

the citizenship or immigration status, lawful or unlawful, the inadmissibility or deportability, or the custody status, of any individual:

“(1) Making inquiries to any individual in order to obtain such information regarding such individual or any other individuals.

“(2) Notifying the Federal Government regarding the presence of individuals who are encountered by law enforcement officials or other personnel of a State or political subdivision of a State.

“(3) Complying with requests for such information from Federal law enforcement entities, officials, or other personnel.”;

(3) in subsection (c), by striking “Immigration and Naturalization Service” and inserting “Department of Homeland Security”; and

(4) by adding at the end the following:

“(d) COMPLIANCE.—

“(1) ELIGIBILITY FOR CERTAIN GRANT PROGRAMS.—A State, or a political subdivision of a State, that is found not to be in compliance with subsection (a) or (b) shall not be eligible to receive—

“(A) any of the funds that would otherwise be allocated to the State or political subdivision under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)), the ‘Cops on the Beat’ program under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.), or the Edward Byrne Memorial Justice Assistance Grant Program under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.); or

“(B) any other grant administered by the Department of Justice or the Department of Homeland Security that is substantially related to law enforcement, terrorism, national security, immigration, or naturalization.

“(2) TRANSFER OF CUSTODY OF ALIENS PENDING REMOVAL PROCEEDINGS.—The Secretary, at the Secretary’s discretion, may decline to transfer an alien in the custody of the Department of Homeland Security to a State or political subdivision of a State found not to be in compliance with subsection (a) or (b), regardless of whether the State or political subdivision of the State has issued a writ or warrant.

“(3) TRANSFER OF CUSTODY OF CERTAIN ALIENS PROHIBITED.—The Secretary shall not transfer an alien with a final order of removal pursuant to paragraph (1)(A) or (5) of section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)) to a State or a political subdivision of a State that is found not to be in compliance with subsection (a) or (b).

“(4) ANNUAL DETERMINATION.—The Secretary shall determine for each calendar year which States or political subdivision of States are not in compliance with subsection (a) or (b) and shall report such determinations to Congress by March 1 of each succeeding calendar year.

“(5) REPORTS.—The Secretary of Homeland Security shall issue a report concerning the compliance with subsections (a) and (b) of any particular State or political subdivision of a State at the request of the House or the Senate Judiciary Committee. Any jurisdiction that is found not to be in compliance shall be ineligible to receive Federal financial assistance as provided in paragraph (1) for a minimum period of 1 year, and shall only become eligible again after the Secretary of Homeland Security certifies that the jurisdiction has come into compliance.

“(6) REALLOCATION.—Any funds that are not allocated to a State or to a political subdivision of a State due to the failure of the State or of the political subdivision of the State to comply with subsection (a) or (b)

shall be reallocated to States or to political subdivisions of States that comply with both such subsections.

“(e) CONSTRUCTION.—Nothing in this section shall require law enforcement officials from States, or from political subdivisions of States, to report or arrest victims or witnesses of a criminal offense.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, except that subsection (d) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373), as added by this section, shall apply only to prohibited acts committed on or after the date of the enactment of this Act.

SEC. 3. CLARIFYING THE AUTHORITY OF ICE DETAINERS.

(a) IN GENERAL.—Section 287(d) of the Immigration and Nationality Act (8 U.S.C. 1357(d)) is amended to read as follows:

“(d) DETAINER OF INADMISSIBLE OR DEPORTABLE ALIENS.—

“(1) IN GENERAL.—In the case of an individual who is arrested by any Federal, State, or local law enforcement official or other personnel for the alleged violation of any criminal or motor vehicle law, the Secretary may issue a detainer regarding the individual to any Federal, State, or local law enforcement entity, official, or other personnel if the Secretary has probable cause to believe that the individual is an inadmissible or deportable alien.

“(2) PROBABLE CAUSE.—Probable cause is deemed to be established if—

“(A) the individual who is the subject of the detainer matches, pursuant to biometric confirmation or other Federal database records, the identity of an alien who the Secretary has reasonable grounds to believe to be inadmissible or deportable;

“(B) the individual who is the subject of the detainer is the subject of ongoing removal proceedings, including matters where a charging document has already been served;

“(C) the individual who is the subject of the detainer has previously been ordered removed from the United States and such an order is administratively final;

“(D) the individual who is the subject of the detainer has made voluntary statements or provided reliable evidence that indicate that they are an inadmissible or deportable alien; or

“(E) the Secretary otherwise has reasonable grounds to believe that the individual who is the subject of the detainer is an inadmissible or deportable alien.

“(3) TRANSFER OF CUSTODY.—If the Federal, State, or local law enforcement entity, official, or other personnel to whom a detainer is issued complies with the detainer and detains for purposes of transfer of custody to the Department of Homeland Security the individual who is the subject of the detainer, the Department may take custody of the individual within 48 hours (excluding weekends and holidays), but in no instance more than 96 hours, following the date that the individual is otherwise to be released from the custody of the relevant Federal, State, or local law enforcement entity.”.

(b) IMMUNITY.—

(1) IN GENERAL.—A State or a political subdivision of a State (and the officials and personnel of the State or subdivision acting in their official capacities), and a nongovernmental entity (and its personnel) contracted by the State or political subdivision for the purpose of providing detention, acting in compliance with a Department of Homeland Security detainer issued pursuant to this section who temporarily holds an alien in its custody pursuant to the terms of a detainer so that the alien may be taken into the cus-

tody of the Department of Homeland Security, shall be considered to be acting under color of Federal authority for purposes of determining their liability and shall be held harmless for their compliance with the detainer in any suit seeking any punitive, compensatory, or other monetary damages.

(2) FEDERAL GOVERNMENT AS DEFENDANT.—In any civil action arising out of the compliance with a Department of Homeland Security detainer by a State or a political subdivision of a State (and the officials and personnel of the State or subdivision acting in their official capacities), or a nongovernmental entity (and its personnel) contracted by the State or political subdivision for the purpose of providing detention, the United States Government shall be the proper party named as the defendant in the suit in regard to the detention resulting from compliance with the detainer.

(3) BAD FAITH EXCEPTION.—Paragraphs (1) and (2) shall not apply to any mistreatment of an individual by a State or a political subdivision of a State (and the officials and personnel of the State or subdivision acting in their official capacities), or a nongovernmental entity (and its personnel) contracted by the State or political subdivision for the purpose of providing detention.

(c) PRIVATE RIGHT OF ACTION.—

(1) CAUSE OF ACTION.—Any individual, or a spouse, parent, or child of that individual (if the individual is deceased), who is the victim of a murder, rape, or any felony, as defined by the State, for which an alien (as defined in section 101(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(3))) has been convicted and sentenced to a term of imprisonment of at least one year, may bring an action against a State or political subdivision of a State in the appropriate Federal or State court if the State or political subdivision released the alien from custody prior to the commission of such crime as a consequence of the State or political subdivision’s declining to honor a detainer issued pursuant to section 287(d)(1) of the Immigration and Nationality Act (8 U.S.C. 1357(d)(1)).

(2) LIMITATION ON BRINGING ACTION.—An action brought under this subsection may not be brought later than ten years following the occurrence of the crime, or death of a person as a result of such crime, whichever occurs later.

(3) ATTORNEY’S FEE AND OTHER COSTS.—In any action or proceeding under this subsection the court shall allow a prevailing plaintiff a reasonable attorneys’ fee as part of the costs, and include expert fees as part of the attorneys’ fee.

SEC. 4. SARAH AND GRANT’S LAW.

(a) DETENTION OF ALIENS DURING REMOVAL PROCEEDINGS.—

(1) CLERICAL AMENDMENTS.—(A) Section 236 of the Immigration and Nationality Act (8 U.S.C. 1226) is amended by striking “Attorney General” each place it appears (except in the second place that term appears in section 236(a)) and inserting “Secretary of Homeland Security”.

(B) Section 236(a) of such Act (8 U.S.C. 1226(a)) is amended by inserting “the Secretary of Homeland Security or” before “the Attorney General”.

(C) Section 236(e) of such Act (8 U.S.C. 1226(e)) is amended by striking “Attorney General’s” and inserting “Secretary of Homeland Security’s”.

(2) LENGTH OF DETENTION.—Section 236 of such Act (8 U.S.C. 1226) is amended by adding at the end the following:

“(f) LENGTH OF DETENTION.—

“(1) IN GENERAL.—Notwithstanding any other provision of this section, an alien may be detained, and for an alien described in subsection (c) shall be detained, under this

section without time limitation, except as provided in subsection (h), during the pendency of removal proceedings.

“(2) CONSTRUCTION.—The length of detention under this section shall not affect detention under section 241.”.

(3) DETENTION OF CRIMINAL ALIENS.—Section 236(c)(1) of such Act (8 U.S.C. 1226(c)(1)) is amended—

(A) in subparagraph (C), by striking “or” at the end;

(B) by inserting after subparagraph (D) the following:

“(E) is unlawfully present in the United States and has been convicted for driving while intoxicated (including a conviction for driving while under the influence or impaired by alcohol or drugs) without regard to whether the conviction is classified as a misdemeanor or felony under State law, or

“(F)(i)(I) is inadmissible under section 212(a)(6)(i),

“(II) is deportable by reason of a visa revocation under section 221(i), or

“(III) is deportable under section 237(a)(1)(C)(i), and

“(ii) has been arrested or charged with a particularly serious crime or a crime resulting in the death or serious bodily injury (as defined in section 1365(h)(3) of title 18, United States Code) of another person;”; and

(C) by amending the matter following subparagraph (F) (as added by subparagraph (B) of this paragraph) to read as follows:

“any time after the alien is released, without regard to whether an alien is released related to any activity, offense, or conviction described in this paragraph; to whether the alien is released on parole, supervised release, or probation; or to whether the alien may be arrested or imprisoned again for the same offense. If the activity described in this paragraph does not result in the alien being taken into custody by any person other than the Secretary, then when the alien is brought to the attention of the Secretary or when the Secretary determines it is practical to take such alien into custody, the Secretary shall take such alien into custody.”.

(4) ADMINISTRATIVE REVIEW.—Section 236 of the Immigration and Nationality Act (8 U.S.C. 1226), as amended by paragraph (2), is further amended by adding at the end the following:

“(g) ADMINISTRATIVE REVIEW.—The Attorney General’s review of the Secretary’s custody determinations under subsection (a) for the following classes of aliens shall be limited to whether the alien may be detained, released on bond (of at least \$1,500 with security approved by the Secretary), or released with no bond:

“(1) Aliens in exclusion proceedings.

“(2) Aliens described in section 212(a)(3) or 237(a)(4).

“(3) Aliens described in subsection (c).

“(h) RELEASE ON BOND.—

“(1) IN GENERAL.—An alien detained under subsection (a) may seek release on bond. No bond may be granted except to an alien who establishes by clear and convincing evidence that the alien is not a flight risk or a danger to another person or the community.

“(2) CERTAIN ALIENS INELIGIBLE.—No alien detained under subsection (c) may seek release on bond.”.

(5) CLERICAL AMENDMENTS.—(A) Section 236(a)(2)(B) of the Immigration and Nationality Act (8 U.S.C. 1226(a)(2)(B)) is amended by striking “conditional parole” and inserting “recognition”.

(B) Section 236(b) of such Act (8 U.S.C. 1226(b)) is amended by striking “parole” and inserting “recognition”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on

the date of the enactment of this Act and shall apply to any alien in detention under the provisions of section 236 of the Immigration and Nationality Act (8 U.S.C. 1226), as so amended, or otherwise subject to the provisions of such section, on or after such date.

The SPEAKER pro tempore. The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3003.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of the No Sanctuary for Criminals Act. This simple, straightforward bill combats dangerous sanctuary policies that permit criminals to go free. We are all too familiar with how sanctuary policies have devastated families across the United States, and today we are taking action to prevent these senseless tragedies and save American lives.

For years, the lack of immigration enforcement and spread of sanctuary policies have cost too many lives. The Obama administration encouraged or, at the very least, turned a blind eye to jurisdictions nationwide that implemented sanctuary policies designed to prevent U.S. Immigration and Customs Enforcement from being able to effectively enforce Federal law. Foolhardy jurisdictions continue to pass legislation and implement policies aimed at stymieing and maligning Immigration and Customs Enforcement.

Earlier this year, a Baltimore City Council member introduced a resolution calling on ICE to arrest only those posing a “serious risk.” In discussing this initiative, the council member likened ICE officers to Nazis several times. Such rhetoric is reprehensible, creating a moral equivalent between genocide and a nation exercising a fundamental right and obligation of sovereignty.

In a deeply troubling move on the other coast, San Francisco announced that it would no longer participate in the Joint Terrorism Task Force because of concerns that the task force’s duties may coincide with immigration enforcement.

Sanctuary policies often focus on flouting ICE detainers, notices issued by ICE to allow it to take custody of aliens in law enforcement custody in order to initiate removal proceedings.

These irresponsible policies have led to a sharp drop in ICE’s intake of aliens from criminal detention facilities, which forces ICE agents to engage in the far more time-consuming and

dangerous task of picking them up on the streets. This, among other factors, led to a drop in the number of criminal aliens removed from the interior of the United States from almost 87,000 in fiscal year 2014 to approximately 63,500 the following 2 fiscal years.

We must discourage, not encourage, sanctuary policies and practices. H.R. 3003 addresses sanctuary policies and also takes great strides in clarifying Federal immigration detainer policy.

Since the 1990s, Federal law has barred jurisdictions from restricting communication with Federal immigration officials regarding immigration status; however, this provision has never been enforced. H.R. 3003 amends current law and expands this prohibition against impeding Federal law enforcement. Instead of merely focussing on communication, the bill ensures that no jurisdiction may restrict assistance or compliance with immigration enforcement.

To be clear, this bill imposes no affirmative duty to act on the part of any jurisdiction. Should a jurisdiction not comply with this provision, the jurisdiction will not be eligible for certain grant programs administered by the Department of Justice and Homeland Security. Eligibility for many of these grant programs is already predicated on compliance with this provision in the Immigration and Nationality Act.

This section is also in line with a recent memo by Attorney General Sessions outlining compliance with this provision as the single factor that the Justice Department will use in identifying sanctuary jurisdictions.

Regarding detainer policy, Congress has long heard that jurisdictions will not comply with ICE requests to hold individuals due to a lack of probable cause inherent in the detainer. I am pleased that H.R. 3003 provides the probable cause standards necessary to ensure that ICE only places detainees on aliens for whom they have probable cause and are deportable.

In addition, the bill mandates that ICE must take custody of the subject of a detainer within 48 hours, excluding weekends and holidays. Jurisdictions who comply in good faith with detainer requests will be immune from liability associated with that detainer, and if such an action does arise, the U.S. Government will substitute itself in as the defendant. This ensures that jurisdictions do not go bankrupt defending against never-ending litigation. And in those jurisdictions that refuse to honor a detainer resulting in an alien committing a crime, the victim or victim’s family will be provided with the opportunity to bring a lawsuit against that jurisdiction.

The third section of H.R. 3003 is named for Sarah Root and Grant Ronnebeck, two young people whose lives were suddenly taken by criminal aliens who remain at large today. This section was originally introduced as separate bills by Judiciary Committee

members STEVE KING and ANDY BIGGS, who worked tirelessly to bring these tragic cases to the attention of the committee and the Congress.

This section provides that aliens who are arrested or charged with serious crimes that result in death or serious bodily injury of another must be held without bond during the pendency of their removal proceedings.

□ 1415

In addition, aliens convicted of even one drunk driving offense will also be ineligible for bond during their removal proceedings. The latter would have prevented the August 2010 death of Sister Denise Mosier, a Catholic nun in Virginia, at the hands of a drunk driving illegal alien who was released from ICE custody on bond. These classes of individuals present a clear and present danger to society and should not be permitted to roam our communities during the pendency of their removal hearings.

The commonsense provisions of H.R. 3003 will provide better immigration enforcement and the peace of mind that no criminal will be provided sanctuary from our immigration laws.

Mr. Speaker, I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to be clear at the outset of this debate that this legislation does nothing to make our communities safer, and it does nothing to improve our immigration system. Instead, H.R. 3003 will trample the rights of States and localities to determine what is in the best interest of their public safety, and it will conscript law enforcement to enforce Federal immigration law.

The ultimate experts on community safety are communities themselves, and hundreds of them have determined that, as community trust increases, crime decreases. This is because immigrants will come out of the shadows and report crimes to local law enforcement when they are not threatened with deportation. In fact, a recent study found that community trust jurisdictions are actually safer than their counterparts.

Against this considered judgment, H.R. 3003 forces localities to abandon community trust principles and mandates the conscription of local offices into Federal immigration enforcement. Some localities, of course, would rightfully resist this conscription. As punishment, H.R. 3003 would rob them of vital law enforcement funding that they depend on to prevent crime, prosecute criminals, and boost community policing ranks.

Localities, therefore, would face a losing choice: they can abandon community trust policies and leave their communities in danger, or they can leave community trust policies in place but forgo law enforcement funding, leaving their community in danger.

It is important that we consider that this is more than just bad policy. It is also likely unconstitutional for multiple reasons. First, H.R. 3003 likely violates the 10th Amendment by commandeering States to comply with detainer requests that drain their resources.

In addition, the bill's changes to the Department of Homeland Security's detainer authority exacerbate the current Fourth Amendment concerns associated with immigration detainees. The bill does not require any particularized finding about the individual that may form the basis of a probable cause determination and fails to provide for a prompt judicial determination of probable cause.

The bill further compounds constitutional concerns by eliminating the ability for a detained individual to obtain an independent, individualized review of his or her bond determination by a neutral decisionmaker.

For these reasons—and there are others—I urge my colleagues to please oppose this dangerous, mean-spirited, and constitutionally suspect legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. KING), who is a member of the Judiciary Committee.

Mr. KING of Iowa. Mr. Speaker, I thank the chairman of the Judiciary Committee not only for working with and cooperating on all this legislation, but for the relentless work that has come forward in the committee. He has spent a lot of time on this floor and in committee, and we are getting some progress here today.

This is a big week, and we are starting to restore the rule of law. The sanctuary cities legislation, which is before us right now, is something I just looked back through my records and wondered: How long have I slugged away on this?

The first amendment I brought was in 2005 to cut off some funding to sanctuary cities. At each appropriations opportunity, along with CJS and Homeland Security, when there was a chance, I would bring another amendment and another amendment, 2005 on through 2014 and 2015. In 2015, then I introduced the broader sanctuary cities legislation which is the basis for this legislation.

I also had the misfortune and fortune of having the Root family as my constituents. Sarah Root was tragically killed by an illegal alien on the streets. Her father and mother both have been here to testify. Her mother is in town this day. Her father, Scott Root, testified before the committee. He said this:

They bailed the killer of my daughter out of jail for less money than it took to bury her, and he was out of this country before we could have the funeral.

Those words were some of the most chilling and mournful words that I have heard in this Congress. This bill today honors his daughter's life,

Michelle's daughter's life, Sarah, and it also brings into play the enforcement that we need to have.

We have got to put an end to sanctuary cities and ban those policies—which the bill does—block the DOJ grants if they don't comply with the Federal law, and refuse the warrants to the sanctuary cities because they will just release them on the streets and let ICE take custody of them within 48 hours. And then the good faith hold harmless for ICE detainees, when they got the wrong recommendation out of the Obama administration, this makes the right recommendation to local jurisdictions.

The private cause of action is also very useful to us. It is a good, solid bill. I thank the chairman and all those who put the work in this today, and I urge its passage.

Mr. CONYERS. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. LOFGREN), who is a senior member of the House Judiciary Committee.

Ms. LOFGREN. Mr. Speaker, this bill isn't about fixing our immigration system. In fact, it makes the system more dysfunctional and puts communities in peril. This bill is about telling communities how to police themselves and protect their people. It says: We here in D.C. know better than you do, local police, across the United States.

Now, 600 or more local governments engaged in what they call community trust policies. These policies promote, among other things, allowing immigrant victims and witnesses to crime to report these offenses to local authorities without fear of immigration consequences. Years of locally informed experience have proven that this approach best ensures these communities' safety.

I think that is why we have received communications from the National Fraternal Order of Police in opposition to this bill, from the Law Enforcement Task Force—that is 36 sheriffs and chiefs across the country—in opposition to this bill, from the Major County Sheriffs of America in opposition to this bill, from the National Task Force to End Sexual and Domestic Violence against this bill, as well as the U.S. Conference of Mayors, the National League of Cities, and the National Association of Counties.

ICE is not prohibited from doing their job, but as the San Jose Police Department has told me, San Jose police are not enforcing the securities laws, they are not enforcing the Federal tax laws, and they are not enforcing the immigration laws of the United States. They are doing their job to protect their community against crime.

Now, because they are doing that, the threat is to remove funding from jurisdictions.

Now, what would that funding be?

It is grants against violent gangs. It is grants for the Anti-Heroin Task Force and the Anti-Methamphetamine Program, grants on port security to

prevent terrorists from getting into the United States, and grants for the BioWatch Program to prevent terrorists from getting biohazards and killing us all.

That is not smart to take those programs away from local governments that are working with us to help keep America safe.

Now, I always think, as I said earlier, we are not doing bumper stickers here. We are doing laws. It is important to take a look at the details of what is in this proposed bill. In addition to banning collaborative grants with localities, the remedies it has made available is if a community has a community trust policy, the Department of Homeland Security can refuse to honor warrants—legal warrants—that are issued by that jurisdiction.

That is astonishing. That is simply astonishing because what the local governments have said on the detainer policies is that the Fourth Amendment prevents them from holding people whose sentences have been served. In fact, there are a number of Federal courts that have made that determination, you can't hold somebody on a civil detainer request without violating the Fourth Amendment.

There is a remedy to that: get a warrant like anybody else. The Fourth Amendment means something, and there is a remedy. Go get a warrant. I don't know why our Federal Government feels that they can upend constitutional law for their own convenience.

Now, there is a provision in this bill that I find shocking. What it says is that if local governments violate the law—violate a court order—that they cannot violate the Fourth Amendment, that they are immunized, the Federal Government is going to pay, go ahead and violate the law. I cannot remember a time when we had a bill before us that said to States and localities: go ahead, violate the law because we are going to indemnify you for the violation.

That is not the way our Federal system should work, and it is not the way those of us who believe in our oath of office to support and defend the Constitution of the United States think that things ought to work.

Now, finally, it creates something that I think is truly astonishing: a private cause of action against a State or locality if because the detainer cannot be honored because of the Federal Court cases and a person is released and, for any reason, commits a crime that it is the locality that bears the cost, not the criminal. This is a crazy provision.

We should oppose this bill.

Mr. GOODLATTE. Mr. Speaker, I yield myself 30 seconds to say to the gentlewoman from northern California that what is crazy is what the city of San Francisco is doing with their taxpayer dollars, since it was reported just yesterday that San Francisco taxpayers could soon pay \$190,000 in a law-

suit settlement with an illegal immigrant who claimed he was reported to Federal immigration authorities in violation of the city of San Francisco's sanctuary city ordinance.

□ 1430

The city attorney's office confirmed this, and the settlement is expected to be confirmed by San Francisco's supervisors in future hearings.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GOODLATTE. I yield myself an additional 30 seconds.

Now, people who are murdered, people who are injured by people who are unlawfully present in the United States should have their day in court with the city of San Francisco or anyone else just as well as they are apparently willing to pay money to people who are illegally in the country because they were properly turned over to Federal authorities to be deported from this country.

I yield 2 minutes to the gentleman from Ohio (Mr. CHABOT), a member of the Judiciary Committee.

Mr. CHABOT. Mr. Speaker, I thank the gentleman from Virginia, our chairman, for his leadership on this, and I rise in strong support of the No Sanctuary for Criminals Act, which has been worked on by a whole number of Members of the House.

The adoption of dangerous sanctuary policies across the country makes it more difficult to adequately enforce our immigration laws, which, in turn, needlessly puts Americans' lives at risk.

Unfortunately, sanctuary cities that fail to comply with Federal law and deliberately refuse to cooperate with Federal authorities become safe havens for undocumented criminal immigrants, because criminals know they are less likely to be detained in those cities, which are, by definition, sanctuary cities.

Far too many innocent lives are put at risk when a criminal alien convicted, for example, of drunk driving or charged with another serious offense is not detained so they could be appropriately dealt with and, if warranted, deported from our country according to the law.

That is why it is essential that we pass this resolution, which will strengthen our Nation's immigration laws, hold sanctuary cities accountable, and enhance public safety by requiring detention of criminal aliens.

The bottom line is, if we expect our Federal immigration authorities to enforce our Nation's immigration laws and protect the American people, State and local officials need to cooperate, not defy Federal immigration laws. And those local officials who refuse to do so and instead give so-called sanctuary to those that have come to our country illegally and then committed crimes here, they are putting the very people who they were sworn to serve and to protect at risk. And unfortu-

nately, this has been happening all over the country, where literally people come here illegally, commit crimes, and local entities decide not to enforce the law.

We need to pass this bill.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. GUTIÉRREZ), a gentleman on the committee who has worked tirelessly with myself and Ms. LOFGREN to make this measure more understandable.

Mr. GUTIÉRREZ. Mr. Speaker, ever since Donald Trump descended the golden escalators at Trump Tower to announce his candidacy by saying Mexican immigrants are rapists, murderers, and drug dealers, the Republican Party has had Mexican fever, and they have been working feverishly to paint immigrants all as criminals. And when something goes bad, they go back to their old favorite.

When Trump's Muslim ban was blocked in the courts, out came the Attorney General to say they were doing everything they could to do more roundups and that no immigrant was safe in America.

The Russia investigation not going well for the dear leader at the White House? Hey, let's whip out that Mexican thing, as Vice-President PENCE said. Maybe it will keep our voters happy and distracted.

Healthcare not going well? Let's just hate some Mexicans today.

Listen, almost 8 out of 10 Latinos in the United States are citizens, 1 out of 10 are legal permanent residents. That leaves 1 in 10 who are undocumented, but this policy is about going after all of us, whether we are citizens or not of the United States of America.

These bills are nothing new, and they are not really about fighting crime. They are about racial profiling and putting Latinos "in their place." Latinos, African Americans, Muslims, women, they know what it is like to be targeted.

Ninety-nine percent of the votes for this bill today will come from people who do not have to worry about racial profiling for themselves, for their children, or the people who they represent, but let's be clear. Sheriff Joe Arpaio in Arizona is the poster child for the kinds of policies the Republicans want to impose on every city and county in the country, and we know the results.

Sheriff Arpaio embodies racial profiling and rounding up people because they are brown. Oh, we will sort out their papers later, he says, whether they are citizens or legal permanent residents or whatever.

I have talked to U.S. citizens who were detained by Sheriff Arpaio because they didn't carry with them their birth certificate or a passport at all times in the country in which they were born.

Let's be clear. Sheriff Arpaio has been sued successfully to stop his racial profiling, and he has been charged criminally in Federal court for his racial profiling tactics, and still the Republicans of the House want to make

the law he is being sued for legal in the United States of America.

Sometimes Democrats have to stand up for justice, for what is right when the chips are down. Well, the chips are down, and every immigrant family and every immigrant in America is going to remember who stood up for them when they needed Democrats to fight to keep families together when the chips were down.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President or Vice President.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. BIGGS), a member of the Judiciary Committee.

Mr. BIGGS. Mr. Speaker, I thank Chairman GOODLATTE for yielding and for his leadership on this legislation. It is an honor to serve with him on the House Judiciary Committee. And I am grateful to Representative KING as well for producing Sarah's Law.

Today, the House of Representatives can pass a crucial piece of legislation to codify the tenets of two of President Trump's executive orders on immigration enforcement.

H.R. 3003, the No Sanctuary for Criminals Act, will finally hold accountable States, cities, and local law enforcement agencies that provide safe haven to criminally violent illegal immigrants by refusing to cooperate with U.S. Immigration and Customs Enforcement.

You know what is astonishing and you know what is shocking, is that there are jurisdictions in this country that blatantly choose to endanger their communities by providing protection to criminals. Passage of H.R. 3003 ensures that these communities will no longer be given rewards for their dereliction of duty.

Importantly, this bill also contains a section entitled Sarah and Grant's Law, which recognizes two young Americans who were murdered by criminally violent illegal aliens who had no right to be on our streets.

In January 2015, a 21-year-old convenience store clerk and constituent of mine, Grant Ronnebeck, was working the graveyard shift at QuickTrip in Mesa, Arizona. Just before 4 a.m., an illegal alien with a long criminal record, awaiting deportation proceedings, walked in and demanded a pack of cigarettes. When Grant tried to count the money before handing them over, the man shot him and left him to die.

Sarah and Grant are far from the only Americans who have been impacted by illegal immigration. In 2014, Mesa, Arizona, police officer Brandon Mendoza was killed in a wrong-way car crash by an illegal immigrant driving under the influence of drugs and alcohol.

Despite tragic stories like these, the Obama administration continued to promote policies that circumvented many of our immigration laws, allowing thousands of criminals to return to

our communities. It is time for these reckless policies to end.

H.R. 3003 specifically targets illegals who commit serious crimes by preventing them from being released onto our streets during their deportation proceedings.

After 8 years of policies that have placed a priority on protecting all illegal aliens, including those who are violent criminals, over the rights and safety of Americans, it is refreshing to have a President who is willing to follow regular law and order. President Trump has taken active steps to reverse the failed policies of the previous administration.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GOODLATTE. I yield the gentleman an additional 30 seconds.

Mr. BIGGS. I thank the chairman for yielding.

Mr. Speaker, President Trump has taken active steps to reverse the failed policies of the Obama administration and has been vocally supportive of Congress' efforts to do the same.

Passing this bill is a positive step toward our duty of enforcing the Nation's immigration laws, and I urge my colleagues to vote "yes" on this vital piece of legislation.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. NADLER), the ranking member of the Intellectual Properties Subcommittee.

Mr. NADLER. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong opposition to H.R. 3003. This legislation would withhold needed law enforcement funding from cities that choose not to assist Federal authorities in enforcing the immigration laws.

Besides being constitutionally suspect, this bill is also highly counterproductive. Recognizing that good policing depends on building trust with their residents, many cities forbid their law enforcement officers from questioning victims of crime or witnesses to a crime about their immigration status, and they do not share immigration information with Federal authorities.

They believe that their communities are at greater risk when a victim of domestic violence is afraid to ask the police for protection from her abuser for fear of deportation, or when witnesses to a murder refuse to assist law enforcement in tracking down the perpetrator because they are afraid their immigration status will be discovered.

These cities have concluded that taking on themselves the Federal responsibility to enforce immigration laws would destroy trust between immigrants and local law enforcement, which would make everyone less safe.

Perversely, this bill would punish these cities by denying them the funds that they need to protect public safety. Funding to hire new police officers, grants to combat the opioid crisis, and money to reduce the rape kit backlog

could all be taken away under this bill. Not only does this raise serious constitutional concerns, it is simply bad policy that will lead to more crime, not less.

As if this were not bad enough, the bill would also authorize mandatory indefinite detention of certain categories of immigrants without sufficient due process even if they present no danger to their communities.

Indefinite detention is repugnant to our values of fairness and individual liberty, but this bill perpetuates the ugly myth that immigrants are more dangerous and likely to commit more crimes than native-born Americans, and it erodes the fundamental protections that we guarantee to all who are present in this country.

Instead of taking positive steps to improve communication between Federal, State, and local authorities, this bill demonizes immigrants, punishes communities that seek to build trust between immigrants and law enforcement, and authorizes indefinite detention of certain immigrants, all while making us less safe.

For each of these reasons, this bill should be defeated, and I urge my colleagues to vote "no."

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. MAST).

Mr. MAST. Mr. Speaker, I rise today to speak about two very honorable lives, Paul Besaw and Lahiri Garcia, who were both taken from us far too soon by the criminal acts of one who was illegally in our country.

A death of our innocent neighbors is especially devastating when it could have been prevented had our immigration laws been upheld and had they been working.

Paul and Lahiri were paramedics in my community, dedicated to saving lives, but on January 1, a man illegally in our country, driving drunk, collided with their ambulance and killed both of them.

Paul left behind his loving wife, Dawn, and his 6-year-old daughter, Allison, who you see here behind me. When I spoke with Paul's widow, she rightfully said that if our country wasn't "too afraid or inept to enforce immigration law," her husband would still be with her today, and she is absolutely right.

Lahiri's wife, Julie Garcia, told me how hard it was for her four children to not have their father this Father's Day. She expected to grow old with her husband, but because this man wasn't sent home the first three times he was pulled over, she will no longer have that opportunity.

Both wives, both mothers, expressed to me sincere disbelief. They don't understand why this was allowed to happen, and, for the life of me, I can't understand why it is allowed either.

The bottom line is that this should never happen to anyone. Sanctuary cities are a violation of the rule of law, they are absolutely unacceptable, they

cannot be tolerated. We must enforce this rule of law.

It is, in fact, the right of every American to be protected by this government. It is not the right of anybody to spend one day, one moment, in our country illegally or without invitation.

Today, Congress is addressing this epidemic. Our bills, they crack down on dangerous sanctuary policies that put these kind of innocent lives at risk.

So let us ensure that unlawful immigrants convicted of crimes are, in fact, detained and are, in fact, deported.

Mr. Speaker, let's pass these bills. More importantly, let us be convicted that what happened to Paul and what happened to Lahiri is never allowed to happen again.

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Mr. CONYERS. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Texas (Ms. JACKSON LEE), the ranking member of the Crime, Terrorism, Homeland Security and Investigations Subcommittee of the House Judiciary Committee.

Ms. JACKSON LEE. Mr. Speaker, I venture to say that none one of us who comes to this floor doubts that any local law enforcement, our neighbors, do any second-guessing to arrest drunk drivers, murderers, and others, and that they are held to the high calling of justice. I do not want to be associated with being mild-mannered and weak on those who would do serious harm, kill, and maim, no matter who they are. That is not this debate.

This debate is whether or not this bill interferes with the legitimate enforcement of the law and whether or not it takes away the mercy that we are known for in the United States. Let me tell you why.

Mr. Speaker, I include in the RECORD a letter from the Fraternal Order of Police—which, by no means, is shy about enforcing the law—writing to oppose this legislation, saying that local police departments answer to local civilian government, and it is the local government which enacts statutes and ordinances.

NATIONAL FRATERNAL ORDER
OF POLICE,
Washington, DC, 27 June 2017.

Hon. PAUL D. RYAN,
Speaker of the House, House of Representatives,
Washington, DC.

Hon. KEVIN O. McCARTHY,
Majority Leader, House of Representatives,
Washington, DC.

Hon. NANCY P. PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

Hon. STENY H. HOYER,
Minority Whip, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER AND REPRESENTATIVES McCARTHY, PELOSI AND HOYER: I am writing on behalf of the members of the Fraternal Order of Police to reiterate the FOP's opposition to any amendment or piece of legislation that would penalize law enforcement agencies by withholding Federal funding or resources from law enforcement assistance programs in an effort to coerce a policy change at the local level. The House will consider H.R. 3003 on the floor this week and

Section 2 of this bill would restrict the hiring program administered by the Office of Community Oriented Policing Services (COPS), the Edward Byrne Memorial Justice Assistance Grant (Byrne-JAG) programs, as well as programs administered by the U.S. Department of Homeland Security.

The FOP has been very clear on this issue: we strongly believe that local and State law enforcement agencies should cooperate with their Federal counterparts. That being said, withholding needed assistance to law enforcement agencies—which have no policy-making role—also hurts public safety efforts.

Local police departments answer to local civilian government and it is the local government which enacts statutes and ordinances in their communities. Law enforcement officers have no more say in these matters than any other citizen and—with laws like the Hatch Act in place—it can be argued they have less. Law enforcement officers do not get to pick and choose which laws to enforce, and must carry out lawful orders at the direction of their commanders and the civilian government that employs them. It is unjust to penalize law enforcement and the citizens they serve because Congress disagrees with their enforcement priorities with respect to our nation's immigration laws.

The FOP issued a statement in January of this year regarding the approach of the Administration on sanctuary cities as outlined in President Trump's Executive Order. The President recognized that it is unfair to penalize the law enforcement agencies serving these jurisdictions for the political decisions of local officials. It allows the U.S. Attorney General and Secretary of the U.S. Department of Homeland Security to make an informed decision about the public safety impact without an automatic suspension from Federal grant programs. In Section 2 of H.R. 3003, there is no such discretion and it counters the Administration's existing policy.

The FOP opposed several bills in the previous Congress, which were outlined in a letter to the Senate leadership, and we will continue to work against proposals that would reduce or withhold funding or resources from any Federal program for local and State law enforcement. If Congress wishes to effect policy changes in these sanctuary cities, it must find another way to do so.

On behalf of the more than 330,000 members of the Fraternal Order of Police, I want to urge the House to reject H.R. 3003's punitive approach and work with law enforcement to find a better way to improve public safety in our communities.

Sincerely,

CHUCK CANTERBURY,
National President.

COMMITTEE ON MIGRATION, UNITED

STATES CONFERENCE OF CATHOLIC

BISHOPS,

Washington, DC, June 26, 2017.

CATHOLIC CHARITIES USA,

Alexandria, VA, June 26, 2017.

DEAR REPRESENTATIVE: We write on behalf of the Committee on Migration of the U.S. Conference of Catholic Bishops (USCCB/COM), and Catholic Charities USA (CCUSA) to express our opposition to H.R. 3003 and H.R. 3004.

The Catholic Church holds a strong interest in the welfare of migrants and how our nation welcomes and treats them. Our parishes include those with and without immigration status, unfortunately some who have witnessed or been victims of crime in the United States, including domestic violence, armed robbery, and assault. We understand the importance of fostering cooperation and information-sharing between immigrant communities and local law enforcement.

We oppose H.R. 3003 because it would impose obligations on local governments that we fear—and that many of them have warned—would undermine authority and discretion of local law enforcement. This, in turn, would hamper the ability of local law enforcement officials to apprehend criminals and ensure public safety in all communities.

Furthermore, Section 2 of H.R. 3003 would deny to jurisdictions vital federal funding related to law enforcement, terrorism, national security, immigration, and naturalization if those jurisdictions are deemed to be non-compliant with H.R. 3003. The Catholic service network, including Catholic Charities, works in partnership with the federal government on a number of Department of Justice and Department of Homeland Security initiatives, including disaster response and recovery, naturalization and citizenship services, and services for the immigrant, including victims of human trafficking, and domestic violence. These services are incredibly valuable to the protection and promotion of the human person and in some instances life-saving. Cutting grants related to these important national objectives, or threat of such cuts, is not humane or just, nor is it in our national interest.

Also, we oppose H.R. 3004 as it would lead to an expansion of incarceration and does not include adequate protections for people who re-enter the U.S. for humanitarian reasons or seek protection at the border. While H.R. 3004 makes notable efforts to protect us from those convicted of violent criminal offenses, the legislation goes far beyond this goal by expanding the government's ability to prosecute illegal re-entry cases and heightening the criminal penalties in these cases. In an era of fiscal austerity, it is vital that important judicial resources are efficiently utilized to prosecute and convict the most violent offenders of violent crimes. Expanding who is eligible to be prosecuted for entry or re-entry as well as enhancing sentencing requirements does not advance the common good nor will it ensure that communities are safer. Furthermore, we are concerned that, as introduced, H.R. 3004 would also prevent vulnerable asylum seekers and unaccompanied children, (who have presented themselves repeatedly at the U.S. border in the flight from violence), from being able to access protection, and instead face fines, imprisonment or both.

We respectfully urge you to reject these bills in favor of a more comprehensive and humane approach to immigration reform; an approach that upholds human dignity and family unity and places a greater emphasis on balancing the needs and rights of immigrants with our nation's best interests and security.

The United States has a long and proud history of leadership in welcoming newcomers regardless of their circumstances and promoting the common good. We stand ready to work with you on legislation that more closely adheres to this tradition and appreciate your serious consideration of our views in this regard.

Sincerely,

MOST REV. JOE VÁSQUEZ,
Bishop of Austin, Chairman, USCCB
Committee on Migration.

Sr. DONNA MARKHAM, OP, PHD,
President & CEO, Catholic Charities USA.

[From the Houston Chronicle, Apr. 30, 2017]

POLICE CHIEFS: SB 4 IS A 'LOSE-LOSE' FOR TEXAS

(By Art Acevedo and James McLaughlin)

No one believes in the "rule of law" more than the Texas Police Chiefs Association and the Texas Major Cities Chiefs, which besides Houston include Austin, Arlington, Dallas,

Fort Worth and San Antonio. We work tirelessly to make our communities safer, within the confines of the U.S. Constitution, by arresting those who commit criminal actions that threaten our communities. We specifically target those individuals committing violent crimes and arrest anyone who threatens the safety of our communities, regardless of their immigration status.

Police chiefs across the state work extremely hard to develop law enforcement agencies that build and maintain trust, communication and stronger relationships with minority communities through community-based policing and outreach programs. So we know well that no good can come of Senate Bill 4, which the state House of Representatives, joining the state Senate, passed last week.

SB 4 requires local law enforcement to take a more active role in immigration enforcement; this will tear down what we've worked so hard to build up. Officers will start inquiring about the immigration status of every person they come in contact with, or worse, only inquire about the immigration status of individuals based on their appearance. This will lead to distrust of police, less cooperation from members of the community and will foster the belief that they cannot seek assistance from police for fear of being subjected to an immigration-status investigation.

This is a lose-lose situation for everyone.

Distrust and fear of contacting or assisting the police has already become evident among legal immigrants. Legal immigrants are beginning to avoid contact with the police for fear that they themselves or undocumented family members or friends may become subject to immigration enforcement. Such a divide between the local police and immigrant groups will result in increased crime against immigrants and in the broader community, create a class of silent victims, and eliminate the potential for assistance from migrants in solving crimes or preventing crime.

Ms. JACKSON LEE. Law enforcement officers have to be able to abide by the law. It is unjust to penalize law enforcement and the citizens they serve because Congress disagrees with the enforcement priorities with respect to our Nation's immigration laws. And they are right. But they also say that they need to build trust in our communities.

This bill destroys community trust. It also penalizes hardworking governments of mayors and county leaders who are, in fact, trying to run the government and ensure that victims of domestic violence and crime, even as immigrants, are able to be treated in a manner where justice is had.

What about the National Sheriffs' Association or the Texas Police Chiefs in Texas' major cities who indicate that this bill will serve no good and no good can come to a similar bill in the States?

Let me say to you, I stand with the Catholic church, and I am not Catholic. What are our values? This church opposes the idea of our values.

Let me be very clear as I close. We are doing the sanctuary cities bill, but I want to know about the integrity of this place.

Mr. Speaker, I rise in strong opposition to H.R. 3003, the "No Sanctuary for Criminals Act," which requires state and local cooperation with federal immigration enforcement, ex-

pands DHS detainer authority, and expands detention authority.

I oppose this bill mainly because it directly violates the Constitution of the United States.

If H.R. 3003 were to become law, it will coerce states and localities to cooperate with immigration enforcement, it will hurt victims and witnesses to crimes, and ultimately make communities less safe, which directly contravenes the stated and alleged goals of this bill.

Police Chiefs across the nation are responding to less disturbances, not because crime is magically disappearing, but because immigrant communities are afraid to report them out of fear of being targeted.

H.R. 3003 will completely strip state and local jurisdictions of their ability to enact common-sense policies that breed respect and trust and turn local law enforcement into an auxiliary arm of the federal Immigration and Customs Enforcement (ICE).

To ensure compliance, this bill coerces states and localities by imposing penalties that will deny federal funding for critical law enforcement, national security, drug treatment, and crime victim initiatives.

This divisive and vindictive administrative policy abridges the Tenth Amendment to the Constitution, which states:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

H.R. 3003 also violates the Fourth Amendment's proscription against unreasonable searches and seizures in respect to the changes it makes to DHS's detainer authority.

It expands upon current DHS detainer practice by broadening the ways in which DHS can determine it has probable cause to issue a detainer and it significantly expands the time an individual may be held by law enforcement.

The Supreme Court has stated that the Fourth Amendment requires a judicial finding of probable cause, usually within 48 hours of arrest.

H.R. 3003, however, allows law enforcement to hold a person up to 96 hours before DHS takes custody, and there is no mention of when the person will even see an immigration judge.

H.R. 3003 compounds these constitutional violations by eliminating the ability for a detained individual to obtain an independent, individualized review of his or her bond determination by a neutral decision-maker.

This bill also authorizes DHS to detain individuals in removal proceedings without time limitation and it expands the categories of individuals who would be subject to such a detention on a mandatory basis.

These provisions make it substantially more difficult, if not impossible, for individuals to obtain release on bond while removal proceedings are pending, thus increasing detention costs and separating families while they seek to litigate their immigration cases.

H.R. 3003 is nothing but an anti-immigrant, enforcement-only proposal that represents another step in Trump's mass deportation plan.

Mr. Speaker, rather than forcing state and local officials into a one-size-fits-all federal enforcement scheme, Congress and the administration should enact legislation and adopt policies that integrate unauthorized immigrants into our communities—approaches that the American public supports by a wide margin.

For these reasons, I join with local law enforcement chiefs and faith community leaders

in denouncing and opposing this mean-spirited, ill-considered, and un-American legislation.

I end, Mr. Speaker, by apologizing to Mika Brzezinski, to the press, for the horrible words that were said about a bleeding face.

There is no way that we can entrust this law or any other laws to this President of the United States. He has lost the trust, and I will vote for nothing until he steps down.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. GAETZ), a member of the Judiciary Committee.

Mr. GAETZ. Mr. Speaker, I thank the gentleman for yielding.

While we have heard a good amount of inflammatory rhetoric, my remarks will speak solely to the facts.

Mr. Speaker, I rise today in support of keeping America safe. In less than 2 years, over 8,000 undocumented immigrants, all subject to ICE detainment, were released because of local non-cooperation policies.

Sixty-three percent of those illegal aliens had prior convictions or had been marked a public safety concern. After being released, they went on to be rearrested nearly 4,300 times, committing nearly 7,500 new offenses.

The facts are clear: States and local governments that do not comply with our immigration laws are putting American citizens at risk.

The U.S. Sentencing Commission found that, in 2014, 75 percent of all criminal defendants who were convicted and sentenced for Federal drug offenses were illegal immigrants. As of 2014, illegal immigrants made up roughly 3.5 percent of our population but committed over 10 percent of all murders.

Refusing to turn over criminal illegal immigrants poses a threat to our society, our safety, and our economy. American citizens pay nearly \$19 million a day to house and care for the 450,000 criminal immigrants in jails and prisons who are all eligible for deportation.

When cities ignore Federal immigration laws, the results are often tragic.

The sheriff of Travis County, Texas, decided she would only turn over illegal aliens who have committed a narrow list of crimes. Her policy allowed one illegal alien to be released on bail despite sexually abusing his girlfriend's 9-year-old daughter.

A Cook County sheriff released an illegal immigrant after he served a brief domestic assault sentence, despite an ICE detainer. Soon after, he went on to kill a 15-year-old girl.

America wept as 32-year-old Kate Steinle was killed by a stray bullet. The illegal immigrant who shot that gun had seven previous felony convictions.

There are thousands more stories of innocent lives lost, of families destroyed, and of crimes that could have

been prevented. Every day in America, another family grieves because of the policies of sanctuary cities.

Mr. Speaker, I rise for the protection of our citizens, the safety of our communities, the defense of our country, and to ultimately see the end of sanctuary cities.

Mr. CONYERS. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. CROWLEY), our Democratic Caucus chair.

Mr. CROWLEY. Mr. Speaker, I thank the gentleman for yielding.

Much of the same rhetoric we are hearing right now from the other side of the aisle is similar to the same rhetoric we heard back in the 1840s, 1850s, and 1860s against the Irish when they came to America. We heard it said about Italian Americans in the 1880s and 1890s.

We continue to hear the same type of rhetoric about African Americans in our country in terms of the percentage of criminal activity that takes place. What we have seen happen is the further incarceration and enslavement of African Americans in our Nation today because of similar rhetoric.

I want to make it very clear: “Immigrant” and “criminal” are not synonyms. You make it out to be that way by the passage of this legislation.

Talking about law enforcement, in New York City, James O’Neill, the police commissioner, has said this law will make New York City less safe than it is today.

I remind my colleagues on the other side of the aisle that 9/11 happened in my hometown, in my city. Since then, there have been no major incidents of terrorism in New York City because they have been able to collect information—much of it from the undocumented community in our city—to prevent similar events from happening again. That is why this bill is so egregious.

The first responsibility of the Federal Government is to protect its citizens from foreign invasion, foreign attack, terrorist attacks. This bill will withhold terrorism money from New York City. It will prevent the city of New York from continuing to collect the information they and other cities around this country need to protect their citizens, to develop the trust that the community has to have in its police department and the police department in its communities.

That is how law enforcement works, that is how they catch the criminals, and that is how they help the Federal Government deport criminals who have committed criminal offenses in a city like New York.

Mr. GOODLATTE. Mr. Speaker, may I inquire at this time how much time is remaining on each side.

The SPEAKER pro tempore. The gentleman from Virginia has 12 minutes remaining. The gentleman from Michigan has 11 minutes remaining.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentlewoman

from Tennessee (Mrs. BLACK), the chairman of the Budget Committee.

Mrs. BLACK. Mr. Speaker, across the country, more than 300 municipalities have adopted policies to limit local law enforcement cooperation with Federal authorities, making it harder to keep our families and communities safe.

Back in my home State of Tennessee, the Nashville City Council has recently been advancing legislation to become one of these sanctuary cities. Giving Federal funds to sanctuary cities defies logic and it demands attention.

Yesterday, I offered an amendment to expand the bill before us today so that sanctuary cities would no longer have access to Community Development Block Grants and certain other economic development grants, as well, that send more than about 300 billion taxpayer dollars a year to local communities.

On its website, the Community Development Block Grant program says its purpose is to provide services to vulnerable communities and address issues that “pose an immediate threat to the health or welfare of the community.”

What population is more vulnerable than a 6-year-old girl in Lebanon, Tennessee, who was sexually molested while she was sleeping? Just last month, charges were brought against a criminal illegal immigrant for repeatedly breaking into her room at night and making videos while he assaulted her. The evil individual had been in police custody before.

For Kate Steinle, who has been talked about many times on the floor, her killer had a criminal record of not one, two, or three, but seven felonies. He had been deported not once, twice, or three times, but five times. Is that who liberal legislators around the country want to give “sanctuary”?

We need more communication and cooperation between local, State, and Federal law enforcement officers who are trying to keep our communities safe, not less. It is time to stop giving taxpayer dollars to these cities. I am voting for this bill today to do just that.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank my friend, the distinguished ranking member, for yielding.

I don’t know what our friend from Tennessee was talking about. I am not here as a liberal legislator. I am here as a local government person. I spent 14 years in local government.

We are not sanctuary cities. We are trying to solve crimes by seeking cooperation from the immigrant community. This bill will make it harder. Most of our local police chiefs would tell you that—if you would listen to them.

Oddly enough, the Members supporting this bill are the same Members who sanctimoniously decry Federal mandates and overreach—except when

they want one. Here we are, dictating how local governments should implement Federal immigration laws.

At the local level, we know effective, community-based policing relies on trust between the police and communities. This bill would erode that collaboration and that trust.

How can we expect our Nation’s immigrants to turn to the police if they witness or fall victim to a crime if they are afraid of being deported or separated from their families?

The bill will punish local police departments and those relationships. It should be defeated. This local government guy will oppose this bad policy bill.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. YOUNG).

Mr. YOUNG of Iowa. Mr. Speaker, yesterday, I was at the White House with President Trump and the parents and relatives of those daughters and sons who were killed by those who are here illegally. The stories were very heavy. They should weigh on all of us.

One story that was shared was given by Michelle Root about her beautiful daughter who was struck down and killed in a senseless way by someone here illegally. Michelle is in the gallery here today, and she is a great advocate.

In late January 2016, Sarah’s parents, Michelle and Scott Root, started their day with joy. On that day, their beautiful daughter, Sarah, graduated. She had the whole world ahead of her. But for Michelle and Scott, the day ended with loss and tragedy. It was the unimaginable loss of their daughter. Sarah was killed by a drunk driver here illegally. It is so senseless. Sarah had her whole life in front of her.

Through incompetence and uncertainty about the law or the policy, or both—but for sure, a lack of common sense—Sarah’s killer was released. Today, Sarah’s killer is free.

Today, Sarah’s parents, Michelle and Scott, and Sarah’s brother, Scotty, fight for Sarah’s justice. They fight for her honor. They fight to make sure no other parent or loved one has to go through the tragic ordeal they had to go through.

□ 1500

My vote today is about policy, but it is in honor of Sarah Root. It is hard to find a love stronger than a parent has for their child. Sarah will always be loved and certainly not forgotten by her family and friends and those who never even met her. She has touched their hearts. They continue to advocate, and so must we.

Mr. Speaker, I want to thank the chairman, my colleagues in Iowa and across the border in Nebraska who support this legislation and fought for it to be incorporated into this bill.

God is taking care of Sarah now. Her memory lives on. I urge the passage of this legislation.

The SPEAKER pro tempore. It is not in order to refer to persons in the gallery.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. DOGGETT), a former justice to the Texas Supreme Court.

Mr. DOGGETT. Mr. Speaker, the only sanctuary involved here today is the sanctuary that this sorry bill provides for prejudice. This is the Trump counterpart to the outrageous SB4 that Governor Greg Abbott has been promoting in Texas. It all goes back to the rhetoric of last year about the “bad hombres” and the attacks on Mexico and Mexicans.

I will tell you, I want the bad hombres off the street no matter where they come from, but I look to my local police chiefs, to my local sheriffs and law enforcement officers to tell me what the best way is to protect our families from crime. They say maintaining the confidence of the immigrant community is vital, and that measures like this, which simply have politicians in Washington interfering with and attempting to intimidate local law enforcement officers, do exactly the opposite of what all these speeches claim that they do.

Anti-immigrant hysteria, what a way to leave for July Fourth from a Congress that has accomplished practically nothing but to attack immigrants as we depart instead of standing by and supporting local law enforcement and making our communities safe.

Mr. GOODLATTE. Mr. Speaker, I yield myself 30 seconds to respond and point out that many, many of the victims of these crimes are Hispanic, African American, and others, and they were seated around the Cabinet table at the White House yesterday pleading for this legislation because they had lost their loved ones. They would much rather have been able to rewind the tape and be with those loved ones who were killed by people who were illegally present in the United States. The victims would never have suffered if our laws had simply been enforced.

Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. DUNN).

Mr. DUNN. Mr. Speaker, I rise today in support of H.R. 3003, the No Sanctuary for Criminals Act.

Congress has a responsibility to protect the rule of law in our country and to provide for the safety of our citizens. The American people overwhelmingly oppose sanctuary cities and believe that we should be doing more to enforce our Federal immigration laws.

The No Sanctuary for Criminals Act clarifies the authority of the Department of Homeland Security to order the detainment of illegal immigrants arrested for crimes until they can be processed for deportation.

It also cuts off certain Federal grants to cities and States that violate Federal immigration law. It is simple: If you don't comply with the Federal immigration law, you are not eligible for certain Federal grants.

It is time for us to enforce our immigration laws.

National attention was brought to the consequences of the sanctuary city

policies by the death of Kate Steinle, who was killed by an illegal immigrant who had previously been convicted of seven felonies and deported five times. If the city of San Francisco had worked with the Federal Government to enforce the Federal immigration law instead of releasing this criminal, Kate Steinle would be alive today.

Our current system of laws failed Kate and all those who have died at the hands of convicted felons in this country illegally. The people who I am honored to represent do not understand why some American cities get to flout the law and not cooperate with Federal officials. This legislation makes it clear that they don't, that sanctuary cities are illegal. By holding these jurisdictions accountable and stopping sanctuary cities, we will make Americans of every background safer on our streets.

Mr. Speaker, I urge all of my colleagues to support this important legislation.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY), a dedicated civil rights leader.

Ms. SCHAKOWSKY. Mr. Speaker, I rise in strong opposition to H.R. 3003.

In jurisdictions within my district, Cook County, cities like Chicago, Evanston, and Skokie, which are immigrant rich, we have adopted sanctuary cities, sometimes called welcoming cities, ordinances in order to reassure immigrants that they can, with safety, talk to law enforcement within our jurisdictions.

Skokie Mayor George Van Dusen said: “It has taken the Village of Skokie years—decades really—to form the bridges that we have of trust with our immigrant community.”

These policies work. A January study found that sanctuary cities tend to be safer and have stronger economies than not.

This bill would push communities to abandon sanctuary city policies, breaking down that hard-earned trust between immigrants and law enforcement. Turning law enforcement into immigration enforcement makes cities less safe.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. CONYERS. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman.

Ms. SCHAKOWSKY. Mr. Speaker, it makes immigrants less likely to report crimes. This bill protects criminals in our communities and not victims.

I urge my colleagues to vote for safer communities and vote against this bill.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. Mr. Speaker, I thank Chairman GOODLATTE for making sure this bill gets to the floor.

Mr. Speaker, I am registering my support for Kate's Law and H.R. 3003, the No Sanctuary for Criminals—Act. I support these bills

for the sake of Kate Steinle and every single one of those who share her tragic fate.

She was murdered in broad daylight by a violent, criminal illegal alien. This was an easily preventable and heartbreaking crime, and we simply cannot fail the American people by refusing to act on these bills.

The government's first responsibility is the security and protection of our homeland, a duty that should not be abdicated or yielded based on convenience.

In 2011—2011—a GAO study found that aliens committed more than 25,000 homicides, more than 69,000 sexual offenses, 14,000 kidnappings, 42,000 robberies, and 213,000 assaults, among other offenses. Every single one of these is too many.

Very few things in this world we can get at 100 percent, but these are 100 percent preventable if these people would not have been here. These are preventable crimes, completely preventable, and we must stop the willful neglect of complacency by government officials who refuse to enforce existing—this is not new. This is existing law we are asking them to enforce, we are requiring them to enforce.

According to a March 2017 Washington Times article, nearly 500 jurisdictions have sanctuary policies that block—that block—that limit ICE from apprehending criminal aliens.

A January 2017 article from the Washington Examiner reported that, from January 2014 to September 2015, sanctuary jurisdictions rejected 17,000 ICE detainers. Those are 17,000 criminals that are out on the street that we know about that we let go.

Adding insult to injury, these sanctuary jurisdictions seek Federal funds to help them defy Federal law enforcement efforts to remove the dangerous criminal aliens from the streets.

Mr. Speaker, it is time to put Americans first, and we support the restoration of law and order by supporting these proposals.

Mr. CONYERS. Mr. Speaker, how much time remains on each side?

The SPEAKER pro tempore. The gentleman from Michigan has 7½ minutes remaining, and the gentleman from Virginia has 3½ minutes remaining.

Mr. CONYERS. Mr. Speaker, I yield to the gentlewoman from California (Ms. LOFGREN) for a unanimous consent request.

(Ms. LOFGREN asked and was given permission to revise and extend her remarks.)

Ms. LOFGREN. Mr. Speaker, I include in the RECORD letters from the National Fraternal Order of Police; Law Enforcement Immigration Task Force; National League of Cities; U.S. Conference of Mayors; and the National Association of Counties in opposition to this bill.

NATIONAL FRATERNAL ORDER OF POLICE,
Washington, DC, 27 June 2017.

Hon. PAUL D. RYAN,
Speaker of the House, House of Representatives,
Washington, DC.
Hon. KEVIN O. McCARTHY,
Majority Leader, House of Representatives,
Washington, DC.
Hon. NANCY P. PELOSI,
Minority Leader, House of Representatives,
Washington, DC.
Hon. STENY H. HOYER,
Minority Whip, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER AND REPRESENTATIVES McCARTHY, PELOSI AND HOYER: I am writing on behalf of the members of the Fraternal Order of Police to reiterate the FOP's opposition to any amendment or piece of legislation that would penalize law enforcement agencies by withholding Federal funding or resources from law enforcement assistance programs in an effort to coerce a policy change at the local level. The House will consider H.R. 3003 on the floor this week and Section 2 of this bill would restrict the hiring program administered by the Office of Community Oriented Policing Services (COPS), the Edward Byrne Memorial Justice Assistance Grant (Byrne-JAG) programs, as well as programs administered by the U.S. Department of Homeland Security.

The FOP has been very clear on this issue: we strongly believe that local and State law enforcement agencies should cooperate with their Federal counterparts. That being said, withholding needed assistance to law enforcement agencies—which have no policy-making role—also hurts public safety efforts.

Local police departments answer to local civilian government and it is the local government which enacts statutes and ordinances in their communities. Law enforcement officers have no more say in these matters than any other citizen and—with laws like the Hatch Act in place—it can be argued they have less. Law enforcement officers do not get to pick and choose which laws to enforce, and must carry out lawful orders at the direction of their commanders and the civilian government that employs them. It is unjust to penalize law enforcement and the citizens they serve because Congress disagrees with their enforcement priorities with respect to our nation's immigration laws.

The FOP issued a statement in January of this year regarding the approach of the Administration on sanctuary cities as outlined in President Trump's Executive Order. The President recognized that it is unfair to penalize the law enforcement agencies serving these jurisdictions for the political decisions of local officials. It allows the U.S. Attorney General and Secretary of the U.S. Department of Homeland Security to make an informed decision about the public safety impact without an automatic suspension from Federal grant programs. In Section 2 of H.R. 3003, there is no such discretion and it countermands the Administration's existing policy.

The FOP opposed several bills in the previous Congress, which were outlined in a letter to the Senate leadership, and we will continue to work against proposals that would reduce or withhold funding or resources from any Federal program for local and State law enforcement. If Congress wishes to effect policy changes in these sanctuary cities, it must find another way to do so.

On behalf of the more than 330,000 members of the Fraternal Order of Police, I want to urge the House to reject H.R. 3003's punitive approach and work with law enforcement to find a better way to improve public safety in our communities. Please feel free to contact me or my Senior Advisor Jim Pasco in my

Washington office if I can be of any further assistance.

Sincerely,

CHUCK CANTERBURY,
National President.

—
LAW ENFORCEMENT
IMMIGRATION TASK FORCE.

June 28, 2017.

DEAR MEMBER OF CONGRESS: As law enforcement leaders dedicated to preserving the safety and security of our communities, we have concerns about legislative proposals that would attempt to impose punitive, "one-size-fits-all" policies on state and local law enforcement. Rather than strengthening state and local law enforcement by providing us with the tools to work with the Department of Homeland Security (DHS) in a manner that is responsive to the needs of our communities, these proposals would represent a step backwards.

Attempts to defund so-called sanctuary cities regularly sweep too broadly, punishing jurisdictions that engage in well-established community policing practices or adhere to federal court decisions that have found federal immigration detainees to violate constitutional protections. We oppose these approaches and urge Congress to work to encourage—rather than compel—law enforcement agency cooperation within our federal system.

We believe that law enforcement should not cut corners. Multiple federal courts have questioned the legality and constitutionality of federal immigration detainees that are not accompanied by a criminal warrant signed by a judge. Even though the legality of such immigration holds is doubtful, some have proposed requiring states and localities to enforce them, shielding them from lawsuits. While this approach would reduce potential legal liability faced by some jurisdictions and departments, we are concerned these proposals would still require our agencies and officers carry out federal directives that could violate the U.S. Constitution, which we are sworn to follow.

Immigration enforcement is, first and foremost, a federal responsibility. Making our communities safer means better defining roles and improving relationships between local law enforcement and federal immigration authorities. But in attempting to defund "sanctuary cities" and require state and local law enforcement agencies. Local control has been a beneficial approach for law enforcement for decades—having the federal government compel state and local law enforcement to carry out new and sometimes problematic tasks undermines the delicate federal balance and will harm locally-based policing.

Rather than requiring state and local law enforcement agencies to engage in additional immigration enforcement activities, Congress should focus on overdue reforms of the broken immigration system to allow state and local law enforcement to focus their resources on true threats—dangerous criminals and criminal organizations. We believe that state and local law enforcement must work together with federal authorities to protect our communities and that we can best serve our communities by leaving the enforcement of immigration laws to the federal government. Threatening the removal of valuable grant funding that contributes to the health and well-being of communities across the nation would not make our communities safer and would not fix any part of our broken immigration system.

Our immigration problem is a national problem deserving of a national approach, and we continue to recognize that what our broken system truly needs is a permanent

legislative solution—broad-based immigration reform.

Sincerely,

Chief Chris Magnus, Tucson, AZ; Chief Sylvis Moir, Tempe, AZ; Ret. Chief Roberto Villasenor, Tucson, AZ; Chief Charlie Beck, Los Angeles, CA; Ret. Chief James Lopez, Los Angeles County, CA; Sheriff Margaret Mims, Fresno County, CA; Sheriff Mike Chitwood, Volusia County, FL; Sheriff Paul Fitzgerald, Story County, IA; Chief Wayne Jerman, Cedar Rapids, IA; Sheriff Bill McCarthy, Polk County, IA.

Public Safety Director, Mark Prosser, Storm Lake, IA; Sheriff Lonny Pulkabek, Johnson County, IA; Chief Mike Tupper, Marshalltown, IA; Chief William Bones, Voise, ID; Ret. Chief Ron Teachman, South Bend, IN; Ret. Chief James Hawkins, Garden City, KS; Commissioner William Evans, Boston, MA; Chief Ken Ferguson, Framingham, MA; Chief Brian Kyes, Chelsea, MA; Chief Tom Manger, Montgomery County, MD.

Chief Todd Axtell, Saint Paul, MN; Sheriff Eli Rivera, Cheshire County, NH; Chief Cel Rivera, Lorain, OH; Public Safety Commissioner Steven Pare, Providence, RI; Chief William Holbrook, Columbia, SC; Sheriff Leon Lott, Richland County, SC; Ret. Chief Fred Fletcher, Chattanooga, TN; Chief Art Acevedo, Houston, TX.

Sheriff Edward Gonzalez, Harris County, TX; Sheriff Sally Hernandez, Travis County, TX; Sheriff Lupe Valdez, Dallas County, TX; Ret. Chief Chris Burbank, Salt Lake City, UT; Sheriff John Urquhart, King County, WA; Asst. Chief Randy Gaber, Madison, WI; Chief Michael Koval, Madison, WI; Chief Todd Thomas, Appleton, WI.

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NATIONAL LEAGUE OF CITIES,

Cleveland, OH, June 28, 2017.

DEAR REPRESENTATIVE: On behalf of the 19,000 cities and towns represented by the National League of Cities (NLC), I am writing to express our strong opposition to the "No Sanctuary for Criminals Act" (H.R. 3003). The bill, which was made public just recently, completely bypassed the House Judiciary Committee and includes provisions that will result in violations of due process and the Fourth and Tenth Amendments to the Constitution.

We are very troubled by the fact that the bill—which preempts local authority, jeopardizes public safety, and exposes local governments to litigation and potential liability—was drafted with no input from local officials.

NLC has consistently opposed federal legislation that would impose harmful sanctions on local governments—sanctions that prohibit or restrict compliance when a detainer request is issued by the Department of Homeland Security's Immigration and Customs Enforcement (ICE). Specifically, NLC has significant concerns with the provisions in H.R. 3003 that:

1. Undermine local government's authority to govern their public safety and local law enforcement programs. The bill would prevent localities from establishing laws or policies that prohibit or "in any way" restrict compliance with or cooperation with federal immigration enforcement. H.R. 3003 would strip local governments ability to enact common-sense crime prevention policies that ensure victims of crime will seek protection and report crimes.

2. Penalize local governments that fail to comply with federal immigration efforts with the denial of federal funding for critical law enforcement, national security, drug treatment, and crime victim initiatives, including the State Criminal Alien Assistance Program (SCAAP), Community Oriented Policing Services (COPS), and Byrne JAG programs that provide hundreds of millions of dollars to localities nationwide.

3. Compel local governments to honor Immigration and Customs Enforcement (ICE) detainer requests, even though the federal courts have determined that ICE use of detainees violates the Fourth Amendment, and that localities may be held liable for honoring them.

4. Expand ICE's detainer authority requiring localities to hold undocumented immigrants for up to 96 hours, which is twice what is currently allowed even if probable cause has not been shown. The bill also does not provide any additional funding to local governments to cover the costs associated with detaining the undocumented immigrants. Requiring cities to shoulder the financial burden being forced upon them with no input impacts our ability to pay for essential infrastructure and services such as roads, schools and libraries.

5. Create a "private right of action" that would allow crime victims or their family members to sue localities if the crime was committed by someone who was released by the locality that did not honor an ICE detainer request. This provision could allow frivolous lawsuits against a local government by anyone who alleges that they were a victim of a crime committed by an immigrant.

6. Compel local governments to utilize their local law enforcement resources to implement federal civil immigration enforcement in violation of the Tenth Amendment's "commandeering" principle. The Tenth Amendment does not permit the federal government to force counties and cities to allocate local resources, including police officers, technology, and personnel, to enforce federal immigration law. The federal government also cannot withhold funds from localities refusing to participate in federal efforts if the programs affected are unrelated to the purpose of the federal program, or if the sanctions are punitive in nature.

Since the inception of the United States of America, lawful immigrants and refugees have played a vital role in the civic, economic and social life of cities. We recognize that local governments address issues associated with federal immigration laws in a variety of ways that best meet the needs of all their residents. Some cities provide greater leniency towards undocumented immigrants who do not violate state and local laws by not dedicating municipal resources to enforce federal immigration laws. Unfortunately, these cities are wrongfully characterized as safe havens for undocumented immigrants who violate state and local laws.

We believe the power to enforce federal immigration laws remains exclusively a federal power and we strongly oppose federal efforts to commandeer our local law enforcement to take on the duties of federal immigration enforcement agents.

Our nation's local elected officials call on you to do the right thing and vote against H.R. 3003 when it is considered on the floor. We urge you to move beyond punitive bills like H.R. 3003 and work with us to develop a positive legislation that will fix our broken immigration system and make our cities safer.

Thank you for your leadership and for willingness to stand up for America's cities by voting against this legislation that would impose harmful sanctions on local governments.

Sincerely,

MATT ZONE,
President, National
League of Cities,
Ward 15 Council-
man.

THE UNITED STATES CONFERENCE
OF MAYORS,
Washington, DC, June 26, 2017.

DEAR REPRESENTATIVE: I write to register the strong opposition of the nation's mayors to H.R. 3003, a partisan bill that seeks to punish so-called "sanctuary cities," which is expected to be considered by the full House this week.

The U.S. Conference of Mayors represents well over a thousand mayors and nearly 150 million people. Today, we concluded the 85th Annual Meeting of The U.S. Conference of Mayors and adopted policy that reinforces and builds on previous positions we have taken which oppose provisions in this bill. Specifically, the nation's mayors:

urge members of Congress to withdraw legislation that attempts to cut local law enforcement funding necessary to ensure the safety of our communities, indemnify conduct that violates the constitutional rights afforded to both United States citizens and immigrant populations, and further criminalizes immigration and infringes on the rights of immigrant;

oppose punitive policies that limit local control and discretion, and urge instead that Congress and the Administration pursue immigration enforcement policies that recognize that local law enforcement has limited resources and community trust is critical to local law enforcement and the safety of our communities;

oppose federal policies that commandeer local law enforcement or require local authorities to violate, or be placed at risk of violating, a person's Fourth Amendment rights; expend limited resources to act as immigration agents; or otherwise assist federal immigration authorities beyond what is determined by local policy.

H.R. 3003 would do all of these things and more:

It would jeopardize public safety by withholding critical public safety funding from jurisdictions that tell their police officers not to ask an individual their immigration status. Many departments have such policies to encourage crime victims and witnesses to report crimes and to build trust with immigrant communities.

It would put jurisdictions at risk of violating an individual's Fourth Amendment rights by establishing probable cause standards for ICE's issuance of detainers that do not require a judicial determination of probable cause. Numerous federal courts have found that continued detention under an ICE detainer, absent probable cause, would state a claim for a violation of the Fourth Amendment and subject the detaining officer or jurisdiction to civil liability.

While it says it would provide immunity to jurisdictions which comply with detainers and hold them harmless in any suits filed against them, they would still be subject to Fourth Amendment challenges.

Further compelling and expanding compliance with certain enforcement provisions, such as immigration detainers, and cutting off federal funding to jurisdictions which do not comply with these provisions likely conflict with the Tenth Amendment.

H.R. 3003 is a bad bill for our cities and their residents and for our nation. It would jeopardize public safety, preempt local authority, and expose local governments to litigation and potential findings of damages. America's mayors call on you to do the right thing and vote against H.R. 3003 when it is considered on the floor.

The U.S. Conference of Mayors urges you instead to focus on positive legislation that will fix our broken immigration system and make our cities safer. The nation's mayors pledge to work with you on bipartisan immigration reform legislation that will fix our

nation's broken immigration system. We need to move beyond punitive bills like H.R. 3003 and develop an immigration system that works for our nation, our cities and our people.

To make our cities safer we urge you to consider legislation that will help us to fight crime and prevent terrorism. The U.S. Conference of Mayors and the Major Cities Chiefs Association agree that to make the streets of America safe, Congress must act to strengthen bonds between communities and police, expand homeland security grants, invest in mental health and substance abuse services, reduce gun violence, and reform the criminal justice system and strengthen reentry services.

Sincerely,

MITCHELL J. LANDRIEU,
Mayor of New Orleans,
President.

MAJOR COUNTY SHERIFFS OF AMERICA AND NATIONAL ASSOCIATION OF COUNTIES,

June 29, 2017.

Hon. PAUL RYAN,
Speaker of the House, House of Representatives,
Washington, DC.

Hon. KEVIN MCCARTHY,
Majority Leader, House of Representatives,
Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

Hon. STENY HOYER,
Minority Whip, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER, MAJORITY LEADER MCCARTHY AND REPRESENTATIVES PELOSI AND HOYER: On behalf of the Major County Sheriffs of America (MCSA) and the National Association of Counties (NACo), we write to express our commitment to work with Congress and the Administration on measures to prevent crime and violence, but are concerned that H.R. 3003, the No Sanctuary for Criminals Act is not an effective approach. While we applaud measures to protect the public from repeat, violent predators, we cannot support further cuts in funding that weaken crime prevention efforts, officer recruitment, and safety and wellness programs.

Most sheriffs want to cooperate with U.S. Immigration and Customs Enforcement (ICE) so that it may remove criminal illegal aliens from the United States, but sheriffs must follow the law that has rendered current ICE requests illegal. Without proper arrest authority, sheriffs cannot willfully disregard an individual's 4th amendment rights as articulated in these court cases. Make no mistake, the American public has a right to know which jurisdictions are blatantly ignoring the rule of law and are endangering community safety and they should be held accountable. If a jurisdiction is following the law of its state or a binding court ruling, it is misguided for Congress to cut funding for programs that support State and local law enforcement agencies in nearly every jurisdiction in this country.

ICE's removal of illegal aliens who are committing crimes in our communities is important to ensure public safety. Their removal mitigates the drain on sheriffs' resources by ensuring these criminals are not sitting in our jails and that our deputies are not continually investigating their crimes. As leaders in law enforcement, the MCSA has been working collaboratively with the Department of Homeland Security to find an agreeable solution that is lawful, effects good public safety policy, and allows ICE to effectively do its job of removing criminal illegal aliens from our country.

We know Members of Congress believe that efforts to stop violence in American cities

must be strengthened, not weakened. While we appreciate Congress' support for law enforcement, we strongly feel a law enforcement grant penalty solution would not only negatively impact law enforcement efforts across the country, but also not achieve its intended purpose.

Very Respectfully,

MICHAEL J. BOUCHARD,
Sheriff, Oakland
County (MI), Vice
President—Govern-
ment Affairs, Major
County Sheriffs of
America (MCSA).

MATTHEW D. CHASE,
Executive Director,
National Association
of Counties (NACo).

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. PANETTA).

Mr. PANETTA. Mr. Speaker, I am opposed to H.R. 3003 because, if this bill passed, it would punish our communities more than it would punish the criminals. As written, this bill would deny critical funding for our police departments.

As a former 20-year prosecutor in local counties, I know firsthand how much our local police rely on Federal funding not just to do their job, but to be safe when they keep our communities safe. Any decrease in any sort of funding would decrease the safety of our officers as they strive to protect and serve our communities. This law will not only affect our police officers' safety, but it will negatively affect the sense of security in our communities.

Yes, the underlying intent of the law is to make it easier for ICE to target undocumented people who are criminals—I get it—but it is not that simple.

In the past few months, my district has seen two large-scale raids by ICE. Yes, they swept up criminals, but they also snagged innocents, law-abiding people who were here in the wrong place at the right time. Those operations cast a complete pall over the community that affected our ability to enforce our laws.

As a gang prosecutor, over and over I experienced people who were afraid to come forward out of fear of retaliation. Now they are afraid of the police, afraid of the courts, and afraid of our government. That is why I am opposed to H.R. 3003.

Mr. GOODLATTE. Mr. Speaker, I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LOFGREN), a senior member of the House Judiciary Committee.

Ms. LOFGREN. Mr. Speaker, I think it is important to reflect back on why localities adopt these community trust policies.

The chairman of the committee mentioned somebody in San Francisco who is suing the city. In a way, that shows the efficacy of the trust policies.

This man, Mr. Figueroa-Zarceno, was a victim of crime. His truck was stolen. He went into the police department to report that his truck was stolen. There was a removal order that was 10 or 20

years old. He has an American citizen child. He is a working person. When he went outside, he was picked up by ICE.

I think what that tells other people who are victims of crime who might have an outstanding removal order is: Don't report the crime. It is one thing if you have lost your truck. It has been stolen.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. CONYERS. I yield the gentlewoman an additional 1 minute.

Ms. LOFGREN. Not that I am for sealing trucks, but here is a bigger problem.

The cities of Houston and Los Angeles report a dramatic drop-off in reports of sexual violence. Why? Because immigrants are afraid to report; and not just because they might be undocumented, but they might have a sister or a next-door neighbor or a spouse who is undocumented, even if they are a citizen. So what has happened is with these threats come an unwillingness of immigrants to report crime, to be witnesses to crime, to keep our communities safe.

These stories that we have heard of the victims of crime are heartbreaking, but we are not without remedies under current law.

The most important law in our country is the Constitution. The Constitution includes the Fourth Amendment.

□ 1515

The SPEAKER pro tempore. The time of the gentlewoman has again expired.

Mr. CONYERS. Mr. Speaker, I yield an additional 1 minute to the gentlewoman.

Ms. LOFGREN. The Constitution is the most important law we have. We read it aloud on the first day of our Congress. It includes the Fourth Amendment, which requires probable cause and warrants. A bunch of courts have made that ruling relative to detainees.

Well, that doesn't leave the Federal Government without remedies. Get a warrant. There is not a jurisdiction in the United States that will not honor a judicial warrant. Don't blame the local police. Look to the Department of Homeland Security for why they have dropped the ball and been unwilling to take the steps that are well within their authority today to make sure if there is someone that they need, they get a warrant and they obtain that person for whatever is the next step in their process.

To somehow suggest that this misguided bill is the answer is a big mistake.

Mr. GOODLATTE. Mr. Speaker, I yield 1½ minutes to the gentleman from Nebraska (Mr. BACON).

Mr. BACON. Mr. Speaker, I stand in support of this bill today. I stand in support of the rule of law. I stand in support of our institutions.

I also stand in memory of Sarah Root, a young woman who was mur-

dered by a drunk driver on January 16. She was killed in my district—or Nebraska 02—a short time after graduating from Bellevue University with a 4.0 grade point average, with a bright future ahead of her. She was loved by her parents and her extended family. If you see her picture, that beautiful smile would warm any room.

The perpetrator was here illegally from Honduras. He posted bail and never was seen again. ICE failed to hold him, and justice was denied. We can't let this happen again.

The bill today will fix this. We can't let a travesty of justice like this ever happen again. Our systems have to hold people accountable. When ICE lets people go like this and they leave, a travesty of justice occurs.

Today we stand with Michelle Root, the mother of Sarah Root, who is here, and we stand with Scott Root. We remember Sarah Root, and we say: Never again.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, H.R. 3003 is not making our communities safer. If it was, the bill's sponsors would have heeded the strong opposition of organizations like the National Fraternal Order of Police, who stated that, "withholding needed assistance to law enforcement agencies—which have no policymaking role—hurts public safety efforts;" and the U.S. Conference of Mayors, who cautioned, "H.R. 3003 is a bad bill for our cities and their residents and for our Nation. It would jeopardize public safety, preempt local authority, and expose local governments to litigation and potential findings of damage."

Instead, this legislation is a down payment on the President's and the Republican majority's mass deportation plan.

This bill, and the one that we will debate later today, is a portion of the mass deportation bill known as the "Davis-Oliver Act," which has been cited as a priority for the Trump administration, and is supported by anti-immigrant groups, such as NumbersUSA and the Center for Immigration Studies.

I respectfully urge my colleagues to oppose this dangerous legislation, and I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, may I inquire how much time is remaining?

The SPEAKER pro tempore (Mr. HILL). The gentleman from Virginia has 2½ minutes remaining.

Mr. GOODLATTE. Mr. Speaker, I yield myself the balance of my time.

First, let me be clear: the only law enforcement agencies that risk losing any Federal grants because of this legislation are those agencies that, without any outside compulsion, deliberately choose to violate Federal law by outright prohibiting their law enforcement officers from voluntarily communicating with ICE and cooperating with it in the enforcement of Federal law.

Second, let me also be clear that this bill does not require State and local law enforcement agencies to comply with ICE detainers, and it does not seek to cut off any Federal grants to jurisdictions that choose not to comply.

Finally, it is a long-settled principle of constitutional law. And let me remind you that all of these law enforcement officers vowed to defend the Constitution, and the Constitution grants supremacy to Federal immigration law.

When there is a conflict with Federal immigration law, State laws that are in conflict are invalid, preempted by Federal law under the 10th Amendment. Under the 10th Amendment, State and local law enforcement agencies have no obligation to comply with unconstitutional provisions of State or local law that asks them to violate title 8, United States Code, section 1373.

Then, again, getting back to the amazing news that we have, the city of San Francisco has just agreed to pay \$190,000 to an illegal alien because the San Francisco sheriff complied with an ICE detainer and turned the alien over to ICE, apparently in violation of San Francisco policy. That individual, under Federal law, because he was the victim of a crime, will be eligible to apply for a U visa.

Respect for the rule of law is the way to keep communities safe. Respect for the rule of law is the way to make sure that people like Kate Steinle are not murdered in the city of San Francisco, as we have heard of other murders all during the debate today, by people who are unlawfully present in the United States. Therefore, they are all preventable crimes.

Law enforcement in this country needs to cooperate. Most law enforcement officers want that to be done. Let's support them, let's support this legislation, and make sure that the rule of law is upheld.

Mr. Speaker, I yield back the balance of my time.

Ms. LOFGREN. Mr. Speaker, I include in the RECORD the following additional letters in opposition to H.R. 3003. These are additional letters of opposition that I mentioned earlier on H.R. 3003.

JUNE 26, 2017.

DEAR REPRESENTATIVE: We write on behalf of the Committee on Migration of the U.S. Conference of Catholic Bishops (USCCB/COM), and Catholic Charities USA (CCUSA) to express our opposition to H.R. 3003 and H.R. 3004.

The Catholic Church holds a strong interest in the welfare of migrants and how our nation welcomes and treats them. Our parishes include those with and without immigration status, unfortunately some who have witnessed or been victims of crime in the United States, including domestic violence, armed robbery, and assault. We understand the importance of fostering cooperation and information-sharing between immigrant communities and local law enforcement.

We oppose H.R. 3003 because it would impose obligations on local governments that we fear—and that many of them have

warned—would undermine authority and discretion of local law enforcement. This, in turn, would hamper the ability of local law enforcement officials to apprehend criminals and ensure public safety in all communities.

Furthermore, Section 2 of H.R. 3003 would deny to jurisdictions vital federal funding related to law enforcement, terrorism, national security, immigration, and naturalization if those jurisdictions are deemed to be non-compliant with H.R. 3003. The Catholic service network, including Catholic Charities, works in partnership with the federal government on a number of Department of Justice and Department of Homeland Security initiatives, including disaster response and recovery, naturalization and citizenship services, and services for the immigrant, including victims of human trafficking, and domestic violence. These services are incredibly valuable to the protection and promotion of the human person and in some instances life-saving. Cutting grants related to these important national objectives, or threat of such cuts, is not humane or just, nor is it in our national interest.

Also, we oppose H.R. 3004 as it would lead to an expansion of incarceration and does not include adequate protections for people who re-enter the U.S. for humanitarian reasons or seek protection at the border. While H.R. 3004 makes notable efforts to protect us from those convicted of violent criminal offenses, the legislation goes far beyond this goal by expanding the government's ability to prosecute illegal re-entry cases and heightening the criminal penalties in these cases. In an era of fiscal austerity, it is vital that important judicial resources are efficiently utilized to prosecute and convict the most violent offenders of violent crimes. Expanding who is eligible to be prosecuted for entry or re-entry as well as enhancing sentencing requirements does not advance the common good nor will it ensure that communities are safer. Furthermore, we are concerned that, as introduced, H.R. 3004 would also prevent vulnerable asylum seekers and unaccompanied children, (who have presented themselves repeatedly at the U.S. border in the flight from violence), from being able to access protection, and instead face fines, imprisonment or both.

We respectfully urge you to reject these bills in favor of a more comprehensive and humane approach to immigration reform; an approach that upholds human dignity and family unity and places a greater emphasis on balancing the needs and rights of immigrants with our nation's best interests and security.

The United States has a long and proud history of leadership in welcoming newcomers regardless of their circumstances and promoting the common good. We stand ready to work with you on legislation that more closely adheres to this tradition and appreciate your serious consideration of our views in this regard.

Sincerely,

MOST REV. JOE VÁSQUEZ,
Bishop of Austin,
Chairman, USCCB
Committee on Migration.

SR. DONNA MARKHAM, OP,
PhD.,
President & CEO,
Catholic Charities
USA.

NATIONAL TASK FORCE TO END,
SEXUAL AND DOMESTIC VIOLENCE,

June 27, 2017.

The National Taskforce to End Sexual and Domestic Violence (NTF), comprised of national leadership organizations advocating on behalf of sexual assault and domestic vio-

lence victims and representing hundreds of organizations across the country dedicated to ensuring all survivors of violence receive the protections they deserve, write to express our deep concerns about the impact that H.R. 3003, the "No Sanctuary for Criminals Act," and H.R. 3004, or "Kate's Law," will have on victims fleeing or recovering from sexual assault, domestic violence, or human trafficking, and on communities at large.

This year is the twenty-third anniversary of the bipartisan Violence Against Women Act ("VAWA") which has, since it was first enacted, included critical protections for immigrant victims of domestic and sexual violence. H.R. 3003 and H.R. 3004 will have the effect of punishing immigrant survivors and their children and pushing them into the shadows and into danger, undermining the very purpose of VAWA. Specifically, the nation's leading national organizations that address domestic and sexual assault oppose H.R. 3003 and H.R. 3004 because:

Community trust policies are critical tools for increasing community safety. Laws that seek to intertwine the federal immigration and local law enforcement systems will undermine the Congressional purpose of protections enacted under VAWA and will have the chilling effect of pushing immigrant victims into the shadows and undermining public safety. Immigration enforcement must be implemented in a way that supports local community policing and sustains community trust in working with local law enforcement. H.R. 3003 runs contrary to community policing efforts and will deter immigrant domestic violence and sexual assault survivors not only from reporting crimes, but also from seeking help for themselves and their children. While H.R. 3003 does not require that local law enforcement arrest or report immigrant victims or witnesses of criminal activity, the language in the bill provides no restriction prohibiting such practices.

Perpetrators use fear of deportation as tool of abuse. Local policies that minimize the intertwining of local law enforcement with U.S. Immigration and Customs Enforcement (ICE) help protect the most vulnerable victims by creating trust between law enforcement and the immigrant community, which in turn help protect entire communities. Abusers and traffickers use the fear of deportation of their victims as a tool to silence and trap them. If immigrants are afraid to call the police because of fear of deportation, they become more vulnerable to abuse and exploitation. Not only are the individual victims and their children harmed, but their fear of law enforcement leads many to abstain from reporting violent perpetrators or seeking protection and, as a result, dangerous criminals are not identified and go unpunished.

As VAWA recognizes, immigrant victims of violent crimes often do not contact law enforcement due to fear that they will be deported. Immigrants are already afraid of contacting the police and HR 3003 proposes to further intertwine federal immigration and local law enforcement systems will only exacerbate this fear. The result is that perpetrators will be able to continue to harm others, both immigrant and U.S. Citizen victims alike. Since January of 2017, victim advocates have been describing the immense fear expressed by immigrant victims and their reluctance to reach out for help from police. A recent survey of over 700 advocates and attorneys at domestic violence and sexual assault programs indicate that immigrant victims are expressing heightened fears and concerns about immigration enforcement, with 78 percent of advocates and attorneys reporting that victims are describing fear of contacting the police; 75 percent

of them reporting that victims are afraid of going to court; and 43 percent reporting working with immigrant victims who are choosing not to move forward with criminal charges or obtaining protective orders.

In addition, according to Los Angeles Police Chief Charlie Beck, reporting of sexual assault and domestic violence among Latinos has dropped significantly this year, possibly due to concerns that police interaction could result in deportation. According to Chief Beck, reports of sexual assault have dropped 25 percent among Los Angeles' Latino population since the beginning of the year compared to a three percent drop among non-Latino victims. Similarly, reports of spousal abuse among Latinos fell by about 10 percent among Latinos whereas the decline among non-Latinos was four percent. The Houston Police Department reported in April that the number of Hispanics reporting rape is down 42.8 percent from last year. In Denver, CO, the Denver City Attorney has reported that some domestic violence victims are declining to testify in court. As of late February, the City Attorney's Office had dropped four cases because the victims fear that ICE officers will arrest and deport them. Both the City Attorney and Aurora Police Chief have spoken on the importance of having trust with the immigrant community in order to maintain public safety and prosecute crime.

H.R. 3003 Will Unfairly Punish Entire communities.

H.R. 3003 punishes localities that follow Constitutional guidelines and refuse to honor detainee requests that are not supported by due process mandates. H.R. 3003 likely covers more than 600 jurisdictions across the country, most of which do not characterize their policies to follow constitutional mandates as "sanctuary" policies. H.R. 3003 penalizes jurisdictions by eliminating their access to various federal grants, including federal law enforcement grants, such as the Edward Byrne Memorial Justice Assistance Grant Program, and other federal grants related to law enforcement or immigration, such as those that fund forensic rape kit analysis. Withholding federal law enforcement funding would, ironically, undermine the ability of local jurisdictions to combat and prevent crime in their communities.

In addition, the fiscal impact of both H.R. 3003 and H.R. 3004 will result in limited federal law enforcement resources being further reduced as a result of shifting funding from enforcing federal criminal laws addressing violent crimes, including those protecting victims of domestic violence, sexual assault, and human trafficking, to the detention and prosecution of many non-violent immigration law violators.

H.R. 3003 and H.R. 3004 Will Unfairly Punish Victims.

By greatly expanding mandatory detention and expanding criminal penalties for reentry, H.R. 3003 and H.R. 3004 will have harsh consequences for immigrant survivors. Victims of human trafficking, sexual assault, and domestic violence are often at risk of being arrested and convicted. In recognition of this fact, existing ICE guidance cites the example of when police respond to a domestic violence call, both parties may be arrested or a survivor who acted in self-defense may be wrongly accused. In addition, if the abuser speaks English better than the survivor, or if other language or cultural barriers (or fear of retaliation from the abuser) prevent the survivor from fully disclosing the abuse suffered, a survivor faces charges and tremendous pressure to plead guilty (without being advised about the long-term consequences) in order to be released from jail and reunited with her children. In addition, victims of trafficking are often arrested and convicted for prostitution-related

offenses. These victims are often desperate to be released and possibly to be reunited with their children following their arrests or pending trial. These factors—combined with poor legal counsel, particularly about the immigration consequences of criminal pleas and convictions—have in the past and will likely continue to lead to deportation of wrongly accused victims who may have pled to or been unfairly convicted of domestic violence charges and/or prostitution. H.R. 3003 imposes harsh criminal penalties and H.R. 3004 imposes expanded bases for detention without consideration of mitigating circumstances or humanitarian exceptions for these victims.

In addition, H.R. 3004 expands the criminal consequences for re-entry in the U.S. without recognizing the compelling humanitarian circumstances in which victims who have been previously removed return for their safety. Victims of domestic and sexual violence and trafficking fleeing violence in their countries of origin will be penalized for seeking protection from harm. In recent years, women and children fleeing rampant violence in El Salvador, Guatemala and Honduras, have fled to the United States, seeking refuge. Frequently, because of inadequate access to legal representation, they are unable to establish their eligibility for legal protections in the United States, resulting in their removal. In many cases, the risk of domestic violence, sexual assault, and/or human trafficking in their countries of origin remain unabated and victims subsequently attempt to reenter the U.S. to protect themselves and their children. Other victims of domestic and sexual violence and trafficking may be deported because their abusers or traffickers isolate them, or prevent them from obtaining lawful immigration status. They are deported, with some victims having to leave their children behind in the custody of their abusers or traffickers. Under H.R. 3004, these victims risk harsh criminal penalties for re-entry for attempting to protect themselves and their children.

On behalf of the courageous survivors of domestic violence, sexual assault, dating violence, stalking and human trafficking that our organizations serve, we urge you to vote against H.R. 3003 and 3004, and to affirm the intent and spirit of VAWA by supporting strong relationships between law enforcement and immigrant communities, which is critical for public safety in general, and particularly essential for domestic and sexual violence victims and their children.

Sincerely,
THE NATIONAL TASKFORCE TO END SEXUAL
AND DOMESTIC VIOLENCE (www.4ava.org).

JUNE 28, 2017.

Re Vote NO on the No Sanctuary for Criminals Act, H.R. 3003, and Kate's Law, H.R. 3004.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the 407 undersigned local, state, and national immigrant, civil rights, faith-based, and labor organizations, we urge you to oppose the No Sanctuary for Criminals Act, H.R. 3003 and Kate's Law, H.R. 3004, and any similar legislation that jeopardizes public safety, erodes the goodwill forged between local police and its residents, and perpetuates the criminalization and incarceration of immigrants. H.R. 3003 would strip badly needed law enforcement funding for state and local jurisdictions, runs afoul of the Tenth and Fourth Amendment, and unnecessarily expands the government's detention apparatus. H.R. 3004 unwisely expands the federal government's ability to criminally prosecute immigrants for immigration-based offenses, excludes critical humanitarian protections for those fleeing violence, and doubles down on the failed experiment of incarceration for immigration violations.

Over 600 state and local jurisdictions have policies or ordinances that disentangle their state and local law enforcement agencies from enforcing federal immigration law. The No Sanctuary for Criminals Act, H.R. 3003, seeks to attack so-called "sanctuary" jurisdictions (many of whom do not consider themselves as such) by penalizing state and local jurisdictions that follow the Fourth Amendment of the U.S. Constitution by refusing to honor constitutionally infirm requests for detainees. H.R. 3003 penalizes jurisdictions by eliminating various federal grants, including funding through the Cops on the Beat program, the Edward Byrne Memorial Justice Assistance Grant Program, and any other federal grant related to law enforcement or immigration. Importantly, using the threat of withholding federal grants to coerce state and local jurisdictions likely runs afoul of the Tenth Amendment's prohibition on commandeering, a position supported by over 300 law professors.

"Sanctuary" policies are critical to promote public safety for local communities. Fearing referral to U.S. Immigration and Customs Enforcement, victims and witnesses of crime are significantly less likely to communicate with local law enforcement. Local law enforcement authorities have repeatedly echoed this sentiment, acknowledging that community policing policies are paramount to enhancing public safety. Indeed, "sanctuary" jurisdictions have less crime and more economic development than similarly situated non-"sanctuary" jurisdictions. Withholding critically-needed federal funding would, paradoxically, severely cripple the ability of state and local jurisdictions to satisfy the public safety needs of their communities.

Kate's Law, H.R. 3004, would further criminalize the immigrant community by drastically increasing penalties for immigrants convicted of unlawful reentry. Operation Streamline encapsulates our nation's failed experiment with employing criminal penalties to deter migration. Under Operation Streamline, the federal government prosecutes immigrants for reentry at significant rates. By all practical measures, Operation Streamline has failed to deter migration, wasted billions of taxpayer dollars, and unfairly punished thousands of immigrants who try to enter or reenter the United States to reunite with their children and loved ones. We fear that H.R. 3004's increased penalties for reentry would double down on this failed strategy, explode the prison population, and cost billions of dollars.

Instead of passing discredited enforcement-only legislation, Congress should move forward on enacting just immigration reform legislation that provides a roadmap to citizenship for the nation's eleven million aspiring Americans and eliminates mass detention and deportation programs that undermine fundamental human rights. Legislation that erodes public safety, disrespects local democratic processes, and raises serious constitutional concerns represents an abdication of the Congress' responsibility to enact fair, humane, and just immigration policy. In light of the above, we urge you to vote NO on the No Sanctuary for Criminals Act, H.R. 3003 and Kate's Law, H.R. 3004.

Please contact Jose Magana-Salgado, of the Immigrant Legal Resource Center, if you have any questions regarding this letter. Thank you for your time and consideration.

Sincerely,

NATIONAL ORGANIZATIONS

America's Voice Education Fund; American Federation of Teachers; American

Friends Service Committee (AFSC); American-Arab Anti-Discrimination Committee; Americans Committed to Justice and Truth; Asian American Legal Defense and Education Fund (AALDEF); Asian Americans Advancing Justice-AAJC; Asian Americans Advancing Justice-Asian Law Caucus; Asian Pacific American Labor Alliance, AFL-CIO (APALA); Asian Pacific Institute on Gender-Based Violence; ASISTA; Bend the Arc Jewish Action; Black Alliance for Just Immigration; Casa de Esperanza; National Latin@ Network; Catholic Legal Immigration Network, Inc.; Center for American Progress; Center for Employment Training; Center for Gender & Refugee Studies; Center for Law and Social Policy; Center for New Community.

Center for Popular Democracy (CPD); Christian Church (Disciples of Christ) Refugee & Immigration Ministries; Christian Community Development Association; Church World Service; Coalition on Human Needs; CODEPINK; Columbian Center for Advocacy and Outreach; Committee in Solidarity with the People of El Salvador (CISPES); Community Initiatives for Visiting Immigrants in Confinement (CIVIC); Defending Rights & Dissent; Disciples Center for Public Witness; Disciples Home Missions; Dominican Sisters of Sparkill; Drug Policy Alliance; Easterseals Blake Foundation; Equal Rights Advocates; Farmworker Justice; Freedom Network USA; Friends Committee on National Legislation; Fuerza Mundial.

Futures Without Violence; Grassroots Leadership; Hispanic Federation; Hispanic National Bar Association; Holy Spirit Missionary Sisters—USA—JPIC; Immigrant Legal Resource Center; Intercommunity Peace & Justice Center; Interfaith Worker Justice; Isaiah Wilson; Jewish Voice for Peace; Jewish Voice for Peace—Boston; Jewish Voice for Peace—Tacoma chapter; Jewish Voice for Peace—Western MA; Justice Strategies; Kids in Need of Defense (KIND); Lambda Legal; Laotian American National Alliance; Latin America Working Group; Latino Victory Fund; LatinoJustice PRLDEF.

League of United Latin American Citizens; Lutheran Immigration and Refugee Service; Mi Familia Vota; Milwaukee Chapter, Jewish Voice for Peace; NAACP; National Center for Transgender Equality; National Coalition Against Domestic Violence; National Coalition for Asian Pacific American Community Development; National Council of Asian Pacific Americans (NCAPA); National Council of Jewish Women; National Council of La Raza (NCLR); National Day Laborer Organizing Network (NDLON); National Education Association; National Immigrant Justice Center; National Immigration Law Center; National Immigration Project of the NLG; National Iranian American Council (NIAC); National Justice for Our Neighbors; National Korean American Service & Education Consortium (NAKASEC); National Latina Institute for Reproductive Health.

National Latina/o Psychological Association; National Lawyers Guild; National LGBTQ Task Force Action Fund; National Network for Immigrant and Refugee Rights; National Resource Center on Domestic Violence; NETWORK Lobby for Catholic Social Justice; OCA—Asian Pacific American Advocates; Our Revolution; People's Action; PICO National Network; Queer Detainee Empowerment Project; Refugee and Immigrant Center for Education and Legal Services (RAICES); School Social Work Association of America; Sisters of the Presentation of the Blessed Virgin Mary, New Windsor; Southeast Asia Resource Action Center (SEARAC); Southern Border Communities Coalition; Southern Poverty Law Center; T'rhuah: The Rabbinic Call for Human Rights;

The Advocates for Human Rights; The Hampton Institute: A Working Class Think Tank.

The National Alliance to Advance Adolescent Health; The Queer Palestinian Empowerment Network; The Sentencing Project; The United Methodist Church—General Board of Church and Society; U.S. Committee for Refugees and Immigrants; UndocuBlack Network; Unitarian Universalist Association; Unitarian Universalist Legislative Ministry of New Jersey; Unitarian Universalist Service Committee; UNITE HERE; United Child Care, Inc.; United for a Fair Economy; UU College of Social Justice; UURISE—Unitarian Universalist Refugee & Immigrant Services & Education; Voto Latino; We Belong Together; WOLA; Women's Refugee Commission; Working Families; Yemen Peace Project; YWCA.

STATE AND LOCAL ORGANIZATIONS

(MILU) Mujeres Inmigrantes Luchando Unidas; #VigilantLOVE; 580 Cafe/Wesley Foundation Serving UCLA; Acting in Community Together in Organizing Northern Nevada (ACTIONN); Advocates for Basic Legal Equality, Inc.; Alianza; All for All; Alliance San Diego; Allies of Knoxville's Immigrant Neighbors (AKIN); American Gateways; Aquinas Center; Arkansas United Community Coalition; Asian Americans Advancing Justice—Atlanta; Asian Americans Advancing Justice—LA; Asian Americans United; Asian Counseling and Referral Service; Asian Law Alliance; Asian Pacific American Legal Resource Center; Asylee Women Enterprise; Atlas: DIY.

Bear Creek United Methodist Church—Congregation Kol Ami Interfaith Partnership; Bethany Immigration Services; Brighton Park Neighborhood Council; Cabrini Immigrant Services of NYC; Campaign for Hoosier Families; Canal Alliance; Capital Area Immigrants' Rights Coalition; CASA; Casa Familiar, Inc.; Casa Latina; Casa San Jose; Catholic Charities; Catholic Charities San Francisco, San Mateo & Marin; Causa Oregon; CDWBA Legal Project, Inc.; Central American Legal Assistance; Central New Jersey Jewish Voice for Peace; Central Pacific Conference of the United Church of Christ; Central Valley Immigrant Integration Collaborative (CVIIC); Centro Laboral de Graton.

Centro Latino Americano; Centro Legal de la Raza; Centro Romero; Chelsea Collaborative; Chicago Religious Leadership Network on Latin America; Church Council of Greater Seattle; Church of Our Saviour/La Iglesia de Nuestro Salvador Episcopal; Church Women United in New York State; Cleveland Jobs with Justice; Coalicion de Lideres Latinos-CLILA; Coalition for Humane Immigrant Rights (CHIRLA); Coalition of African Communities; Coloradans For Immigrant Rights, a program of the American Friends Service Committee; Colorado People's Alliance (COPA); Columbia Legal Services; Comite Pro Uno; Comite VIDA; Committee for Justice in Palestine—Ithaca; Community Action Board of Santa Cruz County, Inc.; Community Legal Services and Counseling Center.

Community Legal Services in East Palo Alto; Community of Friends in Action, Inc.; Connecticut Legal Services, Inc.; CRLA Foundation; CT Working Families; DC-Maryland Justice for Our Neighbors; Delaware Civil Rights Coalition; Do the Most Good Montgomery County (MD); Dominican Sisters—Grand Rapids (MI); Dream Team Los Angeles DTLA; DRUM—Desis Rising Up & Moving; East Bay Sanctuary Covenant; Ecumenical Ministries of Oregon; El CENTRO de Igualdad y Derechos; El Monte Wesleyan Church; Emerald Isle Immigration Center; Employee Rights Center; Encuentro; End Do-

mestic Abuse WI; English Ministry—Korean Presbyterian Church of St. Louis.

Episcopal Refugee & Immigrant Center Alliance; Equal Justice Center; Equality California; Erie Neighborhood House; First Congregational UCC of Portland; First Unitarian Universalist Church of Berks County; Florida Center for Fiscal and Economic Policy; Florida Immigrant Coalition, Inc. (FLIC); Franciscans for Justice; Frida Kahlo Community Organization; Friends of Broward Detainees; Friends of Miami-Dade Detainees; Georgia Latino Alliance for Human Rights; Gethsemane Lutheran Church; Grassroots Alliance for Immigrant Rights; Greater Lafayette Immigrant Allies; Greater New York Labor Religion Coalition; Greater Rochester COALITION for Immigration Justice; Grupo de Apoyo e Integracion Hispanoamericano; HACES.

Hana Center; Harvard Islamic Society; Her Justice; HIAS Pennsylvania; Hispanic Interest Coalition of Alabama; Hispanic Legal Clinic; Hudson Valley Chapter of JVP; Human Rights Initiative of North Texas; ICE-Free Capital District; Illinois Coalition for Immigrant and Refugee Rights; Emmanuel Fellowship: a bilingual congregation; Immigrant Justice Advocacy Movement (IJAM); Immigrant Legal Advocacy Project; Immigration Action Group; Immigration Center for Women and Children; Inland Empire—Immigrant Youth Coalition (IEIYC); Interfaith Movement for Human Integrity; International Institute of Buffalo; Irish International immigrant Center; IRTF—InterReligious Task Force on Central America and Colombia.

Japanese American Citizens League, San Jose Chapter; Jewish Voice for Peace—Albany, NY chapter; Jewish Voice for Peace—Albuquerque; Jewish Voice for Peace—Austin; Jewish Voice for Peace—Bay Area; Jewish Voice for Peace—Cleveland; Jewish Voice for Peace—DC Metro; Jewish Voice for Peace—Denver; Jewish Voice for Peace—Ithaca; Jewish Voice for Peace—Los Angeles; Jewish Voice for Peace—Madison; Jewish Voice for Peace—New Haven; Jewish Voice for Peace—Philadelphia; Jewish Voice for Peace—Pittsburgh; Jewish Voice for Peace—Portland; Jewish Voice for Peace—San Diego; Jewish Voice for Peace—South Florida; Jewish Voice for Peace—Syracuse, NY; Jewish Voice for Peace—Triangle NC; Jolt.

Justice for our Neighbors Houston; Justice for Our Neighbors Southeastern Michigan; Justice For Our Neighbors West Michigan; JVP-HV. Jewish Voice for Peace—Hudson Valley; Kentucky Coalition for Immigrant and Refugee Rights; Kids for College; Kino Border Initiative; Kitsap Immigrant Assistance Center; KIWA (Koreatown Immigrant Workers Alliance); Korean Resource Center; La Casa de Amistad; La Coalicion de Derechos Humanos; La Comunidad, Inc.; La Raza Centro Legal; Lafayette Urban Ministry; Las Vegas Chapter of Jewish Voice for Peace; Latin American Legal Defense and Education Fund; Latino Racial Justice Circle; Latinx Alliance of Lane County; Legal Aid Society of San Mateo County.

Legal Services for Children; Lemkin House Inc.; Long Island Wins; Massachusetts Immigrant and Refugee Advocacy Coalition; Massachusetts Law Reform Institute; Middle East Crisis Response (MECR); Migrant and Immigrant Community Action Project; Migrant Justice/Justicia Migrante; MinKwon Center for Community Action; Mission Asset Fund; Mississippi Immigrants Rights Alliance (MIRA); Mosaic Family Services; Movement of Immigrant Leaders in Pennsylvania (MILPA); Mujeres Unidas y Activas; Mundo Maya Foundation; National Lawyers Guild—Los Angeles Chapter; New Jersey Alliance for Immigrant Justice; New Mexico Dream Team; New Mexico Immigrant Law Center; New Mexico Voices for Children.

New Sanctuary Movement of Philadelphia; New York Immigration Coalition; NH Conference United Church of Christ Immigration Working Group; North Carolina Council of Churches; North County Immigration Task Force; North Jersey chapter of Jewish Voice for Peace; Northern Illinois Justice for Our Neighbors; Northern Manhattan Coalition for Immigrant Rights; Northwest Immigrant Rights Project (NWIRP); OCCORD; Occupy Bergen County (New Jersey); OneAmerica; OneJustice; Oregon Interfaith Movement for Immigrant Justice-IMIRJ; Organized Communities Against Deportations; OutFront Minnesota; Pangea Legal Services; PASO-West Suburban Action Project; Pax Christi Florida; Pennsylvania Immigration and Citizenship Coalition.

Pilgrim United Church of Christ; Pilipino Workers Center; Polonians Organized to Minister to Our Community, Inc. (POMOC); Portland Central America Solidarity Committee; Progreso; Latino Progress; Progressive Jewish Voice of Central PA; Progressive Leadership Alliance of Nevada; Project Hope-Proyecto Esperanza; Project IRENE; Puget Sound Advocates for Retirement Action (PSARA); Racial Justice Action Center; Reformed Church of Highland Park; Refugees Helping Refugees; Refugio del Rio Grande; Resilience Orange County; Rocky Mountain Immigrant Advocacy Network (RMIAN); Rural and Migrant Ministry; Safe Passage; San Francisco CASA (Court Appointed Special Advocates); Services, Immigrant Rights, and Education Network (SIREN).

Sickle Cell Disease Association of America, Philadelphia/ Delaware Valley Chapter; Sisters of St. Francis, St. Francis Province; Sisters of St. Joseph of Rochester, Inc.; Skagit Immigrant Rights Council; Social Justice Collaborative; South Asian Fund For Education, Scholarship And Training (SAFEST); South Bay Jewish Voice for Peace; South Texas Immigration Council; Southeast Immigrant Rights Network; St John of God Church; Students United for Nonviolence; Tacoma Community House; Tennessee Immigrant and Refugee Rights Coalition; Teresa Messer, Law Office of Teresa Messer; Thai Community Development Center; The Garden, Lutheran Ministry; The International Institute of Metropolitan Detroit; The Legal Project; Tompkins County Immigrant Rights Coalition; Transgender Resource Center of New Mexico.

Trinity Episcopal Church; U-Lead Athens; Unitarian Universalist Mass Action Network; Unitarian Universalist PA Legislative Advocacy Network (UUPLAN); United African Organization; United Families; University Leadership Initiative; University of San Francisco Immigration and Deportation Defense Clinic; UNO Immigration Ministry; UPLIFT; UpValley Family Centers; VietLead; Vital Immigrant Defense Advocacy & Services, Santa Rosa, CA; Volunteers of Legal Service; Washtenaw Interfaith Coalition for Immigrant Rights; Watertown Citizens for Peace, Justice, and the Environment; Wayne Action for Racial Equality; WeCount!; WESPAC Foundation; Wilco Justice Alliance (Williamson County, TX).

Women Watch Afrika, Inc.; Worksafe; Young Immigrants in Action; YWCA Alaska; YWCA Alliance; YWCA Berkeley/Oakland; YWCA Brooklyn; YWCA Clark County; YWCA Elgin; YWCA Greater Austin; YWCA Greater Pittsburgh; YWCA Greater Portland; YWCA Madison; YWCA Minneapolis; YWCA Mount Desert Island; YWCA NE KANSAS; YWCA of Metropolitan Detroit; YWCA of the University of Illinois; YWCA Olympia; YWCA Pasadena-Foothill Valley; YWCA Rochester & Monroe County; YWCA Southeastern Massachusetts; YWCA Southern Arizona; YWCA Tulsa; YWCA Warren; YWCA Westmoreland County.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 414, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mrs. DEMINGS. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mrs. DEMINGS. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. Demings moves to recommit the bill H.R. 3003 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Page 6, insert after line 5 the following:

“(7) PUBLIC SAFETY EXCEPTION.—For purposes of this subsection, a State, or a political subdivision of a State, shall not be found to be out of compliance with subsection (a) or (b) if the State or political subdivision of the State certifies to the Attorney General that such compliance would endanger public safety.”

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida is recognized for 5 minutes.

Mrs. DEMINGS. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, I stand here today not just as a Member of Congress, but as a 27-year veteran of law enforcement and as a former police chief. As such, I am compelled to warn of the harm this bill, in its current form, will cause for our law enforcement agencies.

As a police chief, it was my responsibility to reduce crime and maintain livable neighborhoods; neighborhoods where families can live in peace, and enjoy local parks, community centers, restaurants, and shopping; neighborhoods where children can walk to school and play in their front yard and backyard without fear.

That is the kind of community that everyone in America deserves—one where they feel safe and secure.

H.R. 3003 impedes on law enforcement's ability to effectively do its job. It will create an environment that will erode the trust between law enforcement and the communities they serve.

The local police are the first ones to respond. They are the thin blue line that stands between those who are in this country, who are trying to live in peace, and those that would do them harm. We want our neighbors—immigrants—to call the police to report crimes without fear or hesitation. When they do not, Mr. Speaker, our community is at the mercy of the criminals.

This does not make our communities more safe, yet that is what is at stake with the bill before us. Supporters of the bill claim that it has an exemption for victims and witnesses, but it is not a complete exemption.

Law enforcement officers investigate and interview witnesses. Their goal is to solve crimes, regardless of the immigration status of victims and witnesses, including victims of sexual assault and domestic violence.

I filed an amendment with the Rules Committee that would have exempted victims and witnesses from all of the bill's intrusive requirements. The Rules Committee blocked me from offering that amendment, but the bill, in its current form, would undermine law enforcement's ability to do its job, therefore, making our communities less safe.

Mr. Speaker, don't just take my word for it. The National Fraternal Order of Police stands against the bill. They represent over 330,000 law enforcement officers across the Nation. These officers are not responsible for creating laws, and eliminating Federal grant funding for political reasons impedes their ability to solve crimes.

As the FOP writes:

Withholding assistance to law enforcement agencies, which have no policymaking rule, will hurt public safety efforts.

No one knows our communities better than the law enforcement officials sworn to protect their communities, which is why I have offered this motion which would exempt from the mandates and penalties in the bill those jurisdictions in which local law enforcement officials conclude that the mandates in this bill would endanger public safety.

Politics should never impede public safety. The President has said that, when lawmakers vote on this bill, they should put America's safety first.

I strongly agree, and I urge my colleagues to support this motion and put our public safety first.

Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Speaker, the gentlewoman is quite correct: everyone deserves to feel safe.

Kate Steinle deserved to feel safe when she was walking down the pier with her father in San Francisco, when she was killed.

Not enacting this legislation endangers public safety, not the opposite, as those on the other side have argued.

How would you trust local government officials, who have instructed their law enforcement officers to not cooperate with Federal law enforcement officers to take dangerous criminals off of our streets, when this motion to recommit would say: “Oh, they will have to certify that such compliance would endanger public safety and then the law wouldn't apply?”

It is circular reasoning.

The nonenforcement of immigration laws has led to the bolstering of sanctuary jurisdiction policies in communities throughout the United States. These policies hamper the enforcement of Federal law and do nothing to truly promote trust between law enforcement and U.S. citizens.

This bill provides a commonsense approach to fixing the damage caused by sanctuary policies without mandating any affirmative duty. In order to be in compliance with section 1373 of the Immigration and Nationality Act, as amended in this bill, States and localities have no affirmative duties to act. They have no obligations to cooperate or communicate, or even engage with U.S. Immigration and Customs Enforcement at any level.

□ 1530

Instead, they simply may not affirmatively restrict a government entity, including law enforcement, from cooperating or communicating with ICE.

So I am shocked that so many on the other side of the aisle view compliance with this provision as a condition for eligibility for certain grant programs as outlandish. This is not a novel concept. And compliance with section 1373 is already a condition of eligibility for these grant programs.

As for detainees, H.R. 3003 creates the probable cause standard that so many have argued was lacking for so long. Once enacted, States and localities can look to Federal law to receive clarification on what probable cause standard is employed before a detainer request is placed.

To further aid jurisdictions, the threat of expensive and time-consuming frivolous litigation is abated by providing immunity for jurisdictions that exercise good faith in honoring a detainer.

Finally, this bill ensures that dangerous criminal aliens convicted of drunk driving or not yet convicted of very serious crimes are prevented from freely walking the streets of our communities during their removal hearings. This bill is a strong first step in ensuring that our immigration laws are enforced.

I urge my colleagues to vote down this motion to recommit, to vote for the base bill, and to send a message that sanctuary policies will not be tolerated so that the rule of law will prevail.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mrs. DEMINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

KATE'S LAW

Mr. GOODLATTE. Mr. Speaker, pursuant to House Resolution 415, I call up the bill (H.R. 3004) to amend section 276 of the Immigration and Nationality Act relating to reentry of removed aliens, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 415, the bill is considered read.

The text of the bill is as follows:

H.R. 3004

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. SHORT TITLE.

This Act may be cited as "Kate's Law".

SEC. 2. ILLEGAL REENTRY.

Section 276 of the Immigration and Nationality Act (8 U.S.C. 1326) is amended to read as follows:

"REENTRY OF REMOVED ALIEN"

"SEC. 276. (a) REENTRY AFTER REMOVAL.—Any alien who has been denied admission, excluded, deported, or removed, or who has departed the United States while an order of exclusion, deportation, or removal is outstanding, and subsequently enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, imprisoned not more than 2 years, or both.

"(b) REENTRY OF CRIMINAL OFFENDERS.—Notwithstanding the penalty provided in subsection (a), if an alien described in that subsection was convicted before such removal or departure—

"(1) for 3 or more misdemeanors or for a felony, the alien shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both;

"(2) for a felony for which the alien was sentenced to a term of imprisonment of not less than 30 months, the alien shall be fined under such title, imprisoned not more than 15 years, or both;

"(3) for a felony for which the alien was sentenced to a term of imprisonment of not less than 60 months, the alien shall be fined under such title, imprisoned not more than 20 years, or both; or

"(4) for murder, rape, kidnapping, or a felony offense described in chapter 77 (relating to peonage and slavery) or 113B (relating to terrorism) of such title, or for 3 or more felonies of any kind, the alien shall be fined under such title, imprisoned not more than 25 years, or both.

"(c) REENTRY AFTER REPEATED REMOVAL.—Any alien who has been denied admission, excluded, deported, or removed 3 or more times and thereafter enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both.

"(d) PROOF OF PRIOR CONVICTIONS.—The prior convictions described in subsection (b) are elements of the crimes described, and the penalties in that subsection shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

"(1) alleged in the indictment or information; and

"(2) proven beyond a reasonable doubt at trial or admitted by the defendant.

"(e) AFFIRMATIVE DEFENSES.—It shall be an affirmative defense to a violation of this section that—

"(1) prior to the alleged violation, the alien had sought and received the express consent of the Secretary of Homeland Security to reapply for admission into the United States; or

"(2) with respect to an alien previously denied admission and removed, the alien—

"(A) was not required to obtain such advance consent under the Immigration and Nationality Act or any prior Act; and

"(B) had complied with all other laws and regulations governing the alien's admission into the United States.

"(f) LIMITATION ON COLLATERAL ATTACK ON UNDERLYING REMOVAL ORDER.—In a criminal proceeding under this section, an alien may not challenge the validity of any prior removal order concerning the alien.

"(g) REENTRY OF ALIEN REMOVED PRIOR TO COMPLETION OF TERM OF IMPRISONMENT.—Any alien removed pursuant to section 241(a)(4) who enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in, the United States shall be incarcerated for the remainder of the sentence of imprisonment which was pending at the time of deportation without any reduction for parole or supervised release unless the alien affirmatively demonstrates that the Secretary of Homeland Security has expressly consented to the alien's reentry. Such alien shall be subject to such other penalties relating to the reentry of removed aliens as may be available under this section or any other provision of law.

"(h) DEFINITIONS.—For purposes of this section and section 275, the following definitions shall apply:

"(1) CROSSES THE BORDER TO THE UNITED STATES.—The term 'crosses the border' refers to the physical act of crossing the border, regardless of whether the alien is free from official restraint.

"(2) FELONY.—The term 'felony' means any criminal offense punishable by a term of imprisonment of more than 1 year under the laws of the United States, any State, or a foreign government.

"(3) MISDEMEANOR.—The term 'misdemeanor' means any criminal offense punishable by a term of imprisonment of not more than 1 year under the applicable laws of the United States, any State, or a foreign government.

"(4) REMOVAL.—The term 'removal' includes any denial of admission, exclusion, deportation, or removal, or any agreement by which an alien stipulates or agrees to exclusion, deportation, or removal.

"(5) STATE.—The term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.".

The SPEAKER pro tempore. The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks, and include extraneous material on H.R. 3004.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.