

on behalf of a child who is not described in subparagraph (A) and has been granted special immigrant status under section 101(a)(27)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)), or status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)),<sup>2</sup> the Federal Government shall reimburse the State in which the child resides for such expenditures by the State.

**(5) State courts acting in loco parentis**

A department or agency of a State, or an individual or entity appointed by a State court or juvenile court located in the United States, acting in loco parentis, shall not be considered a legal guardian for purposes of this section or section 279 of title 6.

**(6) Transition rule**

Notwithstanding any other provision of law, an alien described in section 101(a)(27)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)), as amended by paragraph (1), may not be denied special immigrant status under such section after December 23, 2008, based on age if the alien was a child on the date on which the alien applied for such status.

**(7) Omitted**

**(8) Specialized needs of unaccompanied alien children**

Applications for asylum and other forms of relief from removal in which an unaccompanied alien child is the principal applicant shall be governed by regulations which take into account the specialized needs of unaccompanied alien children and which address both procedural and substantive aspects of handling unaccompanied alien children's cases.

**(e) Training**

The Secretary of State, the Secretary of Homeland Security, the Secretary of Health and Human Services, and the Attorney General shall provide specialized training to all Federal personnel, and upon request, state<sup>1</sup> and local personnel, who have substantive contact with unaccompanied alien children. Such personnel shall be trained to work with unaccompanied alien children, including identifying children who are victims of severe forms of trafficking in persons, and children for whom asylum or special immigrant relief may be appropriate, including children described in subsection (a)(2).

**(f) Omitted**

**(g) Definition of unaccompanied alien child**

For purposes of this section, the term “unaccompanied alien child” has the meaning given such term in section 279(g) of title 6.

**(h) Effective date**

This section—

(1) shall take effect on the date that is 90 days after December 23, 2008; and

(2) shall also apply to all aliens in the United States in pending proceedings before the Department of Homeland Security or the Executive Office for Immigration Review, or

related administrative or Federal appeals, on December 23, 2008.

**(i) Grants and contracts**

The Secretary of Health and Human Services may award grants to, and enter into contracts with, voluntary agencies to carry out this section and section 279 of title 6.

(Pub. L. 110-457, title II, § 235, Dec. 23, 2008, 122 Stat. 5074; Pub. L. 113-4, title XII, §§ 1261-1263, Mar. 7, 2013, 127 Stat. 156-159.)

REFERENCES IN TEXT

The Immigration and Nationality Act, referred to in subsec. (a)(2)(B), is act June 27, 1952, ch. 477, 66 Stat. 163, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of this title and Tables.

March 7, 2013, referred to in subsec. (c)(6)(E)(iii), was in the original “the date of the enactment of this Act”, which was translated as meaning the date of enactment of Pub. L. 113-4, known as the Violence Against Women Reauthorization Act of 2013, which enacted subsec. (c)(6)(B) to (F), to reflect the probable intent of Congress. Other references to March 7, 2013, in subpars. (B) to (F) of subsec. (c)(6) were in the original “the date of the enactment of the Violence Against Women Reauthorization Act of 2013”.

CODIFICATION

Section is comprised of section 235 of Pub. L. 110-457. Pars. (1), (3), and (7) of section 235(d) of Pub. L. 110-457 amended sections 1101, 1255, and 1158 of this title, respectively. Section 235(f) of Pub. L. 110-457 amended section 279 of Title 6, Domestic Security.

Section was enacted as part of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, and not as part of the Immigration and Nationality Act which comprises this chapter.

AMENDMENTS

2013—Subsec. (c)(2). Pub. L. 113-4, § 1261, designated existing provisions as subpar. (A), inserted heading, and added subpar. (B).

Subsec. (c)(6). Pub. L. 113-4, § 1262, designated existing provisions as subpar. (A), inserted heading, struck out “and criminal” after “immune from civil”, and added subpars. (B) to (F).

Subsec. (d)(4)(A). Pub. L. 113-4, § 1263(1), in introductory provisions, struck out “either” before “in the custody”, substituted “such child,” for “such child or who”, and inserted “, or has been granted status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)),” before “, shall be eligible for placement”.

Subsec. (d)(4)(B). Pub. L. 113-4, § 1263(2), inserted “, or status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)),” before “, the Federal Government”.

PART V—ADJUSTMENT AND CHANGE OF STATUS

**§ 1251. Transferred**

CODIFICATION

Section 1251, act June 27, 1952, ch. 477, title II, ch. 5, § 241, 66 Stat. 204, as amended, which related to deportable aliens, was renumbered section 237 of ch. 4 of title II of act June 27, 1952, by Pub. L. 104-208, div. C, title III, § 305(a)(2), Sept. 30, 1996, 110 Stat. 3009-598, and was transferred to section 1227 of this title.

**§ 1251a. Repealed. Pub. L. 87-301, § 24(a)(3), Sept. 26, 1961, 75 Stat. 657**

Section, Pub. L. 85-316, § 7, Sept. 11, 1957, 71 Stat. 640, excepted spouse, child or parent of a United States citi-