

Union Calendar No. 477

119TH CONGRESS
2^D 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-*

mitted against a child (including sex trafficking of a minor or sexual abuse of a minor), any activity relating to material involving the sexual exploitation of a minor, or any violation of a protection order (as such terms are defined in the jurisdiction of conviction).”;

(B) in paragraph (2)—

(i) by striking “convicted of an aggravated felony” and inserting “described in paragraph (1)”;

(ii) by striking “Attorney General” each place it appears and inserting “Secretary of Homeland Security”; and

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

(C) in paragraph (3)—

(i) by striking “Attorney General” each place it appears and inserting “Secretary of Homeland Security”;

(ii) by striking “convicted of an aggravated felony” and inserting “described in paragraph (1)”;

(iii) by striking “for the underlying 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 *fin ed 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 (vii).”;*

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 “(ii) 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 “(ii)(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-

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

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

(2) in paragraph (2)—

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

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

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

“(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.*

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[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.

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