

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO H.R. \_\_\_\_\_**  
**OFFERED BY M. \_\_\_\_\_**

Strike all that follows after the enacting clause:

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Detain and Deport  
3 Illegal Aliens Who Assault Cops Act”.

4 **SEC. 2. DETENTION OF CERTAIN ALIENS WHO COMMIT AS-**  
5                   **SAULT AGAINST LAW ENFORCEMENT OFFI-**  
6                   **CERS.**

7       Section 236(c) of the Immigration and Nationality  
8 Act (8 U.S.C. 1226(c)) is amended—

9           (1) in paragraph (1)—

10                   (A) in the matter preceding subparagraph

11                   (A), by striking “Attorney General” and insert-  
12                   ing “Secretary of Homeland Security”;

13                   (B) in subparagraph (C), by striking “,  
14                   or” and inserting a comma;

15                   (C) in subparagraph (D), by adding “or”  
16                   at the end; and

17                   (D) by inserting after subparagraph (D)  
18                   the following:

1           “(E)(i) is inadmissible under section  
2           212(a)(6)(A) or (C) or under section 212(a)(7);  
3           and

4           “(ii) is charged with, is arrested for, is  
5           convicted of, admits having committed, or ad-  
6           mits committing acts which constitute the es-  
7           sential elements of any offense involving assault  
8           of a law enforcement officer,”;

9           (2) by redesignating paragraph (2) as para-  
10          graph (4); and

11          (3) by inserting after paragraph (1) the fol-  
12          lowing:

13          “(2) CIRCUMSTANCES.—

14                 “(A) IN GENERAL.—The circumstances re-  
15                 ferred to in paragraph (1)(E) are that the law  
16                 enforcement officer was assaulted—

17                         “(i) while he or she was engaged in  
18                         the performance of his or her official du-  
19                         ties;

20                         “(ii) because of the performance of his  
21                         or her official duties; or

22                         “(iii) because of his or her status as  
23                         a law enforcement officer.

24                 “(B) DEFINITIONS.—For purposes of  
25          paragraph (1)(E)—

1                   “(i) the term ‘assault’ has the mean-  
2                   ing given that term in the jurisdiction  
3                   where the acts occurred; and

4                   “(ii) the term ‘law enforcement offi-  
5                   cer’ is a person authorized by law—

6                   “(I) to engage in or supervise the  
7                   prevention, detention, investigation, or  
8                   prosecution, or the incarceration of  
9                   any person for any criminal violation  
10                  of law;

11                  “(II) to apprehend, arrest, or  
12                  prosecute an individual for any crimi-  
13                  nal violation of law; or

14                  “(III) to be a firefighter or other  
15                  first responder.

16                  “(3) DETAINER.—The Secretary of Homeland  
17                  Security shall issue a detainer for an alien described  
18                  in paragraph (1)(E) and, if the alien is not other-  
19                  wise detained by Federal, State, or local officials,  
20                  shall effectively and expeditiously take custody of the  
21                  alien.”.

