

119TH CONGRESS
1ST SESSION

S. _____

To authorize the expedited removal of aliens who are criminal gang members, members of foreign terrorist organizations, or have been convicted of certain specified crimes.

IN THE SENATE OF THE UNITED STATES

Mrs. MOODY introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To authorize the expedited removal of aliens who are criminal gang members, members of foreign terrorist organizations, or have been convicted of certain specified crimes.

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 “Expedited Removal
5 of Criminal Aliens Act”.

1 **SEC. 2. EXPEDITED REMOVAL OF CERTAIN CRIMINAL**
2 **ALIENS.**

3 (a) IN GENERAL.—Chapter 4 of title II of the Immi-
4 gration and Nationality Act (8 U.S.C. 1221 et seq.) is
5 amended by inserting after section 238 the following:

6 **“SEC. 238A. EXPEDITED REMOVAL OF ALIENS WHO ARE**
7 **CRIMINAL GANG MEMBERS, ARE MEMBERS**
8 **OR SUPPORTERS OF A FOREIGN TERRORIST**
9 **ORGANIZATION, OR HAVE BEEN CONVICTED**
10 **OF A SPECIFIED CRIME.**

11 “(a) DEFINED TERM.—In this section, the term
12 ‘member of a vulnerable group’ means—

13 “(1) a child who is younger than 16 years of
14 age;

15 “(2) a woman who is pregnant;

16 “(3) an individual with a severe physical or
17 mental disability; or

18 “(4) an individual who is older than 65 years
19 of age.

20 “(b) ALIENS SUBJECT TO EXPEDITED REMOVAL.—
21 An alien is subject to mandatory detention and expedited
22 removal under section 238 and is subject to removal from
23 the United States if the Department of Homeland Secu-
24 rity determines that such alien—

25 “(1) is a member of a criminal gang or a crimi-
26 nal organization;

1 “(2) is a member of an organization designated
2 as a foreign terrorist organization pursuant to sec-
3 tion 219(a) or has provided material support to such
4 an organization; or

5 “(3) has been convicted of any felony, any mis-
6 demeanor against a member of a vulnerable group,
7 any assault of a law enforcement officer, any sexual
8 offense, any crime of domestic violence, any stalking
9 offense, any crime against children, including sex
10 trafficking of a minor or sexual abuse of a minor,
11 any activity relating to material involving the sexual
12 exploitation of minors, or any violation of a protec-
13 tion order (as such terms are defined in the jurisdic-
14 tion in which the acts constituting such crimes oc-
15 curred).

16 “(c) INELIGIBILITY FOR WITHHOLDING OF RE-
17 MOVAL.—An alien described in subsection (b) is not eligi-
18 ble for withholding of removal under any provision of this
19 title.”.

20 (b) CLERICAL AMENDMENT.—The table of contents
21 for the Immigration and Nationality Act (8 U.S.C. 1101
22 et seq.) is amended by inserting after the item relating
23 to section 238 the following:

 “Sec. 238A. Expedited removal of aliens who are criminal gang members, are
 members or supporters of a foreign terrorist organization, or
 have been convicted of a specified crime.”.