



Congresswoman
VERONICA ESCOBAR
Texas' 16th Congressional District

American Families United Act

Section by Section

Section 1. Short Title

- The “American Families United Act”

Section 2. Findings

- The rights and interests of U.S. citizens should be protected by our immigration laws.
- Congressional intent is to provide the AG and DHS Secretary discretion to ensure fairness and prevent hardships associated with family separation in immigration proceedings.

Section 3. Rule of Construction

- Nothing shall be construed to provide the AG and DHS Secretary discretionary authority except on a case-by-case-basis.

Section 4. Definition of Conviction

- Defines ‘conviction’ to be a final, formal judgment of guilt entered by a court.
- Pardons entered by a state or federal authority shall render the conviction null and void.
- A term of imprisonment or sentence includes only the actual period of incarceration or confinement.
- These definitions take effect on the date of enactment and apply to all convictions and sentences.

Section 5. Discretionary Authority with Respect to Removal, Deportation, Ineligibility or Inadmissibility of Citizen Family Members

(a)

- Provides the AG discretion to stop the removal, deportation, or exclusion of certain persons from the U.S. and to grant them permission to reapply for immigration relief.
- The AG may exercise discretion based on humanitarian purposes or to preserve family unity for U.S. citizen spouses or parents of U.S. citizen children.
- Excludes the AG from exercising this discretion over individuals with certain criminal offenses.

(b)

- Provides the DHS Secretary discretion to waive inadmissibility or deportability grounds; decline to issue a notice to appear to place a person in removal proceedings; decline to reinstate an order of removal; and grant permission to reapply for immigration relief of certain persons.
- The Secretary may exercise discretion based on humanitarian purposes or to preserve family unity for U.S. citizen spouses or parents of U.S. citizen children.
- Excludes the Secretary from exercising discretion over individuals with certain criminal offenses.