

HR 1932

Keep Our Communities Safe Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Immigration

Introduced: May 23, 2011

Current Status: Placed on the Union Calendar, Calendar No. 171.

Latest Action: Placed on the Union Calendar, Calendar No. 171. (Oct 18, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/house-bill/1932>

Sponsor

Name: Rep. Smith, Lamar [R-TX-21]

Party: Republican • **State:** TX • **Chamber:** House

Cosponsors (24 total)

| Cosponsor | Party / State | Role | Date Joined |
|-------------------------------------|---------------|------|--------------|
| Rep. Bartlett, Roscoe G. [R-MD-6] | R · MD | | May 31, 2011 |
| Rep. Miller, Jeff [R-FL-1] | R · FL | | May 31, 2011 |
| Rep. Rohrabacher, Dana [R-CA-46] | R · CA | | May 31, 2011 |
| Rep. Ross, Dennis A. [R-FL-12] | R · FL | | May 31, 2011 |
| Rep. Royce, Edward R. [R-CA-40] | R · CA | | May 31, 2011 |
| Rep. Marchant, Kenny [R-TX-24] | R · TX | | Jun 1, 2011 |
| Rep. Simpson, Michael K. [R-ID-2] | R · ID | | Jun 1, 2011 |
| Rep. Westmoreland, Lynn A. [R-GA-3] | R · GA | | Jun 1, 2011 |
| Rep. Bachus, Spencer [R-AL-6] | R · AL | | Jun 3, 2011 |
| Rep. Coffman, Mike [R-CO-6] | R · CO | | Jun 13, 2011 |
| Rep. Foxx, Virginia [R-NC-5] | R · NC | | Jun 13, 2011 |
| Rep. Lankford, James [R-OK-5] | R · OK | | Jun 13, 2011 |
| Rep. Myrick, Sue Wilkins [R-NC-9] | R · NC | | Jun 13, 2011 |
| Rep. Platts, Todd Russell [R-PA-19] | R · PA | | Jun 13, 2011 |
| Rep. Woodall, Rob [R-GA-7] | R · GA | | Jun 15, 2011 |
| Rep. Forbes, J. Randy [R-VA-4] | R · VA | | Jun 16, 2011 |
| Rep. Miller, Gary G. [R-CA-42] | R · CA | | Jun 16, 2011 |
| Rep. Mack, Connie [R-FL-14] | R · FL | | Jun 21, 2011 |
| Rep. Mulvaney, Mick [R-SC-5] | R · SC | | Jul 6, 2011 |
| Rep. Brooks, Mo [R-AL-5] | R · AL | | Jul 7, 2011 |
| Rep. Herger, Wally [R-CA-2] | R · CA | | Jul 11, 2011 |
| Rep. Manzullo, Donald A. [R-IL-16] | R · IL | | Jul 11, 2011 |
| Rep. Hunter, Duncan D. [R-CA-52] | R · CA | | Jul 12, 2011 |
| Rep. Bilbray, Brian P. [R-CA-50] | R · CA | | Jul 21, 2011 |

Committee Activity

| Committee | Chamber | Activity | Date |
|---------------------|---------|-----------------|--------------|
| Judiciary Committee | House | Discharged from | Jun 20, 2011 |

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

No related bills are listed.

Keep Our Communities Safe Act of 2011 - Amends the Immigration and Nationality Act (INA) to revise provisions regarding the detention and removal of aliens ordered removed.

Begins the removal period on the latest of: (1) the date the removal order becomes administratively final; (2) the date the alien is taken into Department of Homeland Security (DHS) custody if the alien is not in DHS custody on the date the removal order becomes administratively final; or (3) if the alien is detained or confined (except under an immigration process) on the date the removal order becomes administratively final, the date the alien is taken into DHS custody after the alien is released from detention or confinement.

Extends the removal (and detention) period beyond 90 days if: (1) the alien fails or refuses to comply with the removal order or to fully cooperate with DHS efforts to establish the alien's identity and carry out the removal order; (2) a court, the Board of Immigration Appeals, or an immigration judge orders a stay of removal of an alien who is subject to a final removal order; or (3) DHS transfers custody of the alien to another federal agency or to a state or local agency.

Begins a new removal period in the case of such an extended removal on the date: (1) the alien makes all reasonable efforts to comply with the removal order or to fully cooperate with DHS efforts to establish the alien's identity and carry out the removal order, (2) the stay of removal is no longer in effect, or (3) the alien is returned to DHS custody.

Authorizes DHS to detain indefinitely, subject to six-month review, an alien under removal order who cannot be removed if: (1) the alien will be removed in the reasonably foreseeable future; (2) the alien would have been removed but for the alien's refusal to cooperate with DHS identification and removal efforts; (3) the alien has a highly contagious disease that poses a public safety threat; (4) release would have serious adverse foreign policy consequences or would threaten national security; (5) release would threaten the safety of the community or any person and the alien has been convicted of either one or more aggravated felonies or crimes of violence and, because of a mental or personality condition, is likely to engage in future acts of violence; or (6) release would threaten the safety of the community or any person and the alien has been convicted of one or more aggravated felonies.

Authorizes unlimited detention of certain aliens during removal proceedings.

States that habeas corpus review of such detention and related actions or decisions shall be available only in the U.S. District Court for the District of Columbia after exhaustion of administrative remedies.

Subjects a criminal alien to mandatory DHS detention upon release without regard to whether the alien's release is related to: (1) certain activities, offenses, or convictions under INA; (2) whether the alien is released on parole, supervised release, or probation; or (3) whether the alien may be arrested or imprisoned again for the same offense.

Limits the Attorney General's (DOJ) review of DHS custody determinations to whether the alien may be detained, released with no bond, or released on bond of at least \$1,500.

Limits the Attorney General's review of DHS custody determinations for an alien in certain categories to whether the alien was properly included in such category.

Expresses the sense of Congress that: (1) this Act should ensure that constitutional rights are protected, and (2) it is the intention of Congress to uphold the constitutional principles of due process and that due process is a right of everyone in the United States.

Actions Timeline

- **Oct 18, 2011:** Reported (Amended) by the Committee on Judiciary. H. Rept. 112-255.
- **Oct 18, 2011:** Placed on the Union Calendar, Calendar No. 171.
- **Jul 14, 2011:** Committee Consideration and Mark-up Session Held.
- **Jul 14, 2011:** Ordered to be Reported (Amended) by the Yeas and Nays: 17 - 14.
- **Jun 20, 2011:** Subcommittee on Immigration Policy and Enforcement Discharged.
- **May 24, 2011:** Subcommittee Hearings Held.
- **May 23, 2011:** Introduced in House
- **May 23, 2011:** Referred to the Subcommittee on Immigration Policy and Enforcement.
- **May 23, 2011:** Referred to the House Committee on the Judiciary.