

## HR 3697

Criminal Alien Gang Member Removal Act

**Congress:** 115 (2017–2019, Ended)

**Chamber:** House

**Policy Area:** Immigration

**Introduced:** Sep 7, 2017

**Current Status:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.

**Latest Action:** Received in the Senate and Read twice and referred to the Committee on the Judiciary. (Sep 18, 2017)

**Official Text:** <https://www.congress.gov/bill/115th-congress/house-bill/3697>

### Sponsor

**Name:** Rep. Comstock, Barbara [R-VA-10]

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

### Cosponsors (6 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Sep 7, 2017
Rep. King, Peter T. [R-NY-2]	R · NY		Sep 7, 2017
Rep. Labrador, Raul R. [R-ID-1]	R · ID		Sep 7, 2017
Rep. Sessions, Pete [R-TX-32]	R · TX		Sep 11, 2017
Rep. Arrington, Jodey C. [R-TX-19]	R · TX		Sep 12, 2017
Rep. Zeldin, Lee M. [R-NY-1]	R · NY		Sep 12, 2017

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Sep 7, 2017
Judiciary Committee	Senate	Referred To	Sep 18, 2017

### Subjects & Policy Tags

#### Policy Area:

Immigration

### Related Bills

Bill	Relationship	Last Action
115 HR 7059	Related bill	<b>Oct 18, 2018:</b> Referred to the Subcommittee on Trade.
115 HR 6204	Related bill	<b>Aug 2, 2018:</b> Referred to the Subcommittee on Immigration and Border Security.
115 HR 4760	Related bill	<b>Jun 21, 2018:</b> Motion to reconsider laid on the table Agreed to without objection.
115 S 2380	Related bill	<b>Feb 6, 2018:</b> Read twice and referred to the Committee on the Judiciary.
115 HRES 513	Procedurally related	<b>Sep 13, 2017:</b> Motion to reconsider laid on the table Agreed to without objection.

## **Criminal Alien Gang Member Removal Act**

(Sec. 2) This bill amends the Immigration and Nationality Act to make an alien: (1) inadmissible if a consular officer, the Department of Homeland Security (DHS), or the Department of Justice (DOJ) knows or has reason to believe that such person is or has been a member of a criminal gang or has participated in criminal gang activities; and (2) deportable if such person is or has been a member of a criminal gang, or has participated in criminal gang activities knowing that such activities will promote illegal activity.

A "criminal gang" is defined as an ongoing group, club, organization, or association of five or more persons: (1) one of the primary purposes of which is the commission of specified criminal offenses and the members of which engage, or have engaged within the past five years, in a continuing series of such offenses; or (2) that has been designated as a criminal gang by DHS. Such offenses include: (1) felony drug offenses, (2) bringing in and harboring certain aliens, (3) assisting certain aliens to enter the United States, (4) importing aliens for immoral purposes, (5) crimes of violence, (6) obstruction of justice or witness tampering, (7) identification document fraud, (8) slavery and trafficking in persons, (9) money laundering, and (10) interstate or foreign travel in connection with a racketeering enterprise.

DHS: (1) may designate a group of five or more persons as a criminal gang based upon its conduct, and (2) shall publish a designation in the Federal Register seven days after providing congressional notification as provided for in this bill. A designation shall be effective until: (1) it is revoked or blocked by Congress; (2) DHS determines that the group no longer fits such designation or that national security or law enforcement interests warrant a revocation; or (3) it is judicially set aside. A group may file a petition for revocation with DHS. The bill prescribes DHS review provisions. A revocation of a designation shall not affect any proceeding based on conduct committed prior to the effective date of the revocation.

Within 30 days after publication of a designation, an amended designation, or a determination in response to a petition for revocation, a designated group may seek judicial review with the U.S. Court of Appeals, DC Circuit.

The bill: (1) provides for mandatory detention of alien gang members; and (2) makes alien gang members ineligible for asylum, temporary protected status, special immigrant juvenile status, and parole (unless such an alien is assisting the United States in a law enforcement matter).

## Actions Timeline

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- **Sep 18, 2017:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.
- **Sep 14, 2017:** Considered under the provisions of rule H. Res. 513. (consideration: CR H7387-7401)
- **Sep 14, 2017:** Rule provides for consideration of H.R. 3697 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Bill is closed to amendments.
- **Sep 14, 2017:** DEBATE - The House proceeded with one hour of debate on H.R. 3697.
- **Sep 14, 2017:** The previous question was ordered pursuant to the rule.
- **Sep 14, 2017:** Mr. Beyer moved to recommit with instructions to the Committee on the Judiciary. (text: CR H7399)
- **Sep 14, 2017:** Floor summary: DEBATE - The House proceeded with 10 minutes of debate on the Beyer motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment to add at the end of the bill a section pertaining to Protecting Innocent Religious Workers from Deportation.
- **Sep 14, 2017:** The previous question on the motion to recommit with instructions was ordered without objection.
- **Sep 14, 2017:** On motion to recommit with instructions Failed by the Yeas and Nays: 184 - 220 (Roll no. 516).
- **Sep 14, 2017:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 233 - 175 (Roll no. 517).(text: CR H7387-7389)
- **Sep 14, 2017:** On passage Passed by the Yeas and Nays: 233 - 175 (Roll no. 517). (text: CR H7387-7389)
- **Sep 14, 2017:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 13, 2017:** Rule H. Res. 513 passed House.
- **Sep 12, 2017:** Rules Committee Resolution H. Res. 513 Reported to House. Rule provides for consideration of H.R. 3697 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Bill is closed to amendments.
- **Sep 7, 2017:** Introduced in House
- **Sep 7, 2017:** Referred to the House Committee on the Judiciary.
- **Sep 7, 2017:** Referred to the Subcommittee on Immigration and Border Security.

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