

118TH CONGRESS  
2D SESSION

# S. 3987

To protect stateless persons in the United States, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 20, 2024

Mr. CARDIN (for himself, Mr. DURBIN, Mr. PADILLA, Ms. HIRONO, Mr. WELCH, Mr. MARKEY, Ms. WARREN, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To protect stateless persons in the United States, 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 “Stateless Protection  
5 Act of 2024”.

6 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

7 (a) FINDINGS.—Congress makes the following find-  
8 ings:

9 (1) The International Covenant on Civil and  
10 Political Rights, to which the United States is a

1 party, provides that every child has the right to ac-  
2 quire a nationality, and numerous other treaties and  
3 the Universal Declaration of Human Rights recog-  
4 nize the right to a nationality.

5 (2) Statelessness is an abhorrent affront to  
6 human dignity and may lead to the violation of  
7 human rights.

8 (3) The Supreme Court of the United States  
9 has recognized that denationalization, as a form of  
10 punishment, is more primitive than torture.

11 (4) Government action and inaction causes  
12 statelessness; therefore, governments have the power  
13 to resolve and prevent statelessness.

14 (5) The United Nations High Commissioner for  
15 Refugees—

16 (A) is a United Nations agency responsible  
17 for identifying stateless persons, preventing and  
18 reducing statelessness, and protecting stateless  
19 persons; and

20 (B) estimates that there are at least  
21 10,000,000 stateless persons worldwide.

22 (6) A 2020 study conducted by the Center for  
23 Migration Studies found that there are approxi-  
24 mately 218,000 individuals living in the United  
25 States who are stateless or at risk of statelessness.

1           (7) Stateless individuals live in all 50 States,  
2           and many such individuals have lived in the United  
3           States for years or decades without relief.

4           (8) Despite the presence of stateless persons in  
5           the United States, there is no law relating to the  
6           identification of stateless persons in the United  
7           States or to provide stateless persons with a path to  
8           legal status.

9           (9) Stateless persons often—

10           (A) live without the means to work legally  
11           or to travel; and

12           (B) face barriers in opening bank ac-  
13           counts, pursuing higher education, accessing  
14           justice, and obtaining health care.

15           (10) If detained for removal from the United  
16           States, a stateless person is often subjected to pro-  
17           longed detention and, in some instances, cannot be  
18           removed because no country recognizes the person as  
19           its national.

20           (b) SENSE OF CONGRESS.—It is the sense of Con-  
21           gress that to resolve statelessness and its related human  
22           suffering, lost potential, and societal impacts, the United  
23           States should—

24           (1) provide a legal status to protect stateless  
25           persons; and

1           (2) urge the international community to take  
2           strong action to prevent statelessness globally.

3 **SEC. 3. PROTECTION OF STATELESS PERSONS IN THE**  
4 **UNITED STATES.**

5           (a) IN GENERAL.—Chapter 5 of title II of the Immi-  
6 gration and Nationality Act (8 U.S.C. 1255 et seq.) is  
7 amended by inserting after section 245A the following:

8 **“SEC. 245B. PROTECTION OF STATELESS PERSONS IN THE**  
9 **UNITED STATES.**

10           “(a) DEFINITIONS.—In this section:

11                   “(1) COMPETENT AUTHORITY.—With respect to  
12 a foreign state, the term ‘competent authority’—

13                           “(A) means the authority responsible for—

14                                   “(i) conferring nationality on, or with-  
15 drawing nationality from, individuals; or

16                                   “(ii) in the case of nationality having  
17 been acquired or withdrawn automatically,  
18 clarifying the nationality status of an indi-  
19 vidual; and

20                           “(B) includes a Federal, local, or regional  
21 government entity, a consular official, and a  
22 government official at any level, notwith-  
23 standing any process by which a decision by  
24 such an entity or official may later be over-  
25 ridden.

1           “(2) NONCITIZEN.—The term ‘noncitizen’ has  
2 the meaning given the term ‘alien’ in section 101(a).

3           “(3) OPERATION OF LAW; OPERATION OF ITS  
4 LAW.—The terms ‘operation of law’ and ‘operation  
5 of its law’—

6           “(A) refer to the consideration by a com-  
7 petent authority of a state with respect to  
8 whether an individual is a national of that  
9 state, including under the legislation, ministe-  
10 rial decrees, regulations, orders, judicial case  
11 law, and customary practices of the competent  
12 authority; and

13           “(B) include situations in which the posi-  
14 tion of the competent authority of a state dif-  
15 fers from the law of the state as written, if the  
16 position of the competent authority of the state  
17 that an individual is not a national of the state  
18 is determinative.

19           “(4) RELEVANT ASSOCIATION.—The term ‘rel-  
20 evant association’ means an individual’s connection  
21 to a state through—

22           “(A) birth on the territory of the state;

23           “(B) direct descent from 1 or more indi-  
24 viduals who are nationals of the state;

1           “(C) marriage to an individual who is a  
2 national of the state;

3           “(D) adoption by an individual who is a  
4 national of the state; or

5           “(E) habitual residence in the state.

6           “(5) STATELESS PERSON.—The term ‘stateless  
7 person’ means an individual who is not considered as  
8 a national by any state under the operation of its  
9 law.

10           “(6) FRIVOLOUS APPLICATION.—The term  
11 ‘frivolous application’ means an application that—

12           “(A) contains a fabricated material ele-  
13 ment;

14           “(B) is premised upon false or fabricated  
15 evidence, unless the application would have been  
16 granted without the false or fabricated evidence;

17           “(C) is filed without regard to the merits  
18 of the claim; or

19           “(D) is clearly foreclosed by applicable law.

20           “(b) MECHANISMS FOR REGULARIZING THE STATUS  
21 OF STATELESS PERSONS.—

22           “(1) STATELESS PROTECTED STATUS.—

23           “(A) PRINCIPAL APPLICANTS.—Notwith-  
24 standing any other provision of law, the Sec-

1           retary of Homeland Security shall provide  
2           stateless protected status to a noncitizen who—

3                   “(i) is a stateless person present in  
4                   the United States;

5                   “(ii) applies for such relief;

6                   “(iii) has not performed a potentially  
7                   expatriating act under section 349 after  
8                   the date of the enactment of this section,  
9                   unless the noncitizen had acquired or had  
10                  a reasonable expectation that the noncit-  
11                  izen would acquire a foreign nationality or  
12                  citizenship;

13                  “(iv) except as provided in paragraph  
14                  (2) of this subsection—

15                           “(I) is not inadmissible under  
16                           section subparagraph (C), (E), (G), or  
17                           (H) of section 212(a)(2) or section  
18                           212(a)(3) (other than subparagraph  
19                           (D)); and

20                           “(II) is not removable under sec-  
21                           tion 237(a)(4);

22                           “(v) is not described in section  
23                           241(b)(3)(B)(i);

1           “(vi) is not otherwise ineligible for  
2           stateless protected status under this sec-  
3           tion; and

4           “(vii) is not a stateless person because  
5           the noncitizen has voluntarily relinquished  
6           United States nationality under section  
7           349.

8           “(B) TREATMENT OF SPOUSE AND CHIL-  
9           DREN.—Notwithstanding any other provision of  
10          law, the Secretary of Homeland Security shall  
11          provide stateless protected status to a noncit-  
12          izen who—

13               “(i) is present in the United States;

14               “(ii) is the spouse or child of a noncit-  
15               izen described in subparagraph (A), if such  
16               spouse or child is not otherwise eligible for  
17               admission under that subparagraph;

18               “(iii) applies for stateless protected  
19               status under this section;

20               “(iv) is accompanying, or following to  
21               join, such noncitizen;

22               “(v) established the qualifying rela-  
23               tionship to such noncitizen before the date  
24               on which such noncitizen applied for state-  
25               less protected status;

1 “(vi) except as provided in paragraph  
2 (2) of this subsection—

3 “(I) is not inadmissible under  
4 section subparagraph (C), (E), (G), or  
5 (H) of section 212(a)(2) or section  
6 212(a)(3) (other than subparagraph  
7 (D)); and

8 “(II) is not removable under sec-  
9 tion 237(a)(4); and

10 “(vii) is not described in section  
11 241(b)(3)(B)(i).

12 “(C) STATELESS PROTECTED STATUS.—  
13 Noncitizens with stateless protected status  
14 shall—

15 “(i) receive relevant protections  
16 against deportation, removal, and deten-  
17 tion, as described in paragraph (3);

18 “(ii) be authorized for employment in-  
19 cident to status; and

20 “(iii) be issued a travel document, as  
21 described in paragraph (5).

22 “(D) CONCURRENT GRANT OF LAWFUL  
23 PERMANENT RESIDENCE.—

24 “(i) IN GENERAL.—Notwithstanding  
25 any other provision of law, immediately on

1 granting stateless protected status to a  
2 noncitizen, the Secretary of Homeland Se-  
3 curity may adjust the status of the noncit-  
4 izen to that of a noncitizen lawfully admit-  
5 ted for permanent residence, provided that  
6 the noncitizen is admissible (except as oth-  
7 erwise provided in clause (ii)) as an immi-  
8 grant under this chapter.

9 “(ii) ADMISSIBILITY.—

10 “(I) IN GENERAL.—The grounds  
11 of inadmissibility under paragraphs  
12 (4), (5), (7)(A), and (9)(B) of section  
13 212(a) shall not be applicable to any  
14 noncitizen seeking adjustment of sta-  
15 tus under this section.

16 “(II) WAIVER AVAILABLE.—A  
17 noncitizen seeking adjustment of sta-  
18 tus under this section may request a  
19 waiver of inadmissibility under para-  
20 graph (2).

21 “(iii) EXCEPTION.—The Secretary of  
22 Homeland Security may not adjust the sta-  
23 tus of a noncitizen with stateless protected  
24 status who is described in section  
25 241(b)(3)(B)(i).

1           “(iv) TREATMENT OF SPOUSE AND  
2 CHILDREN.—The Secretary of Homeland  
3 Security may adjust the status of a spouse  
4 or child granted stateless protected status  
5 under subparagraph (B) to that of a non-  
6 citizen lawfully admitted for permanent  
7 residence even if the principal applicant  
8 concerned is ineligible for adjustment of  
9 status.

10           “(2) WAIVERS.—

11           “(A) IN GENERAL.—Notwithstanding any  
12 other provision of law, with respect to a noncit-  
13 izen applying for stateless protected status or  
14 adjustment of status under this section, the  
15 Secretary of Homeland Security may waive any  
16 applicable provision of section 212(a) (other  
17 than subparagraph (A), (B), (C), (E) or (F) of  
18 paragraph (3) of that section) and section  
19 237(a)(4)(F)—

20                   “(i) for humanitarian purposes;

21                   “(ii) to ensure family unity; or

22                   “(iii) if such a waiver is otherwise in  
23 the public interest.

24           “(B) FACTORS.—In making a determina-  
25 tion under subparagraph (A), the Secretary of

1 Homeland Security shall consider all relevant  
2 factors, including—

3 “(i) mitigating and aggravating fac-  
4 tors of the basis for inadmissibility;

5 “(ii) the duration of the noncitizen’s  
6 residence in the United States; and

7 “(iii) the degree to which the nonciti-  
8 zen’s removal, or the denial of the nonciti-  
9 zen’s application, would result in hardship  
10 to the noncitizen or the noncitizen’s par-  
11 ent, spouse, child, or adult son or daugh-  
12 ter.

13 “(3) RELEASE FROM POST-ORDER DETEN-  
14 TION.—A grant of stateless protected status to a  
15 principal applicant under subsection (b)(1)(A)  
16 shall—

17 “(A) in the case of such an applicant who  
18 is detained pursuant to an order of removal,  
19 trigger immediate release from the custody of  
20 the Secretary of Homeland Security;

21 “(B) be considered to establish that there  
22 is no significant likelihood of the individual’s re-  
23 moval in the reasonably foreseeable future; and

24 “(C) establish a presumption that travel  
25 documents are not available for the individual.

1           “(4) EMPLOYMENT AUTHORIZATION WHILE AP-  
2           PLICATION PENDING.—

3           “(A) IN GENERAL.—During the 150-day  
4           period after the date on which an application  
5           for status under this section is submitted, the  
6           Secretary of Homeland Security may authorize  
7           the applicant to engage in employment in the  
8           United States.

9           “(B) MANDATORY EMPLOYMENT AUTHOR-  
10          IZATION.—If the Secretary of Homeland Secu-  
11          rity has not issued a decision within the 150-  
12          day period beginning on the date on which an  
13          application for status under this section is sub-  
14          mitted, the Secretary of Homeland Security  
15          shall authorize the applicant to engage in em-  
16          ployment in the United States until the date on  
17          which a decision is issued on the application for  
18          stateless protected status.

19          “(5) TRAVEL DOCUMENTS.—

20          “(A) IN GENERAL.—The Secretary of  
21          Homeland Security shall provide to any noncit-  
22          izen granted relief under this section, a travel  
23          document that facilitates the noncitizen’s ability  
24          to travel abroad and to be admitted to the  
25          United States upon return.

1           “(B) VALIDITY.—The minimum period of  
2 validity for a document issued under subpara-  
3 graph (A) shall be—

4                   “(i) in the case of such a noncitizen  
5 who is 16 years of age or older, 10 years;  
6 and

7                   “(ii) in the case of such a noncitizen  
8 who is under 16 years of age, 5 years.

9           “(6) FRIVOLOUS APPLICATIONS.—

10                   “(A) IN GENERAL.—At the time of filing  
11 an application for stateless protected status or  
12 adjustment of status under this section, the  
13 Secretary of Homeland Security shall advise the  
14 noncitizen of the privilege of being represented  
15 by counsel and of the consequences, under sub-  
16 paragraph (D), of knowingly filing a frivolous  
17 application under this section.

18                   “(B) EFFECT OF WITHDRAWAL OF APPLI-  
19 CATION.—

20                   “(i) IN GENERAL.—A noncitizen may  
21 request that the noncitizen’s application  
22 for status under this section be withdrawn,  
23 prior to the adjudication of the application.

24                   “(ii) EFFECT OF CONSENT TO WITH-  
25 DRAWAL.—If the Secretary of Homeland

1 Security consents to the withdrawal of the  
2 noncitizen's application, the application  
3 shall be considered denied without preju-  
4 dice to any future application.

5 “(iii) EFFECT OF DECLINE TO CON-  
6 SENT TO WITHDRAWAL.—If the Secretary  
7 of Homeland Security declines to consent  
8 to the withdrawal of the noncitizen's appli-  
9 cation, the application shall be adjudicated  
10 on its merits.

11 “(iv) PROHIBITION ON NEGATIVE IN-  
12 FERENCE.—In determining whether an ap-  
13 plication under this section is frivolous, the  
14 Secretary of Homeland Security may not  
15 draw a negative inference from a nonciti-  
16 zen's request to withdraw the application.

17 “(C) DENIAL.—The denial of an applica-  
18 tion for stateless protected status or adjustment  
19 of status under this section shall not be con-  
20 strued to establish that the application was friv-  
21 olous.

22 “(D) CONSEQUENCE OF FILING A FRIVO-  
23 LOUS APPLICATION.—If the Secretary of Home-  
24 land Security determines that a noncitizen has  
25 knowingly made a frivolous application for sta-

1           tus under this section and the noncitizen has  
2           received notice under subparagraph (A), the  
3           noncitizen shall be permanently ineligible for  
4           stateless protected status or adjustment of sta-  
5           tus under this section, effective as of the date  
6           on which a final determination on such applica-  
7           tion is made.

8           “(c) EVIDENTIARY MATTERS.—

9           “(1) IN GENERAL.—In determining if an indi-  
10          vidual is a stateless person under this section, the  
11          Secretary of Homeland Security may consider and  
12          obtain any credible evidence relevant to the applica-  
13          tion, including information from—

14                 “(A) the Department of State, including  
15                 the Bureau of Population, Refugees, and Mi-  
16                 gration and the Bureau of Democracy, Human  
17                 Rights, and Labor; and

18                 “(B) relevant international and foreign  
19                 bodies, the United Nations High Commissioner  
20                 for Refugees, the Law Library of Congress,  
21                 nongovernmental organizations, and the com-  
22                 petent authorities of other countries.

23           “(2) DESIGNATION OF SPECIFIC GROUPS OF  
24          STATELESS PERSONS.—

1           “(A) IN GENERAL.—The Secretary of  
2 Homeland Security, in consultation with the  
3 Secretary of State, may designate 1 or more  
4 groups the members of which shall be presumed  
5 to be stateless persons for purposes of this sec-  
6 tion.

7           “(B) PRESUMPTION.—

8           “(i) IN GENERAL.—A noncitizen shall  
9 be presumed to be a stateless person if the  
10 noncitizen—

11                   “(I) belongs to a group des-  
12 igned under subparagraph (A); and

13                   “(II) applies for stateless pro-  
14 tected status under this section.

15           “(ii) REBUTTAL.—The presumption  
16 under clause (i) may be rebutted if the  
17 Secretary of Homeland Security finds, by  
18 clear and convincing evidence, that the in-  
19 dividual concerned is considered as a na-  
20 tional of any state under the operation of  
21 its law.

22           “(C) REVOCATION.—The Secretary of  
23 Homeland Security may revoke the designation  
24 of a group under subparagraph (A) as of any  
25 date on which the Secretary determines that

1 members of the group are no longer stateless  
2 persons.

3 “(3) STANDARD OF PROOF.—

4 “(A) IN GENERAL.—An applicant shall  
5 have the burden of establishing, by the prepon-  
6 derance of the evidence, that the applicant is el-  
7 igible for a grant of stateless protected status,  
8 adjustment of status, or a waiver of inadmis-  
9 sibility under this section.

10 “(B) ASSESSMENT OF NATIONALITY.—The  
11 nationality of an individual shall be assessed as  
12 of the date of adjudication of an application  
13 under this section, without regard to future  
14 possible acquisitions of nationality.

15 “(4) SUBMISSION OF DOCUMENTARY EVI-  
16 DENCE.—

17 “(A) SUPPORTING DOCUMENTS FROM AP-  
18 PPLICANT.—An applicant for relief under this  
19 section shall submit, as part of the application  
20 for such relief—

21 “(i) a full and truthful account, to the  
22 best of the noncitizen’s knowledge, of such  
23 noncitizen’s legal status with regard to any  
24 state in which the applicant was born or  
25 resided before entering the United States

1 or with which the applicant has a relevant  
2 association; and

3 “(ii) all evidence reasonably available,  
4 including any valid or expired travel docu-  
5 ment.

6 “(B) EVIDENCE AVAILABLE TO SEC-  
7 RETARY OF HOMELAND SECURITY.—

8 “(i) IN GENERAL.—If the Secretary of  
9 Homeland Security determines that an ap-  
10 plicant is not a stateless person, the Sec-  
11 retary shall submit to the applicant and, if  
12 relevant, to the applicant’s counsel, any in-  
13 formation or evidence available to the Sec-  
14 retary (other than information or evidence  
15 initially provided by the applicant) regard-  
16 ing the legal status of the applicant in the  
17 applicant’s country of birth or prior resi-  
18 dence or any country with which the appli-  
19 cant has a relevant association, including  
20 information on the relevant laws and prac-  
21 tices of the countries concerned.

22 “(ii) INAPPLICABILITY TO CERTAIN  
23 INFORMATION.—Clause (i) shall not apply  
24 to information that is classified or other-  
25 wise protected from disclosure by law.

1           “(C) CONSIDERATION OF RESPONSE.—The  
2           Secretary of Homeland Security may consider  
3           as substantial evidence that an individual is not  
4           considered by a state to be national of the state  
5           the following:

6                   “(i) In a case in which the Secretary  
7                   of Homeland Security requests, from a  
8                   state with which a noncitizen has a rel-  
9                   evant association, information with respect  
10                  to the noncitizen’s nationality status, a  
11                  lack of response from the competent au-  
12                  thority of such state during the 120-day  
13                  period beginning on the date of such re-  
14                  quest.

15                  “(ii) A pro forma response from the  
16                  state that lacks an application of the law  
17                  or facts to the particular individual.

18                  “(iii) For non-recalcitrant states, the  
19                  refusal of the state to accept the noncitizen  
20                  for deportation or removal.

21           “(d) FEES.—The Secretary of Homeland Security  
22           may not charge a noncitizen any fee in connection with  
23           an application for, or issuance of, stateless protected sta-  
24           tus under this section, employment authorization, or travel  
25           documents.

1 “(e) JURISDICTION AND REVIEW.—

2 “(1) IN GENERAL.—The Director of U.S. Citi-  
3 zenship and Immigration Services shall have juris-  
4 diction over an application for stateless protected  
5 status and adjustment of status filed by a noncitizen  
6 under this section.

7 “(2) REVIEW.—An initial denial of an applica-  
8 tion for relief under this section shall be subject to  
9 review by the Administrative Appeals Office of U.S.  
10 Citizenship and Immigration Services.

11 “(f) EFFECT ON REMOVAL PROCEEDINGS.—With re-  
12 spect to a noncitizen in removal proceedings who files a  
13 nonfrivolous application for relief under this section, the  
14 Attorney General shall administratively close the removal  
15 proceedings pending the adjudication of the application.

16 “(g) APPLICANTS WITH FINAL ORDERS OF RE-  
17 MOVAL.—

18 “(1) STAY OF REMOVAL.—

19 “(A) IN GENERAL.—An applicant for  
20 stateless protected status or adjustment of sta-  
21 tus under this section who has been issued a  
22 final order of removal, deportation, or exclusion  
23 may request a stay of removal, deportation, or  
24 exclusion.

1           “(B) CONSIDERATION OF REQUEST.—With  
2           respect to an individual who requests a stay  
3           under subparagraph (A), if the Secretary of  
4           Homeland Security determines that the applica-  
5           tion for relief is nonfrivolous, the Secretary  
6           shall automatically stay the execution of the  
7           final order of deportation, exclusion, or removal,  
8           and the stay will remain in effect until a final  
9           decision is made on the applications.

10           “(C) EFFECT OF DENIAL.—If such an ap-  
11           plication is denied, the stay of such a final  
12           order shall be deemed lifted as of the date on  
13           which such denial becomes final upon—

14                   “(i) dismissal of an appeal;

15                   “(ii) waiver of appeal by the noncit-  
16                   izen; or

17                   “(iii) expiration of the time allotted  
18                   for an appeal if the noncitizen does not file  
19                   an appeal within that time.

20           “(2) TERMINATION.—On the approval of an ap-  
21           plication for stateless protected status or adjustment  
22           of status under this section to a noncitizen in re-  
23           moval proceedings or with an order of removal, de-  
24           portation, or exclusion, the proceedings or order of  
25           removal, deportation, or exclusion shall be deemed

1 canceled by operation of law as of the date of the  
2 approval.

3 “(h) EXCLUSION FROM NUMERICAL LIMITATIONS.—  
4 Individuals provided status under this section shall not be  
5 counted against any numerical limitation under sections  
6 201, 202, or 203.

7 “(i) RULE OF CONSTRUCTION.—Except as provided  
8 in subparagraph (b)(1)(B), nothing in this section may be  
9 construed to authorize or require the admission or parole  
10 of any noncitizen into the United States.

11 “(j) REPORTS.—

12 “(1) IN GENERAL.—Not later than 240 days  
13 after the date of the enactment of this section, and  
14 every 90 days thereafter, the Secretary of Homeland  
15 Security shall provide to the Committee on the Judi-  
16 ciary and the Committee on Foreign Relations of the  
17 Senate and the Committee on the Judiciary and the  
18 Committee on Foreign Affairs of the House of Rep-  
19 resentatives a briefing on—

20 “(A) the number and outcome of applica-  
21 tions submitted under each of paragraphs (1),  
22 (4), and (5) of subsection (b) since such date  
23 of enactment, disaggregated by—

24 “(i) the country of birth of the appli-  
25 cants; and

1                   “(ii) the fiscal year in which the appli-  
2                   cations were received; and

3                   “(B) with respect to applications adju-  
4                   dicated during the 180-day period immediately  
5                   preceding the date of the briefing, the median  
6                   processing time, by application type.

7                   “(2) PUBLIC AVAILABILITY.—The Secretary of  
8                   Homeland Security shall publish on the internet  
9                   website of the Department of Homeland Security the  
10                  information described in each report submitted  
11                  under paragraph (1).

12                  “(k) PUBLICATION OF GUIDANCE.—Not later than  
13                  120 days after the date of the enactment of this Act, the  
14                  Secretary of Homeland Security shall issue on the internet  
15                  website of the Department of Homeland Security public  
16                  guidance and application instructions relating to the re-  
17                  quirements of this section.

18                  “(l) REGULATIONS.—Notwithstanding chapter 5 of  
19                  title 5, United States Code (commonly known as the ‘Ad-  
20                  ministrative Procedures Act’), the Secretary of Homeland  
21                  Security may issue such regulations as the Secretary con-  
22                  siders appropriate to carry out this section.

23                  “(m) EXEMPTION FROM PAPERWORK REDUCTION  
24                  ACT.—During the 1-year period beginning on the date  
25                  that is 120 days after the date of the enactment of this

1 section, the requirements under chapter 35 of title 44,  
2 United States Code, shall not apply to any collection of  
3 information required under this section or any rule pro-  
4 mulgated by the Secretary of Homeland Security to imple-  
5 ment this section.”.

6 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

7 (1) TABLE OF CONTENTS.—The table of con-  
8 tents for the Immigration and Nationality Act (8  
9 U.S.C. 1101 et seq.) is amended by inserting after  
10 the item relating to section 245A the following:

“Sec. 245B. Protection of stateless persons in the United States.”.

11 (2) NATURALIZATION.—Section 316 of the Im-  
12 migration and Nationality Act (8 U.S.C. 1427) is  
13 amended by adding at the end the following:

14 “(g) The requirements of subsection (a) shall apply  
15 to an individual who adjusts status to that of a lawful  
16 permanent resident under section 245B of this Act, except  
17 that such an individual shall be eligible for naturalization  
18 if—

19 “(1) during the 3-year period immediately pre-  
20 ceding the date on which the individual files his or  
21 her application for naturalization, the individual has  
22 resided continuously within the United States after  
23 having been lawfully admitted for permanent resi-  
24 dence;

1           “(2) during such 3-year period, the individual  
2           has been physically present in the United States for  
3           1 or more periods totaling not less than 18 months;  
4           and

5           “(3) the individual who has resided within the  
6           State or within the district of U.S. Citizenship and  
7           Immigration Services in which the individual filed  
8           the application for not less than 90 days.”.

9           (3) QUALIFIED NONCITIZEN.—Section 431(b)  
10          of the Personal Responsibility and Work Oppor-  
11          tunity Reconciliation Act of 1996 (8 U.S.C.  
12          1641(b)) is amended—

13                 (A) in paragraph (7), by striking “, or”  
14                 and inserting a comma;

15                 (B) in paragraph (8), by striking the pe-  
16                 riod at the end and inserting “, or”; and

17                 (C) by adding at the end the following:

18                 “(9) a noncitizen in stateless protected status  
19                 under section 245B of the Immigration and Nation-  
20                 ality Act.”.

21 **SEC. 4. PROGRAMS TO PREVENT STATELESSNESS.**

22           Subject to the availability of appropriations, the Sec-  
23          retary of Homeland Security and the Secretary of State  
24          shall jointly engage in and support activities and efforts

1 aimed at preventing and reducing statelessness, which  
2 may include—

3           (1) conducting an assessment of United States  
4 citizenship law to determine and propose amend-  
5 ments to any provision of law that results in state-  
6 lessness or a delayed acquisition of nationality that  
7 increases the risk of statelessness;

8           (2) conducting studies on the profiles and num-  
9 ber of stateless people living in the United States;

10          (3) implementing programs—

11               (A) to promote inclusive and nondiscrim-  
12 inatory nationality laws and practices in other  
13 countries, with particular attention to the pre-  
14 vention of human rights violations and atrocity  
15 crimes; and

16               (B) to encourage other countries to estab-  
17 lish stateless status determination and protec-  
18 tion legislation; and

19          (4) awarding grants to universities, inter-  
20 national organizations, and nongovernmental organi-  
21 zations to accelerate research, education, curricula,  
22 and knowledge on nationality law and practice and  
23 statelessness.

1 **SEC. 5. UPDATING CITIZENSHIP RELINQUISHMENT PROVI-**  
2 **SIONS.**

3 (a) LOSS OF NATIONALITY BY NATIVE-BORN OR  
4 NATURALIZED CITIZENS.—

5 (1) IN GENERAL.—Section 349(a) of the Immi-  
6 gration and Nationality Act (8 U.S.C. 1481(a)) is  
7 amended—

8 (A) by striking paragraph (6); and

9 (B) by redesignating paragraph (7) as  
10 paragraph (6).

11 (2) CONFORMING AMENDMENT.—Section  
12 351(a) of the Immigration and Nationality Act (8  
13 U.S.C. 1483(a)), is amended by striking “para-  
14 graphs (6) and (7)” and inserting “paragraph (6)”.

15 (b) EFFECTIVE DATE; APPLICABILITY.—The amend-  
16 ments made by this section—

17 (1) shall be effective on the date of the enact-  
18 ment of this Act; and

19 (2) shall apply to any pending renunciation re-  
20 quest under section 349(a) of the Immigration and  
21 Nationality Act (8 U.S.C. 1481(a)) with respect to  
22 which a final decision has not been made.

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