorization document.

19 (D) LIFT OF STAY.—The Secretary or At-
20 torney General may not lift the stay granted to
21 an alien under subparagraph (A) unless the
22 alien ceases to meet the requirements under
23 such subparagraph.

24 (e) EXEMPTION FROM NUMERICAL LIMITATIONS.—

25 Nothing in this section or in any other law may be con-

1 strued to apply a numerical limitation on the number of
2 aliens who may be granted permanent resident status on
3 a conditional basis under this Act.

4 **SEC. 4. TERMS OF PERMANENT RESIDENT STATUS ON A**
5 **CONDITIONAL BASIS.**

6 (a) PERIOD OF STATUS.—Permanent resident status
7 on a conditional basis is—

8 (1) valid for a period of 8 years, unless such pe-
9 riod is extended by the Secretary; and

10 (2) subject to termination under subsection (c).

11 (b) NOTICE OF REQUIREMENTS.—At the time an
12 alien obtains permanent resident status on a conditional
13 basis, the Secretary shall provide notice to the alien re-
14 garding the provisions of this Act and the requirements
15 to have the conditional basis of such status removed.

16 (c) TERMINATION OF STATUS.—The Secretary may
17 terminate the permanent resident status on a conditional
18 basis of an alien only if the Secretary—

19 (1) determines that the alien ceases to meet the
20 requirements under paragraph (1)(C) of section
21 3(b), subject to paragraphs (2) and (3) of that sec-
22 tion; and

23 (2) prior to the termination, provides the
24 alien—

1 (A) notice of the proposed termination;
2 and

3 (B) the opportunity for a hearing to pro-
4 vide evidence that the alien meets such require-
5 ments or otherwise contest the termination.

6 (d) RETURN TO PREVIOUS IMMIGRATION STATUS.—

7 (1) IN GENERAL.—Except as provided in para-
8 graph (2), an alien whose permanent resident status
9 on a conditional basis expires under subsection
10 (a)(1) or is terminated under subsection (c) or
11 whose application for such status is denied shall re-
12 turn to the immigration status that the alien had
13 immediately before receiving permanent resident sta-
14 tus on a conditional basis or applying for such sta-
15 tus, as appropriate.

16 (2) SPECIAL RULE FOR TEMPORARY PRO-
17 TECTED STATUS.—An alien whose permanent resi-
18 dent status on a conditional basis expires under sub-
19 section (a)(1) or is terminated under subsection (c)
20 or whose application for such status is denied and
21 who had temporary protected status under section
22 244 of the Immigration and Nationality Act (8
23 U.S.C. 1254a) immediately before receiving or ap-
24 plying for such permanent resident status on a con-

ditional basis, as appropriate, may not return to
such temporary protected status if—

(A) the relevant designation under section
244(b) of the Immigration and Nationality Act
(8 U.S.C. 1254a(b)) has been terminated; or

(B) the Secretary determines that the rea-
son for terminating the permanent resident sta-
tus on a conditional basis renders the alien in-
eligible for such temporary protected status.

**SEC. 5. REMOVAL OF CONDITIONAL BASIS OF PERMANENT
RESIDENT STATUS.**

(a) ELIGIBILITY FOR REMOVAL OF CONDITIONAL
BASIS.—

(1) IN GENERAL.—Subject to paragraph (2),
the Secretary shall remove the conditional basis of
an alien’s permanent resident status granted under
this Act and grant the alien status as an alien law-
fully admitted for permanent residence if the alien—

(A) is described in paragraph (1)(C) of
section 3(b), subject to paragraphs (2) and (3)
of that section;

(B) has not abandoned the alien’s resi-
dence in the United States; and

(C)(i) has acquired a degree from an insti-
tution of higher education or has completed at

1 least 2 years, in good standing, in a program
2 for a bachelor's degree or higher degree in the
3 United States;

4 (ii) has served in the Armed Forces for at
5 least 2 years and, if discharged, received an
6 honorable discharge; or

7 (iii) has been employed for periods totaling
8 at least 3 years and at least 75 percent of the
9 time that the alien has had a valid employment
10 authorization, except that any period during
11 which the alien is not employed while having a
12 valid employment authorization and is enrolled
13 in an institution of higher education, a sec-
14 ondary school, or an education program de-
15 scribed in section 3(b)(1)(D)(iii), shall not
16 count toward the time requirements under this
17 clause.

18 (2) **HARDSHIP EXCEPTION.**—The Secretary
19 shall remove the conditional basis of an alien's per-
20 manent resident status and grant the alien status as
21 an alien lawfully admitted for permanent residence
22 if the alien—

23 (A) satisfies the requirements under sub-
24 paragraphs (A) and (B) of paragraph (1);

1 (B) demonstrates compelling circumstances
2 for the inability to satisfy the requirements
3 under subparagraph (C) of such paragraph; and

4 (C) demonstrates that—

5 (i) the alien has a disability;

6 (ii) the alien is a full-time caregiver of
7 a minor child; or

8 (iii) the removal of the alien from the
9 United States would result in extreme
10 hardship to the alien or the alien's spouse,
11 parent, or child who is a national of the
12 United States or is lawfully admitted for
13 permanent residence.

14 (3) CITIZENSHIP REQUIREMENT.—

15 (A) IN GENERAL.—Except as provided in
16 subparagraph (B), the conditional basis of an
17 alien's permanent resident status granted under
18 this Act may not be removed unless the alien
19 demonstrates that the alien satisfies the re-
20 quirements under section 312(a) of the Immi-
21 gration and Nationality Act (8 U.S.C. 1423(a)).

22 (B) EXCEPTION.—Subparagraph (A) shall
23 not apply to an alien who is unable to meet the
24 requirements under such section 312(a) due to
25 disability.

1 (4) APPLICATION FEE.—

2 (A) IN GENERAL.—The Secretary may re-
3 quire aliens applying for lawful permanent resi-
4 dent status under this section to pay a reason-
5 able fee that is commensurate with the cost of
6 processing the application.

7 (B) EXEMPTION.—An applicant may be
8 exempted from paying the fee required under
9 subparagraph (A) if the alien—

10 (i)(I) is younger than 18 years of age;

11 (II) received total income, during the
12 12-month period immediately preceding the
13 date on which the alien files an application
14 under this section, that is less than 150
15 percent of the poverty line; and

16 (III) is in foster care or otherwise
17 lacking any parental or other familial sup-
18 port;

19 (ii) is younger than 18 years of age
20 and is homeless;

21 (iii)(I) cannot care for himself or her-
22 self because of a serious, chronic disability;
23 and

24 (II) received total income, during the
25 12-month period immediately preceding the

1 date on which the alien files an application
2 under this section, that is less than 150
3 percent of the poverty line; or

4 (iv)(I) during the 12-month period im-
5 mediately preceding the date on which the
6 alien files an application under this sec-
7 tion, the alien accumulated \$10,000 or
8 more in debt as a result of unreimbursed
9 medical expenses incurred by the alien or
10 an immediate family member of the alien;
11 and

12 (II) received total income, during the
13 12-month period immediately preceding the
14 date on which the alien files an application
15 under this section, that is less than 150
16 percent of the poverty line.

17 (5) SUBMISSION OF BIOMETRIC AND BIO-
18 GRAPHIC DATA.—The Secretary may not remove the
19 conditional basis of an alien’s permanent resident
20 status unless the alien submits biometric and bio-
21 graphic data, in accordance with procedures estab-
22 lished by the Secretary. The Secretary shall provide
23 an alternative procedure for applicants who are un-
24 able to provide such biometric data because of a
25 physical impairment.

1 (6) BACKGROUND CHECKS.—

2 (A) REQUIREMENT FOR BACKGROUND
3 CHECKS.—The Secretary shall utilize biometric,
4 biographic, and other data that the Secretary
5 determines appropriate—

6 (i) to conduct security and law en-
7 forcement background checks of an alien
8 applying for removal of the conditional
9 basis of the alien’s permanent resident sta-
10 tus; and

11 (ii) to determine whether there is any
12 criminal, national security, or other factor
13 that would render the alien ineligible for
14 removal of such conditional basis.

15 (B) COMPLETION OF BACKGROUND
16 CHECKS.—The security and law enforcement
17 background checks of an alien required under
18 subparagraph (A) shall be completed, to the
19 satisfaction of the Secretary, before the date on
20 which the Secretary removes the conditional
21 basis of the alien’s permanent resident status.

22 (b) TREATMENT FOR PURPOSES OF NATURALIZA-
23 TION.—

24 (1) IN GENERAL.—For purposes of title III of
25 the Immigration and Nationality Act (8 U.S.C. 1401

1 et seq.), an alien granted permanent resident status
2 on a conditional basis shall be considered to have
3 been admitted to the United States, and be present
4 in the United States, as an alien lawfully admitted
5 for permanent residence.

6 (2) LIMITATION ON APPLICATION FOR NATU-
7 RALIZATION.—An alien may not apply for natu-
8 ralization while the alien is in permanent resident
9 status on a conditional basis.

10 **SEC. 6. DOCUMENTATION REQUIREMENTS.**

11 (a) DOCUMENTS ESTABLISHING IDENTITY.—An
12 alien’s application for permanent resident status on a con-
13 ditional basis may include, as proof of identity—

14 (1) a passport or national identity document
15 from the alien’s country of origin that includes the
16 alien’s name and the alien’s photograph or finger-
17 print;

18 (2) the alien’s birth certificate and an identity
19 card that includes the alien’s name and photograph;

20 (3) a school identification card that includes the
21 alien’s name and photograph, and school records
22 showing the alien’s name and that the alien is or
23 was enrolled at the school;

24 (4) a Uniformed Services identification card
25 issued by the Department of Defense;

1 (5) any immigration or other document issued
2 by the United States Government bearing the alien's
3 name and photograph; or

4 (6) a State-issued identification card bearing
5 the alien's name and photograph.

6 (b) DOCUMENTS ESTABLISHING CONTINUOUS PHYS-
7 ICAL PRESENCE IN THE UNITED STATES.—To establish
8 that an alien has been continuously physically present in
9 the United States, as required under section 3(b)(1)(A),
10 or to establish that an alien has not abandoned residence
11 in the United States, as required under section 5(a)(1)(B),
12 the alien may submit documents to the Secretary, includ-
13 ing—

14 (1) employment records that include the em-
15 ployer's name and contact information;

16 (2) records from any educational institution the
17 alien has attended in the United States;

18 (3) records of service from the Uniformed Serv-
19 ices;

20 (4) official records from a religious entity con-
21 firming the alien's participation in a religious cere-
22 mony;

23 (5) passport entries;

24 (6) a birth certificate for a child who was born
25 in the United States;

- 1 (7) automobile license receipts or registration;
- 2 (8) deeds, mortgages, or rental agreement con-
- 3 tracts;
- 4 (9) tax receipts;
- 5 (10) insurance policies;
- 6 (11) remittance records;
- 7 (12) rent receipts or utility bills bearing the
- 8 alien's name or the name of an immediate family
- 9 member of the alien, and the alien's address;
- 10 (13) copies of money order receipts for money
- 11 sent in or out of the United States;
- 12 (14) dated bank transactions; or
- 13 (15) 2 or more sworn affidavits from individ-
- 14 uals who are not related to the alien who have direct
- 15 knowledge of the alien's continuous physical pres-
- 16 ence in the United States, that contain—
- 17 (A) the name, address, and telephone num-
- 18 ber of the affiant; and
- 19 (B) the nature and duration of the rela-
- 20 tionship between the affiant and the alien.
- 21 (c) DOCUMENTS ESTABLISHING INITIAL ENTRY
- 22 INTO THE UNITED STATES.—To establish under section
- 23 3(b)(1)(B) that an alien was younger than 18 years of
- 24 age on the date on which the alien initially entered the

1 United States, an alien may submit documents to the Sec-
2 retary, including—

3 (1) an admission stamp on the alien’s passport;

4 (2) records from any educational institution the
5 alien has attended in the United States;

6 (3) any document from the Department of Jus-
7 tice or the Department of Homeland Security stat-
8 ing the alien’s date of entry into the United States;

9 (4) hospital or medical records showing medical
10 treatment or hospitalization, the name of the med-
11 ical facility or physician, and the date of the treat-
12 ment or hospitalization;

13 (5) rent receipts or utility bills bearing the
14 alien’s name or the name of an immediate family
15 member of the alien, and the alien’s address;

16 (6) employment records that include the em-
17 ployer’s name and contact information;

18 (7) official records from a religious entity con-
19 firming the alien’s participation in a religious cere-
20 mony;

21 (8) a birth certificate for a child who was born
22 in the United States;

23 (9) automobile license receipts or registration;

24 (10) deeds, mortgages, or rental agreement con-
25 tracts;

- 1 (11) tax receipts;
- 2 (12) travel records;
- 3 (13) copies of money order receipts sent in or
- 4 out of the country;
- 5 (14) dated bank transactions;
- 6 (15) remittance records; or
- 7 (16) insurance policies.

8 (d) DOCUMENTS ESTABLISHING ADMISSION TO AN
 9 INSTITUTION OF HIGHER EDUCATION.—To establish that
 10 an alien has been admitted to an institution of higher edu-
 11 cation, the alien shall submit to the Secretary a document
 12 from the institution of higher education certifying that the
 13 alien—

- 14 (1) has been admitted to the institution; or
- 15 (2) is currently enrolled in the institution as a
- 16 student.

17 (e) DOCUMENTS ESTABLISHING RECEIPT OF A DE-
 18 GREE FROM AN INSTITUTION OF HIGHER EDUCATION.—
 19 To establish that an alien has acquired a degree from an
 20 institution of higher education in the United States, the
 21 alien shall submit to the Secretary a diploma or other doc-
 22 ument from the institution stating that the alien has re-
 23 ceived such a degree.

24 (f) DOCUMENTS ESTABLISHING RECEIPT OF HIGH
 25 SCHOOL DIPLOMA, GENERAL EDUCATIONAL DEVELOP-

1 MENT CERTIFICATE, OR A RECOGNIZED EQUIVALENT.—

2 To establish that an alien has earned a high school di-
 3 ploma or a commensurate alternative award from a public
 4 or private high school, or has obtained a general edu-
 5 cational development certificate recognized under State
 6 law or a high school equivalency diploma in the United
 7 States, the alien shall submit to the Secretary—

8 (1) a high school diploma, certificate of comple-
 9 tion, or other alternate award;

10 (2) a high school equivalency diploma or certifi-
 11 cate recognized under State law; or

12 (3) evidence that the alien passed a State-au-
 13 thorized exam, including the general educational de-
 14 velopment exam, in the United States.

15 (g) DOCUMENTS ESTABLISHING ENROLLMENT IN AN
 16 EDUCATIONAL PROGRAM.—To establish that an alien is
 17 enrolled in any school or education program described in
 18 section 3(b)(1)(D)(iii), 3(d)(3)(A)(iii), or 5(a)(1)(C), the
 19 alien shall submit school records from the United States
 20 school that the alien is currently attending that include—

21 (1) the name of the school; and

22 (2) the alien's name, periods of attendance, and
 23 current grade or educational level.

24 (h) DOCUMENTS ESTABLISHING EXEMPTION FROM
 25 APPLICATION FEES.—To establish that an alien is exempt

1 from an application fee under section 3(b)(5)(B) or
2 5(a)(4)(B), the alien shall submit to the Secretary the fol-
3 lowing relevant documents:

4 (1) DOCUMENTS TO ESTABLISH AGE.—To es-
5 tablish that an alien meets an age requirement, the
6 alien shall provide proof of identity, as described in
7 subsection (a), that establishes that the alien is
8 younger than 18 years of age.

9 (2) DOCUMENTS TO ESTABLISH INCOME.—To
10 establish the alien’s income, the alien shall provide—

11 (A) employment records that have been
12 maintained by the Social Security Administra-
13 tion, the Internal Revenue Service, or any other
14 Federal, State, or local government agency;

15 (B) bank records; or

16 (C) at least 2 sworn affidavits from indi-
17 viduals who are not related to the alien and
18 who have direct knowledge of the alien’s work
19 and income that contain—

20 (i) the name, address, and telephone
21 number of the affiant; and

22 (ii) the nature and duration of the re-
23 lationship between the affiant and the
24 alien.

1 (3) DOCUMENTS TO ESTABLISH FOSTER CARE,
 2 LACK OF FAMILIAL SUPPORT, HOMELESSNESS, OR
 3 SERIOUS, CHRONIC DISABILITY.—To establish that
 4 the alien was in foster care, lacks parental or famil-
 5 ial support, is homeless, or has a serious, chronic
 6 disability, the alien shall provide at least 2 sworn af-
 7 fidavits from individuals who are not related to the
 8 alien and who have direct knowledge of the cir-
 9 cumstances that contain—

10 (A) a statement that the alien is in foster
 11 care, otherwise lacks any parental or other fa-
 12 miliar support, is homeless, or has a serious,
 13 chronic disability, as appropriate;

14 (B) the name, address, and telephone num-
 15 ber of the affiant; and

16 (C) the nature and duration of the rela-
 17 tionship between the affiant and the alien.

18 (4) DOCUMENTS TO ESTABLISH UNPAID MED-
 19 ICAL EXPENSE.—To establish that the alien has debt
 20 as a result of unreimbursed medical expenses, the
 21 alien shall provide receipts or other documentation
 22 from a medical provider that—

23 (A) bear the provider's name and address;

24 (B) bear the name of the individual receiv-
 25 ing treatment; and

1 (C) document that the alien has accumu-
2 lated \$10,000 or more in debt in the past 12
3 months as a result of unreimbursed medical ex-
4 penses incurred by the alien or an immediate
5 family member of the alien.

6 (i) DOCUMENTS ESTABLISHING QUALIFICATION FOR
7 HARDSHIP EXEMPTION.—To establish that an alien satis-
8 fies one of the criteria for the hardship exemption set forth
9 in section 5(a)(2)(C), the alien shall submit to the Sec-
10 retary at least 2 sworn affidavits from individuals who are
11 not related to the alien and who have direct knowledge
12 of the circumstances that warrant the exemption, that
13 contain—

14 (1) the name, address, and telephone number of
15 the affiant; and

16 (2) the nature and duration of the relationship
17 between the affiant and the alien.

18 (j) DOCUMENTS ESTABLISHING SERVICE IN THE
19 ARMED FORCES.—To establish that an alien has served
20 in the Armed Forces for at least 2 years and, if dis-
21 charged, received an honorable discharge, the alien shall
22 submit to the Secretary official service records showing
23 the character of the alien's service.

24 (k) DOCUMENTS ESTABLISHING EMPLOYMENT.—

1 (1) IN GENERAL.—An alien may satisfy the em-
2 ployment requirement under section 5(a)(1)(C)(iii)
3 by submitting records that—

4 (A) establish compliance with such employ-
5 ment requirement; and

6 (B) have been maintained by the Social Se-
7 curity Administration, the Internal Revenue
8 Service, or any other Federal, State, or local
9 government agency.

10 (2) OTHER DOCUMENTS.—An alien who is un-
11 able to submit the records described in paragraph
12 (1) may satisfy the employment requirement by sub-
13 mitting at least 2 types of reliable documents that
14 provide evidence of employment, including—

15 (A) bank records;

16 (B) business records;

17 (C) employer records;

18 (D) records of a labor union, day labor
19 center, or organization that assists workers in
20 employment;

21 (E) sworn affidavits from individuals who
22 are not related to the alien and who have direct
23 knowledge of the alien’s work, that contain—

24 (i) the name, address, and telephone
25 number of the affiant; and

1 (ii) the nature and duration of the re-
2 lationship between the affiant and the
3 alien; and
4 (F) remittance records.

5 (I) AUTHORITY TO PROHIBIT USE OF CERTAIN DOC-
6 UMENTS.—If the Secretary determines, after publication
7 in the Federal Register and an opportunity for public com-
8 ment, that any document or class of documents does not
9 reliably establish identity or that permanent resident sta-
10 tus on a conditional basis is being obtained fraudulently
11 to an unacceptable degree, the Secretary may prohibit or
12 restrict the use of such document or class of documents.

13 **SEC. 7. RULEMAKING.**

14 (a) INITIAL PUBLICATION.—Not later than 90 days
15 after the date of the enactment of this Act, the Secretary
16 shall publish regulations implementing this Act in the
17 Federal Register. Such regulations shall allow eligible indi-
18 viduals to immediately apply affirmatively for the relief
19 available under section 3 without being placed in removal
20 proceedings.

21 (b) INTERIM REGULATIONS.—Notwithstanding sec-
22 tion 553 of title 5, United States Code, the regulations
23 published pursuant to subsection (a) shall be effective, on
24 an interim basis, immediately upon publication in the Fed-
25 eral Register, but may be subject to change and revision

1 after public notice and opportunity for a period of public
2 comment.

3 (c) FINAL REGULATIONS.—Not later than 180 days
4 after the date on which interim regulations are published
5 under this section, the Secretary shall publish final regula-
6 tions implementing this Act.

7 (d) PAPERWORK REDUCTION ACT.—The require-
8 ments under chapter 35 of title 44, United States Code
9 (commonly known as the “Paperwork Reduction Act”),
10 shall not apply to any action to implement this Act.

11 **SEC. 8. CONFIDENTIALITY OF INFORMATION.**

12 (a) IN GENERAL.—The Secretary may not disclose
13 or use information provided in applications filed under this
14 Act or in requests for DACA for the purpose of immigra-
15 tion enforcement.

16 (b) REFERRALS PROHIBITED.—The Secretary may
17 not refer any individual who has been granted permanent
18 resident status on a conditional basis or who was granted
19 DACA to U.S. Immigration and Customs Enforcement,
20 U.S. Customs and Border Protection, or any designee of
21 either such entity.

22 (c) LIMITED EXCEPTION.—Notwithstanding sub-
23 sections (a) and (b), information provided in an applica-
24 tion for permanent resident status on a conditional basis

1 or a request for DACA may be shared with Federal secu-
2 rity and law enforcement agencies—

3 (1) for assistance in the consideration of an ap-
4 plication for permanent resident status on a condi-
5 tional basis;

6 (2) to identify or prevent fraudulent claims;

7 (3) for national security purposes; or

8 (4) for the investigation or prosecution of any
9 felony not related to immigration status.

10 (d) PENALTY.—Any person who knowingly uses, pub-
11 lishes, or permits information to be examined in violation
12 of this section shall be fined not more than \$10,000.

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