



Bill Summary: Preserving Opportunities for Childhood Arrivals Act

Rep. Steve Pearce (R-New Mexico) introduced the Preserving Opportunities for Childhood Arrivals Act, [H.R. 4488](#), on November 30, 2017. The bill establishes for those who were Deferred Action for Childhood Arrivals (DACA) recipients on September 5, 2017, a 10-year conditional protected legal status that can be renewed indefinitely.

What would the Preserving Opportunities for Childhood Arrivals Act do?

- Allows DACA recipients to apply for a 10-year conditional protected status and obtain work authorization that can be renewed indefinitely every 10 years if eligibility criteria are met.
- DACA recipients must meet the following eligibility criteria to be eligible:
 - Meet admissibility requirements established under the Immigration and Nationality Act;
 - No record of convictions for violent misdemeanor offenses; and
 - Have been continuously present and continuously resided in the United States while having DACA.
- Brief, casual, and innocent absences from the United States do not constitute a failure to maintain continuous physical presence or residency.
- There are no work, education, or military service requirements to be eligible for conditional protected status.
- Conditional protected status recipients are eligible to apply for lawful permanent residency (LPR) if they have an avenue to qualify for LPR status.
- The 3-year and 10-year bars on individuals who want to re-enter the country lawfully after a previous unlawful stay in the country are waived for those with conditional protected status.
- People who lost their DACA protections, never applied, or were too young to apply (under 16) before September 5, 2017 but would have otherwise qualified could not apply for conditional protected status.

How Does This Bill Differ from Other Proposals?

- No work, education, or military service requirements exist for eligibility, unlike the Dream Act, RAC Act, and SUCCEED Act.
- Conditional protected status can be renewed indefinitely, whereas the conditional statuses granted under other proposals are for set periods of time.
- No specific requirements exist concerning age at entry to the U.S. or length of residency in the U.S. beyond maintaining continuous residency while a DACA recipient.