

116TH CONGRESS
1ST SESSION

H. R. 74

To require the Secretary of Homeland Security to detain any alien who is unlawfully present in the United States and is arrested for certain criminal offenses.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2019

Mr. BIGGS (for himself, Mr. MEADOWS, Mr. BROOKS of Alabama, Mr. MCKINLEY, Mr. GOHMERT, Mr. DESJARLAIS, Mr. CHABOT, Mr. DUNCAN, Mr. PALMER, and Mr. EMMER) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To require the Secretary of Homeland Security to detain any alien who is unlawfully present in the United States and is arrested for certain criminal offenses.

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 “Grant’s Law”.

1 **SEC. 2. MANDATORY DETENTION FOR CERTAIN ALIENS AR-**
2 **RESTED FOR THE COMMISSION OF CERTAIN**
3 **OFFENSES.**

4 Section 236(c) of the Immigration and Nationality
5 Act (8 U.S.C. 1226(c)(1)) is amended—

6 (1) in paragraph (1)—

7 (A) in subparagraph (C), by striking “or”
8 at the end;

9 (B) in subparagraph (D), by adding “or”
10 at the end; and

11 (C) by inserting after subparagraph (D)
12 the following:

13 “(E) is—

14 “(i) determined by the Secretary of
15 Homeland Security to be unlawfully
16 present in the United States; and

17 “(ii) arrested for any offense de-
18 scribed in subparagraphs (A) through (D)
19 the conviction of which would render the
20 alien inadmissible under section 212(a) or
21 deportable under section 237(a),”; and

22 (2) in paragraph (2)—

23 (A) by striking “The Attorney General”
24 and inserting the following:

1 “(A) IN GENERAL.—Except as provided in
2 subparagraph (B), the Secretary of Homeland
3 Security”;

4 (B) by striking “the Attorney General”
5 each place such term appears and inserting
6 “the Secretary”; and

7 (C) by adding at the end the following:

8 “(B) ARRESTED BUT NOT CONVICTED
9 ALIENS.—The Secretary of Homeland Security
10 may release any alien held pursuant to para-
11 graph (1)(E) to the appropriate authority for
12 any proceedings subsequent to the arrest. The
13 Secretary shall resume custody of the alien dur-
14 ing any period pending the final disposition of
15 any such proceedings that the alien is not in
16 the custody of such appropriate authority. If
17 the alien is not convicted of the offense for
18 which the alien was arrested, the Secretary
19 shall continue to detain the alien until removal
20 proceedings are completed.”.

21 **SEC. 3. EXPEDITED INITIATION OF REMOVAL PRO-**
22 **CEEDINGS.**

23 Section 239(d) of the Immigration and Nationality
24 Act (8 U.S.C. 1229(d)) is amended by adding at the end
25 the following:

1 “(3) In the case of any alien held pursuant to
2 section 236(c)(1)(E), the Secretary of Homeland Se-
3 curity shall complete removal proceedings by not
4 later than 90 days after such alien is detained.”.

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