

118TH CONGRESS
2D SESSION

H. R. 7511

AN ACT

To require the Secretary of Homeland Security to take into custody aliens who have been charged in the United States with theft, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Laken Riley Act”.

3 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

4 (a) FINDINGS.—Congress finds that the Nation—

5 (1) mourns the devastating loss of Laken Riley
6 and other victims of the Biden administration’s open
7 borders policies;

8 (2) honors the life and memory of Laken Riley
9 and other victims of the Biden administration’s open
10 borders policies; and

11 (3) denounces the open-borders policies of
12 President Joe Biden, “Border Czar” Vice President
13 Kamala Harris, Secretary of Homeland Security
14 Alejandro Mayorkas, and other Biden administration
15 officials.

16 (b) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that—

18 (1) the Biden administration should not have
19 released Laken Riley’s alleged murderer into the
20 United States;

21 (2) the Biden administration should have ar-
22 rested and detained Laken Riley’s alleged murderer
23 after he was charged with crimes in New York, New
24 York, and Athens, Georgia;

1 (3) President Biden should publicly denounce
2 his administration’s immigration policies that re-
3 sulted in the murder of Laken Riley; and

4 (4) President Biden should prevent another
5 murder like that of Laken Riley by ending the catch-
6 and-release of illegal aliens, increasing immigration
7 enforcement, detaining and removing criminal aliens,
8 reinstating the Remain in Mexico policy, ending his
9 abuse of parole authority, and securing the United
10 States borders.

11 **SEC. 3. DETENTION OF CERTAIN ALIENS WHO COMMIT**
12 **THEFT.**

13 Section 236(e) of the Immigration and Nationality
14 Act (8 U.S.C. 1226(e)) is amended—

15 (1) in paragraph (1)—

16 (A) in subparagraph (C), by striking “or”;

17 (B) in subparagraph (D), by striking the
18 comma at the end and inserting “, or”; and

19 (C) by inserting after subparagraph (D)
20 the following:

21 “(E)(i) is inadmissible under paragraph
22 (6)(A), (6)(C), or (7) of section 212(a), and

23 “(ii) is charged with, is arrested for, is
24 convicted of, admits having committed, or ad-
25 mits committing acts which constitute the es-

1 sential elements of any burglary, theft, larceny,
2 or shoplifting offense,”;

3 (2) by redesignating paragraph (2) as para-
4 graph (4); and

5 (3) by inserting after paragraph (1) the fol-
6 lowing:

7 “(2) DEFINITION.—For purposes of paragraph
8 (1)(E), the terms ‘burglary’, ‘theft’, ‘larceny’, and
9 ‘shoplifting’ have the meaning given such terms in
10 the jurisdiction where the acts occurred.

11 “(3) DETAINER.—The Secretary of Homeland
12 Security shall issue a detainer for an alien described
13 in paragraph (1)(E) and, if the alien is not other-
14 wise detained by Federal, State, or local officials,
15 shall effectively and expeditiously take custody of the
16 alien.”.

17 **SEC. 4. ENFORCEMENT BY ATTORNEY GENERAL OF A**
18 **STATE.**

19 (a) INSPECTION OF APPLICANTS FOR ADMISSION.—
20 Section 235(b) of the Immigration and Nationality Act (8
21 U.S.C. 1225(b)) is amended—

22 (1) by redesignating paragraph (3) as para-
23 graph (4); and

24 (2) by inserting after paragraph (2) the fol-
25 lowing:

1 “(3) ENFORCEMENT BY ATTORNEY GENERAL
2 OF A STATE.—The attorney general of a State, or
3 other authorized State officer, alleging a violation of
4 the detention and removal requirements under para-
5 graphs (1) or (2) that harms such State or its resi-
6 dents shall have standing to bring an action against
7 the Secretary of Homeland Security on behalf of
8 such State or the residents of such State in an ap-
9 propriate district court of the United States to ob-
10 tain appropriate injunctive relief. The court shall ad-
11 vance on the docket and expedite the disposition of
12 a civil action filed under this paragraph to the great-
13 est extent practicable. For purposes of this para-
14 graph, a State or its residents shall be considered to
15 have been harmed if the State or its residents expe-
16 rience harm, including financial harm in excess of
17 \$100.”.

18 (b) APPREHENSION AND DETENTION OF ALIENS.—
19 Section 236 of the Immigration and Nationality Act (8
20 U.S.C. 1226), as amended by this Act, is further amend-
21 ed—

22 (1) in subsection (e)—

23 (A) by striking “or release”; and

24 (B) by striking “grant, revocation, or de-
25 nial” and insert “revocation or denial”; and

1 (2) by adding at the end the following:

2 “(f) ENFORCEMENT BY ATTORNEY GENERAL OF A
3 STATE.—The attorney general of a State, or other author-
4 ized State officer, alleging an action or decision by the
5 Attorney General or Secretary of Homeland Security
6 under this section to release any alien or grant bond or
7 parole to any alien that harms such State or its residents
8 shall have standing to bring an action against the Attor-
9 ney General or Secretary of Homeland Security on behalf
10 of such State or the residents of such State in an appro-
11 priate district court of the United States to obtain appro-
12 priate injunctive relief. The court shall advance on the
13 docket and expedite the disposition of a civil action filed
14 under this subsection to the greatest extent practicable.
15 For purposes of this subsection, a State or its residents
16 shall be considered to have been harmed if the State or
17 its residents experience harm, including financial harm in
18 excess of \$100.”.

19 (c) PENALTIES.—Section 243 of the Immigration
20 and Nationality Act (8 U.S.C. 1253) is amended by add-
21 ing at the end the following:

22 “(e) ENFORCEMENT BY ATTORNEY GENERAL OF A
23 STATE.—The attorney general of a State, or other author-
24 ized State officer, alleging a violation of the requirement
25 to discontinue granting visas to citizens, subjects, nation-

1 als, and residents as described in subsection (d) that
2 harms such State or its residents shall have standing to
3 bring an action against the Secretary of State on behalf
4 of such State or the residents of such State in an appro-
5 priate district court of the United States to obtain appro-
6 priate injunctive relief. The court shall advance on the
7 docket and expedite the disposition of a civil action filed
8 under this subsection to the greatest extent practicable.
9 For purposes of this subsection, a State or its residents
10 shall be considered to have been harmed if the State or
11 its residents experience harm, including financial harm in
12 excess of \$100.”.

13 (d) CERTAIN CLASSES OF ALIENS.—Section
14 212(d)(5) of the Immigration and Nationality Act (8
15 U.S.C. 1182(d)(5)) is amended—

16 (1) by striking “Attorney General” each place
17 it appears and inserting “Secretary of Homeland Se-
18 curity”; and

19 (2) by adding at the end the following:

20 “(C) The attorney general of a State, or other au-
21 thorized State officer, alleging a violation of the limitation
22 under subparagraph (A) that parole solely be granted on
23 a case-by-case basis and solely for urgent humanitarian
24 reasons or a significant public benefit, that harms such
25 State or its residents shall have standing to bring an ac-

1 tion against the Secretary of Homeland Security on behalf
2 of such State or the residents of such State in an appro-
3 priate district court of the United States to obtain appro-
4 priate injunctive relief. The court shall advance on the
5 docket and expedite the disposition of a civil action filed
6 under this subparagraph to the greatest extent prac-
7 ticable. For purposes of this subparagraph, a State or its
8 residents shall be considered to have been harmed if the
9 State or its residents experience harm, including financial
10 harm in excess of \$100.”.

11 (e) DETENTION.—Section 241(a)(2) of the Immigra-
12 tion and Nationality Act (8 U.S.C. 1231(a)(2)) is amend-
13 ed—

14 (1) by striking “During the removal period,”
15 and inserting the following:

16 “(A) IN GENERAL.—During the removal
17 period,”; and

18 (2) by adding at the end the following:

19 “(B) ENFORCEMENT BY ATTORNEY GEN-
20 ERAL OF A STATE.—The attorney general of a
21 State, or other authorized State officer, alleging
22 a violation of the detention requirement under
23 subparagraph (A) that harms such State or its
24 residents shall have standing to bring an action
25 against the Secretary of Homeland Security on

1 behalf of such State or the residents of such
2 State in an appropriate district court of the
3 United States to obtain appropriate injunctive
4 relief. The court shall advance on the docket
5 and expedite the disposition of a civil action
6 filed under this subparagraph to the greatest
7 extent practicable. For purposes of this sub-
8 paragraph, a State or its residents shall be con-
9 sidered to have been harmed if the State or its
10 residents experience harm, including financial
11 harm in excess of \$100.”.

12 (f) LIMIT ON INJUNCTIVE RELIEF.—Section 242(f)
13 of the Immigration and Nationality Act (8 U.S.C.
14 1252(f)) is amended by adding at the end following:

15 “(3) CERTAIN ACTIONS.—Paragraph (1) shall
16 not apply to an action brought pursuant to section
17 235(b)(3), subsections (e) or (f) of section 236, or
18 section 241(a)(2)(B).”.

 Passed the House of Representatives March 7,
2024.

Attest:

Clerk.

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