

Calendar No. 345

117TH CONGRESS
2^D SESSION

S. 4022

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 SENATE OF THE UNITED STATES

APRIL 6, 2022

Mr. RUBIO (for himself, Mr. TILLIS, Mr. RISCH, Mr. WICKER, Mr. DAINES, Mr. CRAMER, Mr. BRAUN, Mr. CRAPO, Mr. HOEVEN, and Mr. SCOTT of South Carolina) introduced the following bill; which was read the first time

APRIL 7, 2022

Read the second time and placed on the calendar

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,*

1 **SECTION 1. EXTENSION AND CODIFICATION OF TITLE 42**
2 **EXPULSION ORDER ISSUED ON OCTOBER 13,**
3 **2020.**

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

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

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

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

24 (b) TEMPORARY EXTENSION OF TITLE 42 EXPUL-
25 SION POLICY.—Notwithstanding the Order Regarding the
26 Right to Introduce Certain Persons From Countries

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

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

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

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

1 (B) a member of the United States Armed
2 Forces, including associated personnel, and the
3 spouse and children of such members; or

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

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