

State Machine for

- Arriving alien,
- Alien who entered the United States by sea without being admitted or paroled and who has been in the country for less than two years, or
- Alien apprehended within 100 miles of U.S. border within 14 days of entering the country who has not been admitted or paroled

—if alien lacks valid entry documents or has attempted to procure admission through fraud/misrepresentation. (Aliens found inadmissible on most other grounds—e.g., because of certain criminal activity—are not subject to expedited removal and will instead be placed in formal removal proceedings.)

(These are the criteria DHS has been using for expedited removal – although by statute they could extend that last item to, “apprehended anywhere in the country” and “within two years of entering”.)

