

117TH CONGRESS
1ST SESSION

S. 1007

To require that certain aliens receive written notice of removal proceedings before being granted parole or released from detention and to enumerate the possible consequences for failing to attend such proceedings.

IN THE SENATE OF THE UNITED STATES

MARCH 25, 2021

Mr. TUBERVILLE (for himself, Mr. CRUZ, Mr. BARRASSO, Mr. CRAMER, Mr. LEE, and Mr. BRAUN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To require that certain aliens receive written notice of removal proceedings before being granted parole or released from detention and to enumerate the possible consequences for failing to attend such proceedings.

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. WRITTEN NOTICE OF REMOVAL PROCEEDINGS.**

4 (a) IN GENERAL.—Section 235(b) of the Immigra-
5 tion and Nationality Act (8 U.S.C. 1225(b)) is amended
6 by adding at the end the following:

7 “(4) WRITTEN NOTICE.—An alien described in
8 this subsection shall not be granted parole or re-

1 leased from detention by the Attorney General or the
 2 Secretary of Homeland Security without having been
 3 provided a written notice under paragraph (1) or (2)
 4 of section 239(a) that—

5 “(A) informs the alien that he or she is re-
 6 quired to appear before an immigration judge
 7 for removal proceedings; and

8 “(B) identifies the specific date on which
 9 such proceedings will take place.”.

10 (b) CONSEQUENCES FOR FAILURE TO ATTEND
 11 HEARING.—Section 240(b)(5)(A) of the Immigration and
 12 Nationality Act (8 U.S.C. 1229a(b)(5)(A)) is amended—

13 (1) by striking “Any alien” and inserting the
 14 following:

15 “(i) REMOVAL.—Any alien”;

16 (2) by striking “the Service” and inserting
 17 “U.S. Immigration and Customs Enforcement”; and

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

19 “(ii) ADDITIONAL CONSEQUENCES
 20 FOR FAILURE TO ATTEND PROCEEDING.—
 21 Absent exceptional circumstances, the fail-
 22 ure of an alien to attend a proceeding re-
 23 ferred to in clause (i) shall result in the
 24 immediate termination of—

25 “(I) the alien’s parole;

1 “(II) deferred action;
2 “(III) temporary protected status
3 under section 244;
4 “(IV) any other immigration sta-
5 tus; and
6 “(V) any employment authoriza-
7 tion associated with any status set
8 forth in subclauses (I) through (IV).”.

9 (c) SAVINGS PROVISION.—None of the amendments
10 made by this Act may be construed as authorizing the pa-
11 role or release of any alien if such parole or release is not
12 otherwise expressly authorized by law.

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