

109TH CONGRESS
1ST SESSION

S. 1168

To amend section 212 of the Immigration and Nationality Act to make inadmissible individuals who law enforcement knows, or has reasonable grounds to believe, seek entry into the United States to participate in illegal activities with criminal gangs located in the United States.

IN THE SENATE OF THE UNITED STATES

JUNE 6, 2005

Mr. NELSON of Florida introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend section 212 of the Immigration and Nationality Act to make inadmissible individuals who law enforcement knows, or has reasonable grounds to believe, seek entry into the United States to participate in illegal activities with criminal gangs located in the United States.

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. FINDINGS.**

4 Congress finds that—

1 (1) violent crimes committed by criminal street
2 gangs in cities throughout the United States has
3 been increasing;

4 (2) these criminal gangs have been involved in
5 human smuggling, drug trafficking, arms smuggling,
6 brutal killings, and other violent crimes; and

7 (3) individuals are entering the United States
8 with the intent of joining criminal gangs based in
9 the United States and engaging in criminal activity.

10 **SEC. 2. CRIMINAL GANG ACTIVITY.**

11 Section 212(a)(2) of the Immigration and Nationality
12 Act (8 U.S.C. 1182(a)(2)) is amended by adding at the
13 end the following:

14 “(J) CRIMINAL GANG ACTIVITY.—

15 “(i) IN GENERAL.—Any alien who a
16 consular officer or the Attorney General
17 knows, or has reasonable grounds to be-
18 lieve, seeks to enter the United States to
19 engage, solely, principally, or incidentally
20 in a criminal street gang located in the
21 United States is inadmissible.

22 “(ii) DEFINITION.—In this subpara-
23 graph, the term ‘criminal street gang’
24 means an ongoing group, club, organiza-
25 tion, or association of 5 or more individ-

1 uals that commits a violation of Federal or
2 State law that is punishable by imprison-
3 ment of 1 year or more.”.

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