

117TH CONGRESS
2D SESSION

H. R. 8609

To direct the Secretary of Homeland Security to establish and maintain a ratio of U.S. Immigration and Customs Enforcement prosecutors to immigration judges, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2022

Mr. CRENSHAW (for himself, Ms. VAN DUYNE, and Mr. BURCHETT) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To direct the Secretary of Homeland Security to establish and maintain a ratio of U.S. Immigration and Customs Enforcement prosecutors to immigration judges, 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 “Surging Prosecutors
5 to Expedite Alien Removals Act of 2022”.

1 **SEC. 2. U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT**

2 **PROSECUTOR TO JUDGE RATIO.**

3 (a) REQUIREMENT.—Not later than 180 days after
4 enactment of this Act, the Secretary of Homeland Security
5 shall establish and maintain a four to one ratio of four
6 U.S. Immigration and Customs Enforcement Office of
7 Principle Legal Advisor prosecutors to each immigration
8 judge (as defined by section 101 of the Immigration and
9 Nationality Act (8 U.S.C. 1101)) for the purpose de-
10 scribed in subsection (b).

11 (b) PURPOSE.—The prosecutors described in sub-
12 section (a) shall represent the Department of Homeland
13 Security during removal proceedings before the Executive
14 Office of Immigration Review of the Department of Jus-
15 tice.

16 (c) REPORT.—

17 (1) IN GENERAL.—Not later than 90 days after
18 the date of the enactment of this Act, the Secretary
19 of Homeland Security shall provide a report to the
20 appropriate congressional committees on the status
21 of achieving the ratio described under subsection (a).

22 (2) UPDATE.—Not later than 90 days after the
23 initial report under paragraph (1) identifies a ratio
24 less than the ratio under subsection (a), the Sec-
25 retary of Homeland Security shall submit a report to

1 the appropriate congressional committees including a
2 plan to achieve such ratio.

3 (3) APPROPRIATE CONGRESSIONAL COMMIT-
4 TEES DEFINED.—In this subsection, the term “ap-
5 propriate congressional committees” means—

6 (A) the Committee on Homeland Security
7 of the House of Representatives;

8 (B) the Committee on the Judiciary of the
9 House of Representatives;

10 (C) the Committee on the Judiciary of the
11 Senate; and

12 (D) the Committee on Homeland Security
13 and Governmental Affairs of the Senate.

14 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
15 authorized to be appropriated \$35,000,000 for fiscal year
16 2023, to remain available through September 30, 2024,
17 for the purpose described under subsection (a).

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