

Union Calendar No. 366

118TH CONGRESS
2D SESSION

H. R. 661

[Report No. 118-442]

To require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 31, 2023

Mr. FEENSTRA (for himself, Mr. BUCK, Mr. DONALDS, Ms. SALAZAR, Mr. JOHNSON of Ohio, Mrs. HINSON, Mr. BABIN, Mr. HIGGINS of Louisiana, Mrs. MILLER-MEEKS, Ms. TENNEY, Mr. SMITH of New Jersey, Mr. LAMBORN, Mr. BACON, Mr. POSEY, Mrs. LESKO, Mr. OBERNOLTE, Mr. BOST, Mr. MOORE of Alabama, Mr. RUTHERFORD, Mr. NORMAN, Mr. FINSTAD, Mr. SESSIONS, Mr. JOHNSON of Louisiana, Mr. BURCHETT, Mr. OGLES, Mr. WEBER of Texas, Mr. SCOTT FRANKLIN of Florida, Mr. CLINE, Mr. ROUZER, Mr. DUNCAN, Mr. CRENSHAW, Mr. HUDSON, Mr. GARBARINO, Mr. DESJARLAIS, Mr. FRY, Mr. MIKE GARCIA of California, Mr. WALBERG, and Mr. STEUBE) introduced the following bill; which was referred to the Committee on the Judiciary

APRIL 5, 2024

Additional sponsors: Mr. NUNN of Iowa, Mr. LOUDERMILK, Mr. TIMMONS, Mr. GROTHMAN, Mr. CISCOMANI, Mr. ADERHOLT, Mr. McCAUL, Mr. GOODEN of Texas, Mrs. MILLER of Illinois, Mr. ESTES, Mr. DUNN of Florida, Mr. WILLIAMS of Texas, Mr. CARTER of Texas, Mr. TONY GONZALES of Texas, Mr. NEHLS, Mr. McCLINTOCK, Mr. PFLUGER, Mrs. HOUCHIN, Mr. ROSENDALE, and Mrs. SPARTZ

APRIL 5, 2024

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 January 31, 2023]

A BILL

To require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes.

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 “Sarah’s Law”.*

5 **SEC. 2. MANDATORY DETENTION OF CERTAIN ALIENS**
6 **CHARGED WITH A CRIME RESULTING IN**
7 **DEATH OR SERIOUS BODILY INJURY.**

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

10 (1) *in paragraph (1)—*

11 (A) *in subparagraph (C)—*

12 (i) *by striking “sentence” and insert-*
13 *ing “sentenced”; and*

14 (ii) *by striking “or”;*

15 (B) *in subparagraph (D), by striking the*
16 *comma at the end and inserting “, or”; and*

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

19 “(E)(i)(I) *is inadmissible under paragraph*
20 *(6)(A), (6)(C), or (7) of section 212(a),*

21 “(II) *is deportable under section*
22 *237(a)(1)(B) as an alien whose nonimmigrant*
23 *visa (or other documentation authorizing admis-*
24 *sion into the United States as a nonimmigrant)*
25 *has been revoked under section 221(i), or*

1 “(III) is deportable under section
2 237(a)(1)(C)(i), and

3 “(i) is charged with, is arrested for, is con-
4 victed of, admits having committed, or admits
5 committing acts which constitute the essential
6 elements of any offense that resulted in the death
7 or serious bodily injury (as defined in section
8 1365(h)(3) of title 18, United States Code) of an-
9 other person,”; and
10 (2) by adding at the end the following:

11 “(3) NOTIFICATION REQUIREMENT.—Upon en-
12 countering or gaining knowledge of an alien described
13 in paragraph (1), the Secretary of Homeland Secu-
14 rity shall—

15 “(A) obtain information from law enforce-
16 ment agencies and from other available sources
17 regarding the identity of any victims of the
18 crimes for which such alien was charged, ar-
19 rested, or convicted; and

20 “(B) provide the victim or, if the victim is
21 deceased, a parent, guardian, spouse, or closest
22 living relative of such victim, with information,
23 on a timely and ongoing basis, including—

24 “(i) the alien’s full name, aliases, date
25 of birth, and country of nationality;

1 “(ii) the alien’s immigration status
2 and criminal history;

3 “(iii) the alien’s custody status and
4 any changes related to the alien’s custody;
5 and

6 “(iv) a description of any efforts by the
7 United States Government to remove the
8 alien from the United States.

9 “(4) *DETAINER.*—*The Secretary of Homeland*
10 *Security shall issue a detainer for an alien described*
11 *in paragraph (1)(E) and, if the alien is not otherwise*
12 *detained by Federal, State, or local officials, shall ef-*
13 *fectively and expeditiously take custody of the alien.”.*

14 **SEC. 3. SAVINGS PROVISION.**

15 *Nothing in this Act, or the amendments made by this*
16 *Act, may be construed to limit the rights of crime victims*
17 *under any other provision of law, including section 3771*
18 *of title 18, United States Code.*

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