

# Union Calendar No. 477

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5713

[Report No. 119-555]

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 HOUSE OF REPRESENTATIVES

OCTOBER 8, 2025

Mr. GILL of Texas (for himself, Mr. MOORE of Alabama, Mr. HUNT, Mr. FINE, Mr. DAVIDSON, and Mr. ROY) introduced the following bill; which was referred to the Committee on the Judiciary

MARCH 18, 2026

Additional sponsors: Mr. NEHLS, Mr. CLOUD, Mrs. LUNA, and Mr. CLINE

MARCH 18, 2026

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on October 8, 2025]

# **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 of*  
5 *Criminal Aliens Act”.*

6 **SEC. 2. EXPEDITED REMOVAL.**

7 *Section 238 of the Immigration and Nationality Act*  
8 *(8 U.S.C. 1228) is amended—*

9 *(1) in the section heading, by striking “EXPE-*  
10 *DITED REMOVAL OF ALIENS CONVICTED OF COMMIT-*  
11 *TING AGGRAVATED FELONIES” and inserting “EXPE-*  
12 *DITED REMOVAL OF CERTAIN CRIMINAL ALIENS”;*

13 *(2) in subsection (a)—*

14 *(A) by amending paragraph (1) to read as*  
15 *follows:*

16 *“(1) IN GENERAL.—The Secretary of Homeland*  
17 *Security shall provide for the availability of special*  
18 *removal proceedings at certain Federal, State, and*  
19 *local correctional facilities for any incarcerated*  
20 *alien—*

21 *“(A) convicted of any criminal offense cov-*  
22 *ered in section 237(a)(2)(A)(iii), (B), (C), or*  
23 *(D), or any offense covered by section*  
24 *237(a)(2)(A)(ii) for which both predicate offenses*  
25 *are, without regard to the date of their commis-*

1            *sion, otherwise covered by section*  
2            *237(a)(2)(A)(i); or*

3            *“(B) who the Secretary of Homeland Secu-*  
4            *rity determines—*

5            *“(i) is inadmissible or deportable; and*

6            *“(ii)(I) is a member of a criminal*  
7            *gang or a transnational criminal organiza-*  
8            *tion (as defined in section 3003(5) of the*  
9            *Act titled ‘Making emergency supplemental*  
10           *appropriations for the fiscal year ending*  
11           *September 30, 2024, and for other purposes’*  
12           *(21 U.S.C. 2341(5)));*

13           *“(II) is a member of an organization*  
14           *designated as a foreign terrorist organiza-*  
15           *tion pursuant to section 219(a) or has pro-*  
16           *vided material support to such an organiza-*  
17           *tion; or*

18           *“(III) has been convicted of any felony,*  
19           *any misdemeanor with respect to which the*  
20           *underlying conduct was committed against*  
21           *a member of a vulnerable group, any as-*  
22           *sault of a law enforcement officer, any sex-*  
23           *ual offense, any crime of domestic violence,*  
24           *any stalking offense, any crime with respect*  
25           *to which the underlying conduct was com-*

1            *mitted against a child (including sex traf-*  
2            *ficking of a minor or sexual abuse of a*  
3            *minor), any activity relating to material*  
4            *involving the sexual exploitation of a*  
5            *minor, or any violation of a protection*  
6            *order (as such terms are defined in the ju-*  
7            *risdiction of conviction).”;*

8            *(B) in paragraph (2)—*

9                    *(i) by striking “convicted of an aggra-*  
10                   *vated felony” and inserting “described in*  
11                   *paragraph (1)”;*

12                   *(ii) by striking “Attorney General”*  
13                   *each place it appears and inserting “Sec-*  
14                   *retary of Homeland Security”; and*

15                   *(iii) by striking “felon” and inserting*  
16                   *“alien”;*

17            *(C) in paragraph (3)—*

18                   *(i) by striking “Attorney General”*  
19                   *each place it appears and inserting “Sec-*  
20                   *retary of Homeland Security”;*

21                   *(ii) by striking “convicted of an aggra-*  
22                   *vated felony” and inserting “described in*  
23                   *paragraph (1)”;* and

24                   *(iii) by striking “for the underlying*  
25                   *aggravated felony”;*

1           (D) in paragraph (4), by striking “Attorney  
2           General” each place it appears and inserting  
3           “Secretary of Homeland Security”; and

4           (E) by adding at the end the following:

5           “(5) *MANNER OF PROCEEDINGS.*—Special re-  
6           moval proceedings described in this section shall be  
7           conducted in conformity with section 240 (except as  
8           otherwise provided in this section), and in a manner  
9           which eliminates the need for additional detention at  
10          any processing center of the Department of Homeland  
11          Security and in a manner which assures expeditious  
12          removal following the end of the alien’s incarceration  
13          for the underlying sentence. Nothing in this section  
14          shall be construed to create any substantive or proce-  
15          dural right or benefit that is legally enforceable by  
16          any party against the United States or its agencies  
17          or officers or any other person.

18          “(6) *DEFINITIONS.*—In this subsection:

19                 “(A) The term ‘member of a vulnerable  
20                 group’ means—

21                         “(i) an individual who is younger  
22                         than 16 years of age;

23                         “(ii) a pregnant woman;

24                         “(iii) an individual with a severe  
25                         physical or mental disability; or

1                   “(iv) an individual who is older than  
2                   65 years of age.

3                   “(B) The term ‘criminal gang’ means an  
4                   ongoing group, club, organization, or association  
5                   of 5 or more persons that has as 1 of its primary  
6                   purposes the commission of 1 or more of the of-  
7                   fenses described in this subparagraph and the  
8                   members of which engage, or have engaged with-  
9                   in the past 5 years, in a continuing series of  
10                  such offenses. The offenses described, whether  
11                  committed, in whole or in part, within or out-  
12                  side of the United States and regardless of  
13                  whether the offenses occurred before, on, or after  
14                  the date of the enactment of this paragraph, are  
15                  the following:

16                  “(i) A Federal, State, local, or Tribal  
17                  offense that is punishable by imprisonment  
18                  for more than 1 year and relates to a con-  
19                  trolled substance (as so classified under the  
20                  relevant Federal, State, local, or Tribal  
21                  law), regardless of whether the substance is  
22                  classified as a controlled substance under  
23                  section 102 of the Controlled Substances Act  
24                  (21 U.S.C. 802).

1           “(ii) A foreign offense that is punish-  
2           able by imprisonment for more than 1 year  
3           and relates to a controlled substance as de-  
4           fined under section 102 of the Controlled  
5           Substances Act (21 U.S.C. 802).

6           “(iii) An offense that is punishable by  
7           imprisonment for more than 1 year and in-  
8           volves firearms or explosives (as defined  
9           under the relevant Federal, State, local,  
10          Tribal, or foreign law) or in violation of  
11          section 931 of title 18, United States Code  
12          (relating to purchase, ownership, or posses-  
13          sion of body armor by violent felons).

14          “(iv) An offense under section 274 (re-  
15          lating to bringing in and harboring certain  
16          aliens), section 277 (relating to aiding or  
17          assisting certain aliens to enter the United  
18          States), or section 278 (relating to importa-  
19          tion of alien for immoral purpose).

20          “(v) A crime of violence (as defined in  
21          section 16(a) of title 18, United States  
22          Code).

23          “(vi) A crime involving obstruction of  
24          justice, tampering with or retaliating  
25          against a witness, victim, or informant, or

1                    *burglary (as such terms are defined under*  
2                    *the relevant Federal, State, local, Tribal, or*  
3                    *foreign law).*

4                    “(vii) *Any conduct punishable under—*

5                            “(I) *sections 1028, 1028A, and*  
6                            *1029 of title 18, United States Code*  
7                            *(relating to fraud, aggravated identity*  
8                            *theft or fraud and related activity in*  
9                            *connection with identification docu-*  
10                           *ments or access devices);*

11                           “(II) *sections 1581 through 1594*  
12                           *of such title (relating to peonage, slav-*  
13                           *ery, and trafficking in persons);*

14                           “(III) *section 1951 of such title*  
15                           *(relating to interference with commerce*  
16                           *by threats or violence);*

17                           “(IV) *section 1952 of such title*  
18                           *(relating to interstate and foreign trav-*  
19                           *el or transportation in aid of racket-*  
20                           *eering enterprises);*

21                           “(V) *section 1956 of such title (re-*  
22                           *lating to the laundering of monetary*  
23                           *instruments);*

24                           “(VI) *section 1957 of such title*  
25                           *(relating to engaging in monetary*

1                    *transactions in property derived from*  
2                    *specified unlawful activity); or*

3                    *“(VII) sections 2312 through 2315*  
4                    *of such title (relating to interstate*  
5                    *transportation of stolen motor vehicles*  
6                    *or stolen property).*

7                    *“(viii) A conspiracy to commit an of-*  
8                    *fense described in subclauses (I) through*  
9                    *(VII) of clause (vi).”;*

10                    *(3) in subsection (b)—*

11                    *(A) in paragraph (1)—*

12                    *(i) by striking “Attorney General” and*  
13                    *inserting “Secretary of Homeland Secu-*  
14                    *rity”;*

15                    *(ii) by inserting “inadmissibility or”*  
16                    *before “deportability”;*

17                    *(iii) by striking “under section*  
18                    *237(a)(2)(A)(iii) (relating to conviction of*  
19                    *an aggravated felony)”;* and

20                    *(iv) by inserting before “section 240”*  
21                    *the following “issue a notice to appear*  
22                    *under section 239 to initiate removal pro-*  
23                    *ceedings under”;*

24                    *(B) by amending paragraph (2) to read as*  
25                    *follows:*

1           “(2) *ALIEN DESCRIBED.*—An alien is described  
2           in this paragraph if the alien—

3                   “(A) has been convicted of any criminal of-  
4                   fense described in subparagraph (A) or is de-  
5                   scribed in subparagraph (B) of section 238(a)(1),  
6                   regardless of whether such alien is incarcerated;  
7                   and

8                   “(B)(i) was not lawfully admitted for per-  
9                   manent residence at the time at which pro-  
10                  ceedings under this section commenced; or

11                  “(i) had permanent resident status on a  
12                  conditional basis (as described in section 216 of  
13                  this title) at the time that proceedings under this  
14                  section commenced.”;

15                  (C) in paragraph (3), by striking “Attorney  
16                  General” and inserting “Secretary of Homeland  
17                  Security”;

18                  (D) in paragraph (4), by striking “Attorney  
19                  General” each place it appears and inserting  
20                  “Secretary of Homeland Security”; and

21                  (E) in paragraph (5)—

22                          (i) by inserting “or Secretary of  
23                          Homeland Security” after “Attorney Gen-  
24                          eral”;

- 1                   (ii) by inserting “or Secretary’s” after  
2                   “Attorney General’s”; and  
3                   (iii) by inserting “, regardless of  
4                   whether the alien is in proceedings under  
5                   this section” after “discretion”; and  
6                   (4) by redesignating the second subsection (c) as  
7                   subsection (d).

8 **SEC. 3. DETENTION OF CRIMINAL ALIENS.**

9                   Section 236(c) of the Immigration and Nationality Act  
10 (8 U.S.C. 1226(c)) is amended—

11                   (1) in paragraph (1)—

12                   (A) in subparagraph (D), by striking “or”  
13                   at the end;

14                   (B) by redesignating subparagraph (E) as  
15                   subparagraph (F); and

16                   (C) by inserting after subparagraph (D) the  
17                   following:

18                   “(E)(i) is inadmissible under section 212 or  
19                   deportable under section 237; and

20                   “(i)(I) is a member of a criminal gang (as  
21                   defined in section 238(a)(6)(B)) or transnational  
22                   criminal organization (as defined in section  
23                   3003(5) of the Act titled ‘Making emergency sup-  
24                   plemental appropriations for the fiscal year end-

1           ing September 30, 2024, and for other purposes’  
2           (21 U.S.C. 2341(5)); or

3           “(II) has been convicted of any felony, any  
4           misdemeanor with respect to which the under-  
5           lying conduct was committed against a member  
6           of a vulnerable group (as defined in section  
7           238(a)(3)(A)), any assault of a law enforcement  
8           officer, any sexual offense, any crime of domestic  
9           violence, any stalking offense, any crime with re-  
10          spect to which the underlying conduct was com-  
11          mitted against a child (including sex trafficking  
12          of a minor or sexual abuse of a minor), any ac-  
13          tivity relating to material involving the sexual  
14          exploitation of a minor, or any violation of a  
15          protection order, or”;

16          (2) in paragraph (2)—

17                (A) in the heading, by striking “DEFINI-  
18                TION” and inserting “DEFINITIONS”; and

19                (B) by striking “For purposes of paragraph  
20                (1)(E),” and inserting the following:

21                    “(A) For purposes of paragraph  
22                    (1)(E)(ii)(II), the terms and phrases in such  
23                    paragraph have the meanings given such terms  
24                    and phrases in the jurisdiction of conviction.

25                    “(B) For purposes of paragraph (1)(F),”.

1 **SEC. 4. EXCEPTION TO RESTRICTIONS ON REMOVAL.**

2 *Section 241(b)(3)(B) of the Immigration and Nation-*  
3 *ality Act (8 U.S.C. 1231(b)(3)(B)) is amended—*

4 *(1) in clause (iii), by striking “or” at the end;*

5 *(2) in clause (iv), by striking the period and in-*  
6 *serting “; or”; and*

7 *(3) by adding after clause (iv) the following:*

8 *“(v) the alien has been convicted of*  
9 *any criminal offense described in subpara-*  
10 *graph (A) or is described in subparagraph*  
11 *(B) of section 238(a)(1), regardless of*  
12 *whether such alien is incarcerated or is in*  
13 *proceedings under section 238.”.*

14 **SEC. 5. INELIGIBILITY FOR ASYLUM.**

15 *Section 208(b)(2)(A) of the Immigration and Nation-*  
16 *ality Act (8 U.S.C. 1158(b)(2)(A)) is amended—*

17 *(1) in clause (v), by striking “or” at the end;*

18 *(2) in clause (vi), by striking the period at the*  
19 *end and inserting “; or”; and*

20 *(3) by adding at the end the following:*

21 *“(vii) the alien has been convicted of*  
22 *any criminal offense described in subpara-*  
23 *graph (A) or is described in subparagraph*  
24 *(B) of section 238(a)(1), regardless of*  
25 *whether such alien is incarcerated or is in*  
26 *proceedings under section 238.”.*

1 **SEC. 6. INELIGIBILITY FOR OTHER IMMIGRATION RELIEF.**

2 *An alien who has been convicted of any criminal of-*  
3 *fense described in subparagraph (A) or who is described in*  
4 *subparagraph (B) of section 238(a)(1) of the Immigration*  
5 *and Nationality Act (8 U.S.C. 1128(a)(1)), regardless of*  
6 *whether such alien is incarcerated or is in proceedings*  
7 *under such section 238, shall be ineligible for any other re-*  
8 *lief under the immigration laws (as such term is defined*  
9 *in section 101 of the Immigration and Nationality (8*  
10 *U.S.C. 1101)), including under section 2242 of the Omnibus*  
11 *Consolidated and Emergency Supplemental Appropriations*  
12 *Act, 1999 (and any regulations issued pursuant to such sec-*  
13 *tion).*

14 **SEC. 7. CONSTRUCTION; SEVERABILITY.**

15 *Any provision of this Act or an amendment made by*  
16 *this Act held to be invalid or unenforceable by its terms,*  
17 *or as applied to any person or circumstance, shall be con-*  
18 *strued so as to give it the maximum effect permitted by*  
19 *law, unless such holding shall be utterly invalid or unen-*  
20 *forceable, in which event such provision shall be deemed sev-*  
21 *erable from this Act and shall not affect the remainder of*  
22 *this Act, or the application of such provision to other per-*  
23 *sons not similarly situated or to other, dissimilar cir-*  
24 *cumstances.*

Union Calendar No. 477

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 5713**

[Report No. 119-555]

---

---

## **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.

---

---

MARCH 18, 2026

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed