

114TH CONGRESS
1ST SESSION

H. R. 3165

To provide for the apprehension, detention, and removal of certain aliens arrested by the District of Columbia, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2015

Mr. GOHMERT introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committees on the Judiciary 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 provide for the apprehension, detention, and removal of certain aliens arrested by the District of Columbia, 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 “Safer DC Act of
5 2015”.

1 **SEC. 2. APPREHENSION, DETENTION, AND REMOVAL OF**
2 **CERTAIN ALIENS ARRESTED BY THE DIS-**
3 **TRICT OF COLUMBIA.**

4 (a) DISTRICT OF COLUMBIA TO PROMPTLY NOTIFY
5 HOMELAND SECURITY ON APPREHENSION OF REMOV-
6 ABLE ALIENS.—The District of Columbia, upon arrest of
7 an individual, shall provide the Secretary of Homeland Se-
8 curity information necessary to determine the citizenship
9 and immigration status of that individual. The informa-
10 tion provided shall include, at a minimum, the name of
11 the individual, any aliases used by that individual, and the
12 individuals fingerprints, if available or readily obtainable.

13 (b) HOMELAND SECURITY ISSUANCE OF DE-
14 TAINER.—Upon receiving notice under subsection (a) that
15 an inadmissible or deportable alien is in the custody of
16 the District of Columbia, the Secretary, notwithstanding
17 any other provision of law, regulation, or policy, shall—

18 (1) issue a detainer to detain the alien to the
19 District of Columbia requiring the detention of the
20 alien for not more than 48 hours (excluding Satur-
21 days, Sundays, and holidays) after the conclusion
22 of—

23 (A) any criminal or other legal proceeding
24 under District of Columbia law (including cir-
25 cumstances where the alien is released on bail

1 following the conclusion of the charging proc-
2 ess), after which the alien may be released; or

3 (B) the completion of any term of impris-
4 onment to which the alien may be sentenced
5 under District of Columbia law; and

6 (2) take the alien into custody when the alien
7 is released from the custody of the District of Co-
8 lumbia.

9 (c) DISTRICT OF COLUMBIA TO HOLD CERTAIN
10 CRIMINAL ALIENS.—Upon receipt of a detainer under
11 subsection (b), the District of Columbia shall—

12 (1) hold an alien who has been arrested for a
13 period of up to 48 hours (excluding Saturdays, Sun-
14 days, and holidays) following the conclusion of the
15 District of Columbia charging or dismissal pro-
16 ceeding; or

17 (2) hold an alien who has been arrested for a
18 period of up to 48 hours (excluding Saturdays, Sun-
19 days, and holidays) after the alien has completed the
20 alien's sentence under District of Columbia law.

21 **SEC. 3. PENALTIES FOR FAILURE TO TAKE INTO CUSTODY.**

22 (a) IN GENERAL.—If the Secretary fails to issue a
23 detainer under section 2(b), no political appointee of the
24 Department of Homeland Security may perform any func-

1 tion described in subsection (b) until such alien is taken
2 into custody.

3 (b) FUNCTIONS DESCRIBED.—The functions de-
4 scribed in this subsection are the following:

5 (1) Travel using Government aircraft.

6 (2) Receipt of any non-essential training.

7 (3) Receipt of bonus pay, excluding overtime
8 pay.

9 (4) Receipt of any salary increase.

10 **SEC. 4. FINE FOR VIOLATION.**

11 Any officer of the District of Columbia, acting in his
12 or her official capacity, who knowingly violates section 2
13 shall pay a civil penalty of not more than \$10,000 for each
14 such violation.

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