

114TH CONGRESS
2D SESSION

H. R. 5224

To withhold Federal financial assistance from each country that denies or unreasonably delays the acceptance of nationals of such country who have been ordered removed from the United States and to prohibit the issuance of visas to nationals of such country.

IN THE HOUSE OF REPRESENTATIVES

MAY 13, 2016

Mr. BABIN (for himself, Mr. STEWART, Mr. WOODALL, Mr. WEBER of Texas, Mr. ROE of Tennessee, Mr. POSEY, Mr. WALKER, Mr. STUTZMAN, Mrs. BLACKBURN, Mr. MCCLINTOCK, Mr. SESSIONS, Mr. DESJARLAIS, Mr. HARRIS, Mr. GROTHMAN, Mr. ZINKE, Mr. SMITH of Texas, Mr. BURGESS, Mr. YOHO, Mr. OLSON, Mr. SMITH of Missouri, and Mr. MULLIN) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, 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 withhold Federal financial assistance from each country that denies or unreasonably delays the acceptance of nationals of such country who have been ordered removed from the United States and to prohibit the issuance of visas to nationals of such country.

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 “Criminal Alien Depor-
3 tation Enforcement Act of 2016”.

4 **SEC. 2. PROHIBITION ON FEDERAL FINANCIAL ASSISTANCE**
5 **TO COUNTRIES THAT DENY OR UNREASON-**
6 **ABLY DELAY THE ACCEPTANCE OF NATION-**
7 **ALS WHO HAVE BEEN ORDERED REMOVED**
8 **FROM THE UNITED STATES.**

9 Chapter 1 of part I of the Foreign Assistance Act
10 of 1961 (22 U.S.C. 2151 et seq.) is amended by adding
11 at the end the following:

12 **“SEC. 137. PROHIBITION ON FEDERAL FINANCIAL ASSIST-**
13 **ANCE TO COUNTRIES THAT DENY OR UNREA-**
14 **SONABLY DELAY THE REPATRIATION OF NA-**
15 **TIONALS WHO HAVE BEEN ORDERED RE-**
16 **MOVED FROM THE UNITED STATES.**

17 “(a) IN GENERAL.—Except as otherwise provided
18 under this section, funds made available under this Act
19 may not be dispersed to a foreign country that refuses
20 or unreasonably delays the acceptance of an alien who—

21 “(1) is a citizen, subject, national, or resident
22 of such country; and

23 “(2) has received a final order of removal under
24 chapter 4 of title II of the Immigration and Nation-
25 ality Act (8 U.S.C. 1221 et seq.).

1 “(b) DEFINED TERM.—In this section and in section
2 243(d) of the Immigration and Nationality Act (8 U.S.C.
3 1253(d)), a country is deemed to have refused or unrea-
4 sonably delayed the acceptance of an alien who is a citizen,
5 subject, national, or resident if the country does not accept
6 the alien within 90 days of receiving a request to repa-
7 triate such alien from an official of the United States who
8 is authorized to make such a request.

9 “(c) QUARTERLY REPORTS.—Not later than 90 days
10 after the date of enactment of this section, and every 3
11 months thereafter, the Secretary of Homeland Security
12 shall submit a report to the Senate and the House of Rep-
13 resentatives that—

14 “(1) lists all the countries which refuse or un-
15 reasonably delay repatriation (as defined in sub-
16 section (b)); and

17 “(2) includes the total number of aliens who
18 were refused repatriation, organized by—

19 “(A) country;

20 “(B) detention status; and

21 “(C) criminal status.

22 “(d) ISSUANCE OF TRAVEL DOCUMENTS.—If a coun-
23 try is listed in a report submitted under subsection (c),
24 the country shall be subject to the sanctions described in
25 subsection (a) and in section 243(d) of the Immigration

1 and Nationality Act unless the country issues appropriate
2 travel documents—

3 “(1) not later than 100 days after the submis-
4 sion of such report on behalf of all aliens described
5 in subsection (a) who have been convicted of a crime
6 committed while in the United States; and

7 “(2) not later than 200 days after the submis-
8 sion of such report on behalf of all other aliens de-
9 scribed in subsection (a).

10 “(e) **STANDING.**—A victim or an immediate family
11 member of a victim of a crime committed by any alien
12 described in subsection (a) after such alien has been issued
13 a final order of removal shall have standing to sue in any
14 Federal district court to enforce the provisions of this sec-
15 tion and the provisions of section 243(d) of the Immigra-
16 tion and Nationality Act. No monetary judgments may be
17 awarded in a suit filed under this subsection.”.

18 **SEC. 3. DISCONTINUING GRANTING VISAS TO NATIONALS**
19 **OF COUNTRY DENYING OR DELAYING AC-**
20 **CEPTING ALIENS.**

21 Section 243(d) of the Immigration and Nationality
22 Act (8 U.S.C. 1253(d)) is amended to read as follows:

23 “(d) **DISCONTINUING GRANTING VISAS TO NATION-**
24 **ALS OF COUNTRY DENYING OR DELAYING ACCEPTING**
25 **ALIENS.**—

1 “(1) IN GENERAL.—If a country is listed on the
2 most recent report submitted by the Secretary of
3 Homeland Security to Congress under section 137(c)
4 of the Foreign Assistance Act of 1961, no visa may
5 be issued to or status under the immigration laws
6 provided to a subject, national, or resident of such
7 country unless the country is in full compliance with
8 section 137(d) of such Act.

9 “(2) EFFECT OF UNAUTHORIZED ISSUANCE.—
10 Any visa issued or status provided in violation of
11 this paragraph shall be null and void.

12 “(3) STANDING.—A victim or an immediate
13 family member of a victim of a crime committed by
14 any alien described in section 137(a) of the Foreign
15 Assistance Act of 1961 after such alien has been
16 issued a final order of removal shall have standing
17 to sue in any Federal district court to enforce the
18 provisions of this subsection. No monetary judg-
19 ments may be awarded in a suit filed under this sub-
20 section.”.

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