

WHAT IS EXPEDITED REMOVAL?

Expedited removal is a process that allows immigration officials to deny certain noncitizens entry into the United States, and to quickly deport certain noncitizens who are undocumented or have committed fraud or misrepresentation. In 2019, the Trump Administration expanded the use of expedited removal to allow immigration officers to target noncitizens **anywhere** in the U.S. who were unable to prove that they had been in the country continuously for two or more years. In March 2022, the Biden Administration ended Trump's expanded use of expedited removal and returned it to how it was before 2019. Now, only the following group of noncitizens are subject to expedited removal:

- Noncitizens arriving at the border;
- noncitizens who entered the U.S. by sea without being admitted or paroled and who have been in the country less than two years;
- Noncitizens apprehended within 100 miles of the U.S. border within 14 days of entering the country, and who have not been admitted or paroled.

Expedited removal remains very problematic because it allows immigration officials to quickly deport noncitizens without approval from a judge, and often before the noncitizen even has a chance to talk to an attorney or collect evidence to show why they should not be deported. An expedited removal order has very severe consequences:

- Usually a 5-year ban from reentering the U.S. if you are a "first time offender."
- However, you might also receive a 10- or 20-year ban, depending on the circumstances.
- If your removal order was based on fraud (such as pretending to be a U.S. citizen), you may be permanently banned.

The expedited removal process also disproportionately affects Black and Brown immigrants. In 2021, there were numerous reports of asylum seekers from Haiti, Cameroon, and other African countries who were deported without any screening of their legal claims. This is a clear violation of the United States' obligations to offer protection to asylum seekers and refugees under international law.

IF PLACED IN EXPEDITED REMOVAL

There is no way to appeal an expedited removal order, except in very limited circumstances (like to determine if the individual is a U.S. citizen). However, if you believe your expedited removal order is wrong, you may:

- Work with an immigration attorney to see if DHS can reopen your case and reconsider the order;
- Need documents to show that the expedited removal order was improper;
- File your request within 30 days.

TIPS FOR AVOIDING EXPEDITED REMOVAL

Noncitizens arriving at the border:

- If you are **afraid of returning to your home country** or if you want to **apply for asylum**, make sure that you let an immigration officer clearly know that.
- The immigration officer may pressure you into taking back your application to enter the U.S. or asylum. Don't! You have a right to apply for asylum.

If you are already in the U.S., you may have to show:

- That you have been in the US for more than 14 days (or 2 years if you entered by sea);
- That you legally entered U.S. or were paroled in the U.S.

