

118TH CONGRESS
1ST SESSION

H. R. 86

To amend the Immigration and Nationality Act with respect to the parole or release of an asylum applicant, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2023

Mr. BIGGS introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act with respect to the parole or release of an asylum applicant, 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 the “Ending Catch and Re-
5 lease Act of 2023”.

6 **SEC. 2. INSPECTION OF APPLICANTS FOR ADMISSION.**

7 Section 235(b) of the Immigration and Nationality
8 Act (8 U.S.C. 1225(b)) is amended by—

9 (1) in paragraph (1)—

10 (A) in subparagraph (A)—

1 (i) in clause (i)—

2 (I) by striking “section
3 212(a)(6)(C)” and inserting “section
4 212(a)(6)(A), 212(a)(6)(C), or”; and

5 (II) by striking the period at the
6 end and inserting “. The Secretary
7 may not parole or otherwise release
8 the alien into the United States.”; and

9 (ii) in clause (ii)—

10 (I) by striking “section
11 212(a)(6)(C)” and inserting “section
12 212(a)(6)(A), 212(a)(6)(C), or”; and

13 (II) by striking the period at the
14 end and inserting “. The Secretary
15 may not parole or otherwise release
16 the alien into the United States.”; and

17 (B) in subparagraph (B)—

18 (i) in clause (i), by striking “Attorney
19 General” and inserting “Secretary”;

20 (ii) in clause (ii), by striking “the
21 alien shall be detained for further consider-
22 ation of the application for asylum” and
23 inserting “the alien shall either be detained
24 for further consideration of the application
25 for asylum by an immigration judge or if

1 the alien arrived on land from a foreign
2 territory contiguous to the United States,
3 be returned to that territory for further
4 consideration of the application for asylum
5 by an immigration judge. The Secretary
6 may not parole or otherwise release the
7 alien into the United States”;

8 (iii) in clause (iii)—

9 (I) in subclause (I), by striking
10 the period at the end and adding “.
11 The Secretary shall remove the alien
12 within 72 hours. If the alien cannot
13 be removed, the alien shall be de-
14 tained until removed. The Secretary
15 may not parole or otherwise release
16 the alien into the United States.”;

17 (II) in subclause (II), by striking
18 “has not” and inserting “has or has
19 not”; and

20 (III) in subclause (IV), by strik-
21 ing the period at the end and insert-
22 ing “. The Secretary may not parole
23 or otherwise release the alien into the
24 United States.”; and

1 (iv) in clause (v), by striking “there is
2 a significant possibility, taking into ac-
3 count the credibility of the statements
4 made by the alien in support of the alien’s
5 claim and such other facts as are known to
6 the officer, that the alien could establish
7 eligibility for asylum under section 208”
8 and inserting “it is more likely than not
9 that the alien will be able to establish eligi-
10 bility for asylum under section 208”; and

11 (2) in paragraph (2)—

12 (A) in subparagraph (A)—

13 (i) by striking “and (C)”; and

14 (ii) by striking “the alien shall be de-
15 tained for a proceeding under section
16 240.” and inserting “the alien shall be ei-
17 ther detained for a proceeding under sec-
18 tion 240 or if the alien arrived on land
19 from a foreign territory contiguous to the
20 United States, be returned to that territory
21 pending a proceeding under section 240.
22 The Secretary may not parole or otherwise
23 release the alien into the United States.”;
24 and

1 (B) by striking subparagraph (C).

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