

Protect Vulnerable Immigrant Youth Act of 2023

Senator Catherine Cortez Masto

Background:

Special Immigrant Juvenile Status (SIJS) was established in 1990 to create a pathway to lawful permanent residence (a “green card”) for immigrant children who have been abandoned, abused, or neglected by their parents or guardians. Children who receive SIJS have faced horrific conditions in their home countries, leaving them unable to return and often with few resources here in the U.S.

Despite being a humanitarian visa, the pathway to a green card for SIJS children runs through the employment-based immigration visa system—subjecting SIJS recipients to annual worldwide and country-specific visa limits. This has resulted in thousands of children stuck in a backlog, unable to move forward with their lives.

- More than 44,000 SIJS children are waiting to receive a green card.¹
- Children caught in the backlog can wait 4 years or more to receive a green card.
- SIJS youth are vulnerable to deportation, are unable to work legally, and may have difficulty accessing health care and higher education while they await a green card.

In 2022, the Biden Administration began granting deferred action to SIJS youth caught in the backlog on a case-by-case basis. Those who receive deferred action are protected from deportation and can receive work permits, but they are not granted lawful status until a green card is approved. This helpful step ultimately does not solve the backlog because vulnerable children must still wait years for a visa to become available—a problem that can only be addressed through legislation.

Legislation:

Senator Catherine Cortez Masto is introducing the *Protect Vulnerable Immigrant Youth Act* to exempt SIJS youth from annual visa caps that keep them stuck in a backlog, unable to get the lawful permanent resident status that would give them the safety and security they deserve. Congress created SIJS for a reason—to protect the most vulnerable immigrant children. Congress must live up to its promise by making sure the program it created can actually function.

Endorsements:

The legislation has been endorsed by more than 100 organizations, including: American Immigration Council, American Immigration Lawyers Association (AILA), Center for Law and Social Policy, Church World Service, Coalition for Humane Immigrant Rights (CHIRLA), End SIJS Backlog Coalition, Kids in Need of Defense (KIND), National Immigrant Justice Center, Refugees International, Tahirih Justice Center, U.S. Conference of Catholic Bishops' Committee on Migration, United We Dream, The Young Center for Immigrant Children's Rights.

¹ “[Any Day They Could Deport Me.](#)” November 2021. *End SIJS Backlog and The Door.*