

111TH CONGRESS
1ST SESSION

H. R. 1823

To amend the Immigration and Nationality Act to improve communication between the Secretary of Homeland Security and State and local law enforcement officials regarding the treatment of aliens who have been ordered removed and also charged with an aggravated felony under State law.

IN THE HOUSE OF REPRESENTATIVES

MARCH 31, 2009

Mr. FRELINGHUYSEN introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to improve communication between the Secretary of Homeland Security and State and local law enforcement officials regarding the treatment of aliens who have been ordered removed and also charged with an aggravated felony under State law.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. REMOVAL OF ALIENS CHARGED WITH AGGRA-**
2 **VATED FELONY UNDER STATE LAW.**

3 Section 241(a)(4) of the Immigration and Nationality
4 Act (8 U.S.C. 1231(a)(4)) is amended by adding at the
5 end the following:

6 “(E) ALIENS CHARGED WITH AGGRAVATED
7 FELONY.—In the case of an alien charged with
8 an aggravated felony under State law, the Sec-
9 retary of Homeland Security may, notwith-
10 standing paragraph (1), stay the removal of the
11 alien pending disposition of the criminal charge
12 if the chief law enforcement officer or executive
13 of the State (or of a political subdivision of the
14 State in which the criminal charge is brought),
15 exercising authority with respect to public safe-
16 ty, submits a written request for such action to
17 the Secretary. If the alien is sentenced to im-
18 prisonment on the charge, subparagraphs (A)
19 and (B) shall apply.”.

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