

117TH CONGRESS
2D SESSION

H. R. 7707

To codify in statute the CDC title 42 expulsion order, which suspends the right for certain aliens to enter the United States along United States land borders, until February 1, 2025.

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2022

Mr. KELLY of Pennsylvania introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To codify in statute the CDC title 42 expulsion order, which suspends the right for certain aliens to enter the United States along United States land borders, until February 1, 2025.

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 “The Spc. Bishop E.
5 Evans Border Security Act”.

1 **SEC. 2. EXTENSION AND CODIFICATION OF TITLE 42 EXPUL-**
2 **SION ORDER ISSUED ON OCTOBER 13, 2020.**

3 (a) FINDINGS.—Congress finds the following:

4 (1) On March 20, 2020, the Director of the
5 Centers for Disease Control and Prevention (CDC),
6 pursuant to sections 362 and 365 of the Public
7 Health Service Act (42 U.S.C. 265 and 268), issued
8 the Order Suspending Introduction of Certain Per-
9 sons from Countries Where a Communicable Disease
10 Exists (85 Fed. Reg. 16567), which was extended on
11 April 20, 2020, and amended on May 19, 2020.

12 (2) On October 13, 2020, the Director of the
13 CDC, issued a similar order (85 Fed. Reg. 65806),
14 which continued to protect the public health from an
15 increase in the serious danger of the introduction of
16 COVID–19 into the United States through ports of
17 entry.

18 (3) On April 1, 2022, the Director of the CDC
19 announced that the policy implemented through the
20 orders referred to in paragraphs (1) and (2), and
21 commonly known as the title 42 expulsion policy,
22 would be terminated beginning May 23, 2022.

23 (b) TEMPORARY EXTENSION OF TITLE 42 EXPUL-
24 SION POLICY.—Notwithstanding the Order Regarding the
25 Right to Introduce Certain Persons From Countries
26 Where a Quarantinable Communicable Disease Exists,

1 issued by the Director of the Centers for Disease Control
2 and Prevention on April 1, 2022, the Secretary of Home-
3 land Security shall ensure that the following policy re-
4 mains in place until February 1, 2025:

5 (1) Any person not described in paragraph (2)
6 who is traveling through Canada or Mexico and
7 would otherwise be introduced into a congregate set-
8 ting in a land or coastal port of entry or U.S. Bor-
9 der Patrol station at or near the United States bor-
10 der with Canada or with Mexico may not be placed
11 in a congregate setting in the United States or oth-
12 erwise admitted into the United States. It is antici-
13 pated that the vast majority of such persons will be
14 aliens who are seeking to enter the United States at
15 a port of entry who do not have proper travel docu-
16 ments, aliens whose entry is otherwise contrary to
17 the immigration laws, and aliens who are appre-
18 hended at or near the United States border while
19 seeking to unlawfully enter the United States.

20 (2) A person described in this paragraph is—

21 (A) a United States citizen or lawful per-
22 manent resident;

23 (B) a member of the United States Armed
24 Forces, including associated personnel, and the
25 spouse and children of such members; or

1 (C) a person from a foreign country who
2 holds valid travel documents and arrives at a
3 designated port of entry, including any person
4 from a foreign country participating in the visa
5 waiver program who is not subject to travel re-
6 strictions.

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