

Washington: PROVIDING FOR CONSIDERATION OF H.R. 3003, NO SANCTUARY FOR CRIMINALS ACT

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Washington: The Library of Congress, The Government of USA has issued the following house proceeding:

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 414 and ask for its immediate consideration. The Clerk read the resolution, as follows: H. Res. 414 Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3003) to amend the Immigration and Nationality Act to modify provisions relating to assistance by States, and political subdivision of States, in the enforcement of Federal immigration laws, and for other purposes.

All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit. The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour. Mr. COLLINS of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. McGovern), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only. General Leave Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on House Resolution 414, currently under consideration. The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia? There was no objection. Mr. COLLINS of Georgia. Mr. Speaker, I am pleased today to bring this rule forward on behalf of the Rules Committee. The rule provides for consideration of H.R. 3003, the No Sanctuary for Criminals Act. The rule provides for 1 hour of debate, equally divided between the chairman and ranking member of the Judiciary Committee. The rule also provides for a motion to recommit. Yesterday, the Rules Committee had the opportunity to hear from my fellow Judiciary Committee members Mr. Johnson of Louisiana and Ms. Lofgren of California. H.R. 3003 received consideration by the Judiciary Committee as part of a larger bill, the Michael Davis, Jr. and Danny Oliver in Honor of State and Local Law Enforcement Act. That legislation was marked up and ordered reported by the Judiciary Committee on May 24. As a cosponsor and strong advocate of the Davis-Oliver Act, I supported the passage of legislation before the full House. Today we have the opportunity to move an important piece of that bill forward and to strengthen our policies against jurisdictions that flout America's laws. Mr. Speaker, the No Sanctuary for Criminals Act is just simply common sense. John Adams said that we are a government of laws, not of men. As we approach the Fourth of July week, we recognize that America's foundation is that of the rule of law. Yet too often we have seen local jurisdictions ignore Federal immigration law and declare themselves sanctuary

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cities, as though their actions have no consequences for their law-abiding neighbors. The reality, however, is that the localities that refuse to enforce Federal immigration law undermine public safety and break the democratic contract. Mr. Speaker, the sanctuary cities do not act in a vacuum. They endanger lives and set dangerous precedent. {time} 1230 To many people, it would seem obvious that local and State law enforcement should comply with Federal immigration laws and cooperate with its fair enforcement by communicating openly with Federal officials. It would also seem clear that jurisdictions that ignore these laws should forfeit the Federal funds set aside to support compliance with those same laws. Despite this, sanctuary cities oppose Federal immigration officials routinely. These men and women find themselves handicapped by local officials implementing obstructionist policies. In light of this, Mr. Speaker, I believe we need to better protect our communities by ensuring our laws are followed. H.R. 3003 takes steps do that. I thank Chairman Goodlatte, Congressman King, and Congressman Biggs for their work on the No Sanctuary for Criminals Act. These Members are colleagues of mine on the Judiciary Committee, and they recognize the need to respond to the continuing problem of sanctuary cities with resolve, with confidence that Federal immigration laws safeguard every American community and apply equally to every American community. The underlying bill provided for by this rule also includes legislation offered by Mr. King--Sarah's and Grant's Law. Sarah's and Grant's Law is named after two individuals, Sarah Root and Grant Ronnebeck, who were tragically killed by unlawful immigrants. The unlawful immigrants were released and remain at large, and the Root and Ronnebeck families were left to grieve unspeakable losses while the lawlessness continues. It is past time for us to take action to combat dangerous sanctuary policies. We are a nation of laws and we need to act like it. While there is no uniform definition of sanctuary cities, and no comprehensive or official list of these jurisdictions, we have, regrettably, become all too familiar with them. So-called sanctuary cities are those jurisdictions that obstruct immigration enforcement through noncompliance with detainers. They construct unreasonable hurdles to compliance and create barriers to communication between Immigration and Customs Enforcement and local personnel. We understand that ICE has a job to do and that its officers took oaths to uphold those duties. Opponents will claim that this bill is unnecessary because ICE has the jurisdiction it needs. The truth is, sanctuary policies make the ICE agents' jobs more difficult, more dangerous, and endanger communities. While the previous administration frequently flouted immigration laws and, for far too long, took a rain check on holding sanctuary cities accountable, even former Department of Homeland Security Secretary Jeh Johnson agreed that sanctuary cities shouldn't simply be allowed to decline to cooperate with Federal Government authorities. In fact, he said in 2015 that it is "not acceptable to have no policy of cooperation with immigration enforcement." Mr. Speaker, faithfulness to the law isn't like being offered a cup of coffee. You can't look at the Federal statutes and say: You know, no thanks, but I appreciate you offering. H.R. 3003 confirms that this option is not on the table. While I agree with former Secretary Johnson that we must have a policy of cooperation, the policies of the former administration too frequently didn't indicate a commitment to that goal. In fact, State and local jurisdictions ignored more than 12,000 Federal detainer requests in 2014. Now is the time for action. Thankfully, President Trump issued an executive order directing the Department of Justice, the Department of Homeland Security, and ICE to ensure that sanctuary jurisdictions are ineligible for Federal grants and are subject to enforcement actions. The President also charged these agencies with reporting on jurisdictions that have refused to comply with detainers to hold criminal aliens. The first week this report was issued, it showed 206 known instances in which local personnel declined ICE detainers and released criminal aliens. These aliens reentered the communities after they had committed crimes such as assault, aggravated assault or battery, driving under the influence, or domestic violence abuses. The reports indicate that we have work to do, but it helps us by identifying jurisdictions where personnel are [[Page H5245]] thwarting Federal law. It throws into relief the glaring problem of sanctuary cities and provides information that law enforcement and lawmakers can use as we assess the problem and develop meaningful solutions. Mr. Speaker, I was in the Georgia State House when we took action there to address the issue of sanctuary cities. In 2009, we in Georgia outlawed sanctuary cities in our State. Last year, the legislature went further by requiring local governments to certify their cooperation with immigration officials in order to receive State funds. Today we have a chance to take a step in a positive direction on the Federal level. The No Sanctuary for Criminals Act prohibits States and localities from implementing policies that restrict law enforcement agencies from cooperating with immigration laws and officials. It gives teeth to that restriction by tying eligibility for certain Department of Justice and Homeland Security grants to State and local compliance with existing immigration laws. The bill requires that there will be probable cause before ICE can issue a detainer, and focuses on grant programs reasonably related to the scope of the bill. Importantly, this bill also calls for aliens to be detained if the alien is engaged in a crime that caused death or serious injury to another person. Had this provision been law at

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the time, it could have helped prevent what happened in the heartbreaking death of Sarah Root, where an alien who caused her death was freed on bond and remains at large. The No Sanctuary for Criminals Act also takes the commonsense step of allowing DHS to withhold aliens rather than transferring them to sanctuary jurisdictions, even if the jurisdiction has a warrant. It simply doesn't make sense for DHS to transfer aliens who are removable under the law to jurisdictions that are looking for opportunities to let them go. Mr. Speaker, I cannot talk about holding sanctuary cities accountable by strengthening our laws without mentioning the work of Chairman John Culberson. In 2016, Chairman Culberson successfully convinced the Department of Justice to update guidelines in order to disqualify sanctuary cities from receiving DOJ grant money should they be found in violation of title 8 U.S. Code, section 1373. Attorney General Sessions has reiterated that Federal law enforcement grants are contingent on compliance with existing law, and that the DOJ will deny fiscal year 2017 grant funds to jurisdictions that have refused to share information regarding illegal aliens in their custody. Chairman Culberson's efforts made clear that State and local law enforcement agencies are expected to work with Federal law enforcement agencies on immigration matters. Through his diligent work, meaningful steps have been taken to restore accountability. The No Sanctuary for Criminals Act builds on these efforts and ensures that jurisdictions comply with the detainers while strengthening our law to ensure that aliens who have been committing crimes such as drunk driving are detained pending their removal. H.R. 3003 permits the Secretary of DHS to issue a detainer for any individual arrested for violation of a criminal or motor vehicle law upon probable cause that an individual is an inadmissible or deportable alien. In this critically important step, the bill grants immunity to State and local entities for compliance with any detainer. Jurisdictions that want to act in good faith and follow the law should be able to cooperate without being held liable for their compliance. The protections provided in this bill are a major step forward to effective enforcement. Finally, this bill gives victims and their families a private right of action against a State and local government whose noncompliance and release of an alien results in a murder, rape, or serious injury of the victim. This measure, were it law, would have allowed Kate Steinle's family to sue after her tragic murder at the hands of a criminal and unlawful immigrant. Sanctuary cities and jurisdictions ignore the law. They do it at the expense of the American people. Our citizens surely deserve better. They deserve to live in communities that don't let dangerous criminals back out into the streets. They deserve to see the law upheld rather than ignored. Law-abiding citizens deserve to see individuals who break our laws--not only by entering and residing in our country illegally, but by committing crimes once here--to be removed. This rule provides for the consideration of legislation to strengthen the rule of law and to protect our neighbors and communities. It demands that jurisdictions comply with our Nation's immigration laws and enforcement or face penalties. Today we can take action to turn off the spigot of Federal funds to those jurisdictions that obstruct ICE efforts at the expense of Americans. We demonstrate that Members of this House will not sit idly by while sanctuary cities continue flouting the laws of our land with impunity. We strengthen our detainer policy, enable ICE to do its job, and, at the same time, help protect our communities. Mr. Speaker, I reserve the balance of my time. Mr. McGOVERN. Mr. Speaker, I thank the gentleman from Georgia (Mr. Collins) for yielding me the customary 30 minutes, and I yield myself such time as I may consume. (Mr. McGOVERN asked and was given permission to revise and extend his remarks.) Mr. McGOVERN. Mr. Speaker, I rise today in strong opposition to this closed rule, and in strong opposition to the underlying bill, H.R.

3003. Mr. Speaker, today the House will consider its 37th closed rule for the year, and tomorrow it will take up number 38. My Republican friends are breaking all kinds of records here. While I often wonder just why the Republican leadership is so afraid of open debate in the United States House of Representatives, I do recognize that it goes right along with the Republican majority's complete rejection of regular order. The House of Representatives, I am sad to say, has ceased being a deliberative body where important issues are debated freely. The Republican leadership has shut this place down, and this is yet another example of it. Look up the history of the bill the House will debate later today or tomorrow, H.R. 3003, the so-called No Sanctuary for Criminals Act. It was introduced on June 22. That was last Thursday. Like its 2015 predecessor, it has had no hearings, no markup, no input from local law enforcement, no regular order. No one had a chance to testify about this bill. Not the U.S. Conference of Mayors that includes the mayors of over 1,000 cities and towns, Democrat and Republican alike, who represent over 150 million people. Not the U.S. Conference of Catholic Bishops, Catholic Charities, Church World Service, and religious and faith leaders from all across the land. Not the National Fraternal Order of Police, the Law Enforcement Immigration Task Force, or the National Task Force to End Sexual and Domestic Violence. Not the NAACP, the Southern Poverty Law Center, the YWCA, or hundreds of national civil rights, human rights, labor, immigration, and humanitarian organizations. Mr. Speaker, on a bill that would affect hundreds of cities and

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towns and counties across America, why wouldn't we want to hear the views of these important law enforcement, State and local government, religious, civil society, and victims' organizations? The answer is simple, Mr. Speaker. Because they all oppose this legislation. All of them. It is much easier for Republicans to close down the process and steamroll this terrible bill through Congress than to actually get feedback from the American people and the leaders charged with keeping them safe. If you are going to pass a bill that has so much public opposition, I guess it makes sense to do it quickly and with as little debate as possible. Welcome to the House of Representatives, Mr. Speaker, where the voices of the American people are shut out as Republicans continue to ram through their radical agenda. Mr. Speaker, H.R. 3003 does nothing to advance cooperation between local law enforcement with the Federal Immigration and Customs Enforcement. [[Page H5246]] Cooperation between local and Federal agencies to apprehend, try, and punish serious criminal offenders, and in the case of foreign nationals, to imprison and then deport them, has always been a high priority. These are matters of national security. But instead of continuing to foster cooperation and strengthen this priority, this bill chooses to blackmail, coerce, and penalize local law enforcement agencies and demand that they potentially violate the Constitution of the United States, in particular the Fourth Amendment, the 10th Amendment, and the 14th amendment. I wish my Republican friends were as faithful to the rights enshrined in these amendments of the Bill of Rights as they are to the Second Amendment, but then that is a whole other debate. And let's think about this for a minute. What are they proposing to do? For communities and local law enforcement that believe that doing what this bill asks them to do would make it more difficult for them to do local policing, and would make it more difficult for them to have the trust of members in their community to report crimes. What my Republican friends propose to do is take away important Federal funding to help keep these communities safe. What are we talking about here? I think it is important for people to understand this. Programs like the COPS programs, the Community Oriented Policing Services; the State Criminal Alien Assistance Program; the Byrne Justice Assistance Grant program; and national security programs, those things would be taken away from local communities. It doesn't make any sense. For example, the Byrne JAG is a major source of criminal justice funding for local law enforcement and provided \$275 million in fiscal year 2016 for prevention and education programs, drug treatment and enforcement, crime victim and witness initiatives, and other community- based programs. Other funding programs and grants that are threatened under this bill are used to address sexual assault, gang violence, and trafficking such as the Sexual Assault Kit Initiative, the Violent Gang and Gun Crime Reduction Program, and the Reach and Evaluation on Trafficking in Persons program. Maybe nobody read what this bill does before they brought it to the floor. I just don't understand the logic of basically trying to blackmail communities by taking away important funding that is designed to protect the citizens of various communities across this country. Mr. Speaker, this so-called sanctuary cities bill, as I mentioned, threatens to strip local jurisdictions of Federal grants and funding. It specifically targets law enforcement, counterterrorism, and national security grants when they prioritize working with immigrant communities to keep our neighbors and cities and towns safe. {time} 1245 I don't think Washington knows best all the time, unlike my Republican colleagues. I trust my local police departments on this issue more than I trust my friends on the other side of the aisle. Republicans would rather demonize these cities, towns, and local police agencies and force them to squander scarce local resources on immigration enforcement instead of local policing, making our cities and our communities less safe, not more safe. This is why law enforcement and city governments oppose this bill. It deliberately and cynically undermines their ability to protect their communities, nurture public trust in the police and our legal system, and strengthen public safety. Mr. Speaker, this bill reeks of prejudice. It isn't meant to solve any problem. It is meant to punish cities that don't embrace the radical views of the anti-immigrant rightwing of the Republican Party. It is meant to demonize all immigrants as criminals. It is meant to turn our local police into the lackeys of ICE. Mr. Speaker, this House continues to wait and wait and wait for the Republican majority to show some leadership and bring up a comprehensive immigration reform bill. It has been more than 4 years since the Senate passed a strong, bipartisan immigration reform bill, and we are still waiting for House Republicans to step up and act, to actually try to solve a problem rather than continue to divide our country and continue to act in a way that is polarizing. What we need is a way to bring 11 million of our neighbors, friends, colleagues, small-business owners, and hardworking residents out of the shadows. That is what makes America stronger. That is why 9 out of 10 Americans support immigration reform that creates a path to citizenship for the undocumented, according to a March 2017 poll by CNN/ORC. Mr. Speaker, I include in the Record the article about the poll. [From cnn.com , Mar. 17, 2017] CNN/ORC Poll: Americans Break With Trump on Immigration Policy (By Tal Kopan and Jennifer Agiesta) Washington (CNN).--Americans disagree with President Donald Trump's immigration priorities, according to a new CNN/ORC poll, with nearly two-thirds of Americans saying they'd like to see a path to legal status for

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undocumented immigrants rather than deportations. Trump has made tough border security and strict enforcement of US immigration laws a focal point of his campaign and presidency--using some of his first executive orders to pave the way for far more deportations and detentions as well as ordering the construction of a Southern border wall. But a CNN/ORC poll released Friday finds that the public is actually moving in the opposite direction since Trump has won election. Americans are more likely to say that the nation's top immigration priority should be to allow those in the US illegally to gain legal status--and six in 10 say they are more concerned that deportation efforts will be overzealous than they are that dangerous criminals will be overlooked. All told, 60% say the government's top priority in dealing with illegal immigration should be developing a plan to allow those in the US illegally who have jobs to become legal residents. In contrast, 26% say developing a plan to stop illegal border crossings should be the top priority and 13% say deportation of those in the US illegally should be the first priority. The number who prioritize legal status for those working in the US illegally is up from 51% who said so last fall. That shift comes across party lines, with Democrats and independents each 10 points more likely and Republicans 8 points more likely to choose a plan for legal status now compared with last fall. While Trump campaigned heavily against "amnesty" for undocumented immigrants, he has avoided rescinding an Obama administration program offering protections and work permits to those who were brought to the US as children, and in a recent meeting with reporters a senior administration official indicated Trump could be open to a compromise that included a path to legalization, if not citizenship, if it came to his desk. Trump told Congress in his joint address last month that he supported the idea of an immigration reform compromise, but offered few details. Offering citizenship to those immigrants who are living in the US illegally but hold a job, speak English and are willing to pay back taxes is immensely popular, with 90% behind such a plan. That's consistent across party lines, with 96% of Democrats, 89% of independents and 87% of Republicans behind it. The President has described his immigration policies as focused on removing criminals, though critics of his administration say enforcement agencies' definition of criminal is too expansive and sweeps up people who only broke immigration laws. He has also ordered the creation of offices and reports focused on publicizing victims of crimes committed by undocumented immigrants. Americans say, however, they are more concerned about the effects of deportations than they are about immigrant crimes. Overall, 58% say they're more concerned that deportation efforts will go too far and result in deportation of people who haven't committed serious crimes, while 40% say they're more concerned that those efforts will not go far enough and dangerous criminals will remain in the US. That number is largely driven by Democrats--more than two-thirds of Republicans say they are concerned efforts won't go far enough. As for deportation priorities, seven in 10 say the government should not attempt to deport all immigrants living in the country illegally, up from 66% in the fall. A wide majority, nearly eight in 10, support deporting undocumented immigrants who have committed other crimes, however, an area Trump says is his focus. There has been a small uptick, nevertheless, in the share who say the government shouldn't be deporting those living in the US illegally who have been convicted of other crimes, from 15% to 19%. Opinions vary by party on both of these questions, though majorities across party lines are on the same side of both arguments. Among Republicans, 55% oppose attempts to deport all people living in the US illegally, below the 86% of Democrats and 71% of independents who feel that way. Considering deportation of those in the country illegally [[Page H5247]] who have been convicted of other crimes, 64% of Democrats favor that, below the 79% of independents and 93% of Republicans who say the same. CNN/ORC interviewed 1,025 American adults by phone from March 1 to 4 for the poll, which has a margin of error of plus or minus 3 percentage points. Results by party have a margin of error of plus or minus 6 points. Mr. McGOVERN. Mr. Speaker, instead of working together to find commonsense solutions to immigration, the Republican leadership offers extreme, deportation-only bills that undermine public safety and hurt our communities. Let them register; let them pay a fine; let them be documented and not fear talking with the police; and let us recognize their many contributions to communities across America. These are our friends, our colleagues, and our neighbors. Our kids go to school together. We shop at the same grocery stores and eat at the same restaurants. We serve together on the PTA and worship together at church. Our country is strongest when we lift up our neighbors. This bill will only drive us apart. Mr. Speaker, this bill is just more of the same old divisive Republican anti-immigrant formula. It will sow fear among the immigrant community, regardless of their status; it will tear families apart; it will subvert public trust of local law enforcement and police; and it will undermine the Constitution of the United States. Mr. Speaker, America is better than this. I urge my colleagues to reject this closed rule and to oppose the underlying bill. Mr. Speaker, I reserve the balance of my time. Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, again, I respect my friend from Massachusetts a great deal. I am not sure what is subversive to the Constitution in upholding the law. When we deal with this issue, it is about a choice. We can talk about local law

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enforcement and we can talk about cities that do not want to do this, but they are making the choice here. It is time we hold people accountable for choices. I think it is really interesting that we mentioned the State Criminal Alien Assistance Program, which, by the way, was meant to reimburse localities for holding illegal immigrants. If they are not holding them, then why do they need the money to start with? So let's at least put it in perspective here. I can talk about immigration reform. I believe there is a lot that we can do in that. I agree with the gentleman. However, I disagree in the part here, why don't we enforce the law that is here? By the way, that is currently the law under both President Obama and President Trump. Under U.S. Code section 1373, in order to get Federal money, they have to comply with this section. This simply builds upon what we have already done. So I think it is a choice here. I think making it out to be anything other than a choice that the localities have made is really trying to subvert the process and discuss another issue. We can do that all we want. That is what ended up, a lot of times, happening in this rule debate. But at the end of the day, this is about simply enforcing the law. I think if you go to places all over the country and you begin to ask them just a simple question and start it off with this, "Don't you think we ought to enforce the law?" the answer you get over 90 percent of the time is yes. Mr. Speaker, I reserve the balance of my time. Mr. McGOVERN. Mr. Speaker, I yield myself such time as I may consume. It is clear that the laws aren't working. That is why we need comprehensive immigration reform, and that is why it is so unfortunate that the Republicans in this House have stalled on that issue. We had bipartisan support a few years ago for comprehensive immigration reform, but people here, for some reason, would rather just demagogue the issue than do something about it. As I said before, I actually trust my local officials, my local police, more than I do my Republican friends who are speaking here today and who spoke in the Rules Committee last night. Mr. Speaker, I include in the Record a letter to all of us from the National Fraternal Order of Police, which is strongly opposed to this bill; a letter to all of us from The United States Conference of Mayors, which is strongly opposed to all of this; a letter to all of us from the Law Enforcement Immigration Task Force, which is strongly opposed to this bill; and a letter to all of us from Cities for Action, which is strongly opposed to this bill. National Fraternal Order of Police, Washington, DC, June 27, 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 policymaking 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.

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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. ____ 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; [[Page H5248]] 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 UN 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. HR 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. ____ 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 detainers 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 detainers 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

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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 to carry out the federal government's immigration enforcement responsibilities, the federal government would be substituting its judgment for the judgment of 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 Sylvia 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 Pulkrabek, Johnson County, IA. Chief Mike Tupper, Marshalltown, IA; Chief William Bones, Boise, 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. ____ Cities for Action, June 28, 2017. Hon. Paul Ryan, Speaker of the House, House of Representatives, Washington, DC. Hon. Nancy Pelosi, Minority Leader, House of Representatives, Washington, DC. Dear Members of Congress: Cities for Action (C4A) is a coalition of over 150 mayors and municipal leaders that advocates for policies and programs that promote inclusion of foreign-born residents. Our coalition has a deep commitment to promoting public safety and building trust between law enforcement and immigrant communities. We are writing to you today to urge that you oppose the No Sanctuary for Criminals Act, H.R. 3003. Cities and counties are united in our opposition to Representative Goodlatte's bill, which would undermine local public safety efforts. Nearly 600 jurisdictions have a variety of policies that would put them at risk of losing millions of dollars in federal funding for local law enforcement, national security, drug treatment, and crime victim initiatives. These policies were adopted due to constitutional concerns and judgements made on the best use of limited resources. Rather than empowering localities to adopt measures designed to enhance the general welfare of their residents, H.R. 3003 would strip localities of the ability to enact common-sense crime prevention policies that ensure victims of crime will seek protection and report crimes. Among the types of grants that would be at risk are: the Sexual Assault Kit Initiative, which addresses the growing number of unsubmitted sexual assault kits in law enforcement custody and aims to provide help for victims; the Violent Gang and Gun Crime Reduction Program, which is designed to create safer neighborhoods through a sustained reduction in gang violence and gun crime; and the Research and Evaluation on Trafficking of Persons, which helps support cities efforts to respond to the challenges that human trafficking pose in their jurisdiction. This bill also raises serious concerns by undermining local laws and criminal prosecutions. It would prevent states or localities from establishing laws or policies that [[Page H5249]] prohibit or "in any way" restrict compliance with or cooperation with federal immigration enforcement. This intrudes into local policies that help foster a relationship of trust between law enforcement officials and immigrants that will, in turn, promote public safety for all our residents.

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This also raises serious constitutional concerns. The Tenth Amendment to the U. S. Constitution limits the federal government's ability to mandate particular action by states and localities, including in the area of federal immigration law enforcement and investigations. The federal government cannot force states or localities to enact or administer a federal regulatory program, or compel state or local employees to participate in the administration of a federally enacted regulatory scheme. In addition, this bill permits DHS to ignore validly issued state or local criminal warrants, which would prevent jurisdictions from completing their prosecution of criminals. The provisions of this bill undercut local law enforcement and will jeopardize public safety efforts. Local governments have a strong interest in protecting all residents and maintaining public safety. Therefore, we urge you to oppose the No Sanctuary for Criminals Act, H.R. 3003, and ensure it never becomes law. Thank you for your time and consideration in this matter, Cities for Action. Mr. McGOVERN. Mr. Speaker, I know my friends think Washington knows best, but I trust my local police more. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. Lofgren), the distinguished ranking member of the Judiciary Subcommittee on Immigration and Border Security Ms. LOFGREN. Mr. Speaker, there is no debating that our immigration system is in need of reform. The system doesn't meet the needs of our Nation, its businesses, or its families. There are sensible steps we can take to ensure that it works better and that the rules are followed. But rather than work in a bipartisan and top-to-bottom fashion to fix our broken laws, today we consider a one-sided and enforcement-only approach that is rejected by the majority of Americans. This bill would drastically expand and, indeed, compel local involvement with Federal immigration enforcement. Even though the majority often professes its fondness for states' rights and local governance, the bill actually prohibits States and cities from policing themselves as they think best, including by having community trust policies that disentangle local policing from Federal immigration enforcement. These are policies that have proven to engender trust in law enforcement and drive down crime. The bill prohibits jurisdictions from declining immigration detainer requests, even when compliance would violate binding court orders. In fact, a lot of Federal district courts have found that, when it is time to release an inmate because their sentence has been served, it violates the Fourth Amendment to hold that individual upon a mere request by the Federal Government. If you want that person, the answer is simple: Get a warrant. It is the Fourth Amendment. Indeed, the bill also likely violates the 10th Amendment by commandeering States to engage in Federal enforcement. The bill, as has been mentioned, cuts off critical law enforcement funding, and that is why the Fraternal Order of Police has written its letter in opposition to the bill. Taken together, the provisions of this bill undermine law enforcement's ability to keep communities safe, hurt victims and witnesses of crimes, and likely violate the U.S. Constitution. It is no surprise this bill is a priority for the Trump administration. Anti-immigrant sentiment may have become the hallmark of the Trump administration, but it does not represent the values of our Nation, and, indeed, the majority of Americans strongly oppose President Trump's agenda. Mr. Speaker, I urge our colleagues to oppose this rule and to oppose the bill. Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, again, just going on this, immigration is an interesting issue, and we can discuss this. There probably are not a lot of folks that I respect more than the gentlewoman from California, but this is a constitutional issue. Immigration is a national issue. If we are willing to reverse this out and let the States and localities determine immigration, I think we settled that way over 200 years ago. This is where this belongs. So, as we look at this, Washington is not saying it knows best. But on this issue, it is our domain; it is where we are supposed to be. This is our role. We believe, simply, that enforcing the law is what we need here. If the gentleman believes that States ought to have more control in a lot of things that we do, then I think maybe I am getting him closer to agreeing with us on healthcare that we need to reform and replace ObamaCare and let States have a little bit more information in that. But one of the things is that there is no affirmative action on the cities here. I think there is sort of a point to make here. There is no affirmative action on cities or localities to comply with this issue. They are simply, again, as I said earlier, making a choice. If they choose not to work through it the current way, then they are giving up Federal funding. That is their choice. If they choose to do it, they are giving up Federal funding. They are not being forced and coerced. They are simply saying: You actually look at it; you make the choice in how you want to do it; then explain it to your population. If they are agreeing with that, that is your choice. One of the things that often is said here is we trot out letters from associations. And I agree. I respect the National Fraternal Order of Police and mayors. They have a great thing. But they also represent members who are, right now, actually, not in compliance with this, who dislike this law. So, naturally, you would say part of their membership is going to be supportive of them. But, also, growing up in the household of a Georgia State trooper, I also know a few things about law enforcement as well. Law enforcement wants to protect the communities they serve, and they want to enforce the law. What is happening right now is that local law enforcement is deciding how they are going to do this. They are not cooperating with ICE to find a better

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way to work in their communities. They are simply saying: We made a political choice to do something. Well, Mr. Speaker, I think with the Constitution, this body has the political choice to say: That is your choice; just do it without Federal funds. Mr. Speaker, I reserve the balance of my time. Mr. McGOVERN. Mr. Speaker, I yield myself such time as I may consume. The gentleman, my friend, says that this is a constitutional question. We agree that the Constitution is an important document, and it goes to the heart of why we are opposed to the bill that the gentleman is supporting here. The reason why we say that is because we have had Federal courts that have decided in ways in the past that cause great concern that much in this bill may be unconstitutional. Now, that is why we should have had hearings, that radical idea that we keep on bringing up, like hearings where people come and testify. But I guess that is too much to ask. One of the reasons why we are opposed to this is because we are concerned that it may undermine the Constitution, and that is a pretty big deal. I am happy to give the gentleman my copy of the Constitution and references to court cases if he would like to do a little research, but, boy, it would have been nice to have a hearing. Mr. Speaker, I include in the Record a letter on behalf of 407 local, State, and national immigrant, civil rights, faith-based, and labor organizations in strong opposition to H.R. 3003. June 28, 2017. Re Vote NO on the No Sanctuary for Criminals Act, H.R. 3003, and Kate's Law, H.R. 3004. U.S. 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 [[Page H5250]] 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 detainers. 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. Sincerely, National

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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; Columban 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'ruah: 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;

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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 Domestic Abuse WI; English Ministry--Korean Presbyterian Church of St. Louis. [[Page H5251]] 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; Immanuel 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

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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)n; 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). Sickie 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. Mr. McGOVERN. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New Jersey (Mr. Pascrell). Mr. PASCRELL. Mr. Speaker, this is an interesting issue with the canvas in the back of the entire immigration laws that need to be addressed. This body--not the body at the other end of the building, this body-- didn't have the guts to address it 4 years ago, 3 years ago, 2 years ago, nor this year. This is something that we need to address, even though it is not the bill itself. I am a strong supporter of law enforcement. As co-chair of the Law Enforcement Caucus, I rise in total opposition to this bill and the rule. Here is what the misguided goal of this bill would do: You are going to prove a point by penalizing law enforcement for immigration policies politicians in their city have to implement. That is what you want to do. So it absolves us down here in Washington. This bill threatens the central Federal funding streams for law enforcement. You have heard all of those programs that are being endangered. Any 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 you are putting on the chopping block if this bill becomes law. This bill would not make our communities safer. In fact, it undermines public safety. The funding this bill puts at risk allows local police departments to purchase equipment and hire and provide training for officers. This actually jeopardizes the security--read my lips--of communities in order to perpetuate a false narrative about immigrants. {time} 1300 I just received a letter from the New Jersey State Policemen's Benevolent Association. I think it says it better than anything I could say. It says: "Politics should not interfere with the safety of our members or our ability to do our job." The police are telling us that, and you are asking them to go out and do the job of protecting our citizens day in and day out--which we all are, I hope--and then you are telling them: But I am sorry, because we have a disagreement on this issue, you are going to suffer the consequences. Mr. Speaker, I include in the Record a letter from the New Jersey State Policemen's Benevolent Association. New Jersey State Policemen's Benevolent Association, Inc., Woodbridge, NJ, June 28, 2017. Re H.R. 3003. Hon. William Pascrell, Jr., Paterson, NJ. Dear Congressman Pascrell: The New Jersey State Policemen's Benevolent Association (NJSPBA) represents over 33,000 law enforcement officers throughout our state. It is no secret that law enforcement officers risk their own safety every day to keep our [[Page H5252]] communities safe. And as a strong supporter of law enforcement on the floor of the U.S. House of Representatives, we would like to thank you for all your efforts on behalf of the men and women that serve within the law enforcement community. It is our understanding that this week the House is voting on H.R. 3003, the "No Sanctuary for Criminals Act," which adds additional obstacles to funding for the hiring of additional police officers in certain communities throughout our

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state. Specifically, the bill restricts municipalities from receiving grants administered by the Department of Justice or the Department of Homeland Security if municipal officials fail to notify the federal government with regard to the presence of individuals as it relates to information regarding citizenship or immigration status. While we strongly agree that state and local law enforcement should work closely with federal law enforcement, cutting off funding for law enforcement to already underfunded and understaffed police departments and law enforcement entities undermines our collective efforts to keep our members and the communities they serve safe. Politics should not interfere with the safety of our members or our ability to do our job. On behalf of our membership, we appreciate your ongoing efforts and hope you will continue to work with your colleagues in Congress to assure funding for law enforcement and prevent our government from punishing our membership for something that is completely out of our control. I am available to discuss our opposition to H.R. 3003 further, at your convenience. You can reach me at our NJSPBA offices, if you have any questions. Thank you for all your efforts on behalf of the men and women of law enforcement. Sincerely, Patrick Colligan, State President. The SPEAKER pro tempore. The time of the gentleman has expired. Mr. McGOVERN. Mr. Speaker, I yield an additional 1 minute to the gentleman. Mr. PASCARELL. Mr. Speaker, congressional Republicans are doing that right here. They are playing politics with our Nation's security. To quote the New Jersey State Policemen's Benevolent Association again--these words are from the police, not me--" . . . punishing our membership for something that is completely out of our control." Why are the police opposed to this legislation? The Fraternal Order of Police you have heard about. Some of my friends on the other side of the aisle like to talk the talk when it comes to supporting law enforcement until it either costs money or we are going to have to deal with the bigger factors. That is a fact. You may laugh all you want, but that is a fact. I can cite you chapter and verse if you want. This is no laughing matter. This is business. This is the lives of the police. The SPEAKER pro tempore. Members are advised to address remarks to the Chair. Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, I will address my remarks to the Chair, but I also will not stand here and let it be said from some political angle that the son of a Georgia State trooper has anything less than respect for law enforcement or wants anything more than to have law enforcement agencies do their job. And this is exactly what we are talking about. Do your job. If you want to make a political statement, then work it out politically. But this is: Do your job, keep the law. I mean, what else--are we going to get another letter from another police association saying: Well, we decided we are not going to enforce Federal whatever else? This is an issue that needs to be discussed, and I will just simply say, from this perspective, of one who has lived it for 50 years and who lived it under the same house for 21 years, no, there is no one that respects law enforcement and their role more than this Member. And this Member is simply reflecting a lot of views of law enforcement. This says: Let us do our job. We will work on these issues, but you are making a choice. If you don't want to enforce it, then don't take the money. Do what you want to do. Just don't take the money. Mr. Speaker, I reserve the balance of my time. Mr. McGOVERN. Mr. Speaker, I yield 30 seconds to the gentleman from New Jersey (Mr. Pascarell) in order to respond. Mr. PASCARELL. Mr. Speaker, I think that is a very pathetic way to look at our police officers in this country. "If you don't like it, don't take the money." You must be kidding me. I urge my colleagues to find a different tactic to penalize political decisions that you don't like. I urge my colleagues to oppose this bill. The SPEAKER pro tempore. Members are, again, reminded to address their remarks to the Chair, not to individuals on the floor. Mr. McGOVERN. Mr. Speaker, I ask my colleagues to defeat the previous question. And if we do defeat the previous question, I will offer an amendment to this rule to bring up Representative Bobby Scott's Raise the Wage Act, H.R. 15, which would finally give workers the raise they deserve, and increase the Federal minimum wage to \$15 an hour within 7 years. Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the Record, along with extraneous material, immediately prior to the vote on the previous question. The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts? There was no objection. Mr. McGOVERN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Minnesota (Mr. Ellison) to discuss our proposal. Mr. ELLISON. Mr. Speaker, America needs a raise. We have not raised the minimum wage in 10 years, and people who work hard every single day have seen their pay erode again and again. Mr. Speaker, people who are working full time at \$7.25 an hour can't make it. And if we can defeat this previous question, we can actually bring up something that the American people really need, which is to get a raise. Mr. Speaker, this is not something we are going to dump on top of business all at once. There is a ladder up. It takes 7 years to get to that \$15, but, Mr. Speaker, make no doubt that we need to do it. Mr. Speaker, right now, today, people working full time qualify for food stamps, housing assistance, and medical assistance because their employers don't pay them enough to make it. And I know that everybody in this House knows that, when people work hard, they ought to be able to make it in America. If you work full time, you shouldn't be in poverty. You should

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be able to afford a good apartment. You should be able to have good scheduling for your job. You should have some benefits. This is all the American Dream is about, being able to work hard and get paid fairly for it. Now, Mr. Speaker, I just want to let you know that between 2009 and 2013, we saw the top 1 percent of income earners get 85 percent of the income growth in this country. That means we have historic inequality not seen since the Great Depression. It is wrong, Mr. Speaker. And if we can defeat this previous question, we should do everything we can to pass this excellent piece of legislation that Ranking Member Bobby Scott has authored in this body. Mr. Scott and I, as well as many other Members, have been all over this country, and right here in D.C. standing with workers explaining to us their struggles, how they haven't seen a raise, how they haven't seen their pay go up. And they are serious, Mr. Speaker, about wanting to be part of this economy, too. Pass this minimum wage increase. Give America a raise. Mr. COLLINS of Georgia. Mr. Speaker, I reserve the balance of my time. Mr. McGOVERN. Mr. Speaker, the reason why we are trying to bring this to the floor by way of defeating the previous question is because the Republican majority in this House had basically locked everything down so we can't get important bills to the floor. We can't even get amendments to the underlying bill that we are debating here today. It is really unfortunate and sad for this institution. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. Doggett). Mr. DOGGETT. Mr. Speaker, this bill wrongfully endorses political interference with professional law enforcement leaders. With no legal authority, both President Trump and his Texan look-alike, Governor Greg Abbott, want to deny funds and intimidate [[Page H5253]] local governments, who rightfully refuse to place politics above public safety. I will tell my Republican colleague from Georgia, and his colleagues, that the only lawlessness that exists here is the lawlessness of President Trump in trying to do this to such an extent that a Federal court order stopped him. And they will also, I believe, stop Governor Abbott on his outrageous Senate Bill 4. Our police chiefs in San Antonio and in Austin, our courageous Sheriff, Sally Hernandez, like many law enforcement professionals from Texas to New Jersey, they say that maintaining the trust and confidence of the immigrant community to report crime, to be witnesses concerning crime, that this makes us all safer--immigrant and nonimmigrant alike. Any proper arrest warrant presented by ICE will be honored everywhere. Detainers, which are merely a bureaucratic message saying the bureaucracy is suspicious of someone who should be imprisoned based on that suspicion, will not be kept imprisoned--and Federal courts have said they should not be--under the Constitution. I would say that the only sanctuary that this bill provides is a sanctuary for prejudice. It is a sanctuary that defies the reality of the America we have today, particularly in the Southwest. We should reject this bill and affirm welcoming cities, like mine, that are a refuge from anti-immigrant hysteria, but have a strong commitment to safety and to effective law enforcement, and looking to our local law enforcement, not political interference from Washington telling us how to protect our families. This very week, four years ago, an overwhelming bipartisan United States Senate majority approved comprehensive immigration reform. And like the amendments that are being blocked today, these House Republicans were so fearful that that bill might become law that they will not even permit us to even debate it four years later on the floor of this House. Instead of this anti-immigrant hysteria, instead of this sorry piece of legislation, what we need is broad immigration reform, and we need it now. The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President. Mr. COLLINS of Georgia. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. Smith), our former chairman of the Judiciary Committee. Mr. SMITH of Texas. Mr. Speaker, first of all, let me thank the gentleman from Georgia, a member of the Rules Committee, for yielding me time. Mr. Speaker, I strongly support the underlying bill, H.R. 3003, No Sanctuary for Criminals Act; and I thank the chairman, Bob Goodlatte, and Representatives Steve King and Andy Biggs for introducing it. This legislation keeps dangerous criminal immigrants off our streets and out of our neighborhoods, and it holds sanctuary cities accountable for breaking Federal immigration laws. I have a special interest in this legislation because it enforces a bill I sponsored in 1969, which was enacted into law and made sanctuary cities illegal. The American people sent a clear message to Congress last November when they elected a President who promised to enforce our immigration laws. A recent poll shows that 80 percent--80 percent--of voters want cities that arrest illegal immigrants for crimes to be required to turn them over to immigration authorities. Eighty percent. That is a Harvard-Harris poll. The No Sanctuary for Criminals Act is a down payment on our pledge to protect innocent Americans from criminal immigrants who deserve to be jailed or sent back to their home countries. We need to enact this legislation. There is simply no excuse for local governments to ignore immigration laws at the expense of American's safety and well-being. Mr. McGOVERN. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, I include in the Record a letter to the entire Congress from the American Immigration Lawyers Association in opposition to this bill; a letter from Amnesty International in opposition to this bill; and a letter

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from Church World Services in opposition to this bill. Statement of the American Immigration Lawyers Association Opposing the ``No Sanctuary for Criminals Act" (H.R. 3003) and ``Kate's Law' (H.R.

3004), June 27, 2017. As the national bar association of over 15,000 immigration lawyers and law professors, the American Immigration Lawyers Association (AILA) opposes ``No Sanctuary for Criminals Act" (H.R. 3003) and ``Kate's Law' (H.R. 3004). AILA recommends that members of Congress reject these bills which are scheduled to come before the House Rules Committee on June 27 and to the floor shortly thereafter. Though Judiciary Chairman Goodlatte stated that the bills will ``enhance public safety," they will do the just the opposite: undermine public safety and make it even harder for local law enforcement to protect their residents and communities. In addition, the bills which were made public less than a week before the vote and completely bypassed the Judiciary Committee, include provisions that will result in violations of due process and the Fourth and Tenth Amendments to the Constitution. At a time when over 9 out of 10 Americans support immigration reform and legalization of the undocumented, Republican leadership is asking the House to vote on enforcement-only bills that will lead to more apprehensions, deportations, and prosecutions of thousands of immigrants and their families who have strong ties to the United States. Instead of criminalizing and scapegoating immigrants, Congress should be offering workable reforms that will strengthen our economy and our country. The No Sanctuary for Criminals Act, H.R. 3003 H.R. 3003 would undermine public safety and interfere with local policing: H.R. 3003 would amend 8 Sec. U.S.C. 1373 to prevent states or localities from establishing laws or policies that prohibit or ``in any way" restrict compliance with or cooperation with federal immigration enforcement. The bill dramatically expands 8 U.S.C. Sec. 1373 which is more narrowly written and prohibits local law enforcement from restricting the sharing and exchange of information with federal authorities, but only with respect to an individual's citizenship or immigration status. Rather than empowering localities, the extremely broad wording of H.R. 3003 would strip localities of the ability to enact common-sense crime prevention policies that ensure victims of crime will seek protection and report crimes. The bill would also undermine public safety by prohibiting DHS from honoring criminal warrants of communities deemed ``sanctuary cities" if the individual being sought by local law enforcement has a final order of removal. Under H.R. 3003, localities that fail to comply with federal immigration efforts are penalized 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. In an effort to force localities to engage in civil immigration enforcement efforts, including those against nonviolent undocumented immigrants, the bill would make it far more difficult for many localities, including large cities, to arrest and prosecute potentially dangerous criminals. The bill could even offer criminals a form of immunity, knowing that any crimes they commit in a designated sanctuary city would result, at most, in their removal from the country as opposed to criminal prosecution. H.R. 3003 would run afoul of constitutional safeguards in the Fourth Amendment: By prohibiting localities from restricting or limiting their own cooperation with federal immigration enforcement, H.R. 3003 effectively compels localities to honor ICE detainer requests--a controversial and constitutionally suspect practice that is nonetheless widely-used by ICE. Federal courts have found that ICE use of detainers violates the Fourth Amendment, and that localities may be held liable for honoring them. The bill also expands detainer authority by establishing that ICE may issue detainer requests for localities to hold undocumented immigrants for up to 96 hours--twice what is currently allowed--even if probable cause has not been shown. Courts have concluded that localities cannot continue detaining someone unless ICE obtains a warrant from a neutral magistrate who has determined there is probable cause, or in the case of a warrantless arrest, review by a neutral magistrate within 48 hours of arrest. The expansive provisions in H.R. 3003 would force localities to choose between detaining people in violation of the Constitution or being punished as a ``sanctuary city." Furthermore, this bill provides government actors and private contractors with immunity if they are sued for violating the Constitution. Provisions in this bill transfer the financial burden of litigation by substituting the federal government for the local officers as the defendant. If H.R. 3003 becomes law, American taxpayers would be stuck paying for lawsuits brought by those who are unjustly detained. The bill goes even further by creating a private right of action allowing 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. H.R. 3003 would violate the Tenth Amendment: H.R. 3003 would compel states and localities to utilize their local law enforcement resources to implement federal civil [[Page H5254]] 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

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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. H.R. 3003 would expand detention without due process: H.R.

3003 would increase the use of detention without ensuring those detained have access to a bond determination. Under the bill, nearly anyone who is undocumented, including those who have overstayed their visa would be subject to detention without a custody hearing. The bill also establishes that DHS has the authority to detain individuals "without time limitation" during the pendency of removal proceedings. These provisions would dramatically expand the federal government's power to indefinitely detain individuals, and would likely result in ever growing numbers of undocumented immigrants held in substandard detention facilities. Kate's Law, H.R. 3004 H.R. 3004 would expand the already severe penalties in federal law for illegal reentry (NA 276; 8 U.S.C. 1326). The number of people prosecuted for illegal reentry has grown steadily to about 20,000 prosecutions each year, and such cases comprise more than one quarter of all federal criminal prosecutions nationwide. H.R. 3004 adds sentencing enhancements for people who are convicted of minor misdemeanors and people who have reentered multiple times but have no criminal convictions. This bill will not improve public safety and will undermine due process and protections for asylum seekers. H.R. 3004 would waste American taxpayer funds by imposing severe prison sentences upon thousands of people who pose no threat to the community and who have strong ties to the country and are trying to unite with their loved ones. H.R. 3004 would impose severe sentencing enhancements upon people with minor offenses: H.R. 3004 would add sentencing enhancements for minor misdemeanor convictions, including driving without a license and other traffic-related offenses. Under the current version of INA Sec. 276, if a person is charged with reentering the U.S. after being removed, their punishment is enhanced by up to ten years only if they have been convicted a felony or three or more misdemeanors involving drugs or violence. Under H.R. 3004 someone who has been convicted of any three misdemeanors regardless of severity would be subject to a term of up to ten years. This expansion would unfairly target large numbers of people who are not a threat to public safety but instead are trying to reunite with family members and have other strong ties to the United States. Currently half of all people convicted of illegal reentry have one child living in the country. Increasing sentences for illegal reentry would also waste taxpayer dollars, costing huge amounts of money to lock up non-violent people. H.R. 3004 would punish people who attempt to seek asylum at the border: H.R. 3004 expands the provisions of INA 276 to punish not only people who reenter the U.S. or attempt to reenter the U.S., but also people who cross or attempt to cross the border. The bill goes on to define "crosses the border" to mean "the physical act of crossing the border, regardless of whether the alien is free from official restraint." That means that people who present themselves at ports of entry to request asylum and are taken into custody by CBP to await a fear screening would be subject to criminal charges based on a past removal, even though they are seeking refuge in the U.S. H.R. 3004 would impose severe sentencing enhancements for people with multiple entries: The bill would also create new sentencing enhancements for people who have reentered the U.S. multiple times, even if they have no other criminal convictions. If someone has been removed three or more times, and is found in the United States or attempts to cross the border again, H.R. 3004 law would provide for sentencing enhancements of up to ten years. The bill makes no exception for bona fide asylum seekers, which means that people who are seeking refuge in the U.S. from atrocities abroad could be subject to a lengthy prison sentence under these provisions. H.R. 3004 would undermine due process by blocking challenges to unfair removal orders: The bill will prevent an individual from challenging the validity of a removal order, even it was fundamentally unfair in the first place. The Supreme Court held in *U.S. v. Mendoza-Lopez*, 481 U.S. 828 (1987) that due process requires that a challenge be allowed if a deportation proceeding is used as an element of a criminal offense and where the proceeding "effectively eliminate[d] the right of the alien to obtain judicial review." This provision in H.R. 3004 is likely unconstitutional and will cause grave injustice to defendants, such as asylum seekers who were deported without the opportunity to seek asylum. ____ Amnesty International, June 28, 2017. Amnesty International USA urges a vote "NO" on H.R. 3003 and H.R.

3004 Dear Representative: On behalf of Amnesty International USA ("AIUSA") and our more than one million members and supporters nationwide, we strongly urge you to oppose the No Sanctuary for Criminals Act (H.R. 3003) and Kate's Law (H.R.

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3004). Both bills are scheduled for House floor votes as early as June 28. If passed, both bills would pave the way for and accelerate the implementation of policies that increase the criminalization and detention of immigrants and asylum seekers, thereby violating the United States' obligations under international law. AIUSA will be scoring these votes. I. The No Sanctuary for Criminals Act (H.R. 3003) would prevent municipalities from determining how law enforcement agencies are engaging in immigration enforcement, and would dramatically expand indefinite detention and mandatory detention of immigrants in jail-like facilities with subpar dangerous conditions, in violation of international human rights standards. H.R. 3003 would prevent localities from enacting community trust policies that instruct local police not to carry out federal immigration enforcement, thereby undermining policing practices designed to build trust and confidence between local law enforcement and the communities they serve. This bill would open the door to racial profiling against Latinos and other communities of color, including U.S. citizens. International law firmly prohibits discrimination, and the United States' commitment to those obligations applies to citizens and non-citizens alike. States that have passed anti-immigrant legislation that requires local law enforcement to cooperate with immigration agencies or to inquire about immigration status regarding any interactions with law enforcement have compromised the right to justice for immigrant communities by discouraging immigrant survivors from reporting crimes. The U.S. government has an obligation to prevent and address abuse of immigrants and ensure that all immigrants are able to access available remedies. This includes acting with due diligence to investigate and punish criminal conduct committed by private individuals, and guaranteeing access to justice for immigrant victims of crime. Amnesty International has also documented how the increased involvement of state and local law enforcement agencies in immigration enforcement, without adequate oversight and accountability to prevent abuses, contributes to the rise in reports of racial profiling for Latino communities and other communities of color. Numerous studies have demonstrated that programs that integrate the criminal justice system and law enforcement as an entry point for immigration enforcement have led to racial profiling and other abuses. In addition, H.R. 3003 would dramatically expand the Department of Homeland Security ("DES") immigration detention powers by authorizing mandatory detention "without time limitation." This would empower the DHS to detain untold numbers of immigrants for as long as it takes to conclude immigration court removal proceedings, even if that takes years. Section 4 would also authorize indefinite mandatory detention Without providing the basic due process of an immigration judge bond hearing to determine if the immigrant's imprisonment was justified in the first place. Finally, section 4 would expand mandatory detention of immigrants with no criminal record whatsoever, including immigrants who overstayed a visa or lack legal papers. The mandatory detention system, which provides for the automatic detention of individuals, amounts to arbitrary detention, and is in violation of international law, which requires that detention be justified in each individual case and be subject to judicial review. The expansion of offenses which would fall under mandatory detention as demonstrated in H.R., as proposed by H.R. 3003, amounts to arbitrary detention, and is in violation of international law, which requires that detention be justified in each individual case and be subject to judicial review. U.S. federal courts have also consistently held that detaining immigrants for months and years without bond hearings raises serious problems under the Due Process Clause of the Constitution. The proposed dramatic expansion of immigration detention powers envisioned in H.R. 3003 comes at a time when immigration detention has already hit record-highs, with the average daily population ("ADP") exceeding 40,000 in comparison to a 34,000 ADP for the preceding seven years. This sharp escalation in the number of detained immigrants also comes at a time when Human Rights Watch ("HRW") has reported new evidence of dangerously subpar medical care in immigration detention, including unreasonable delays in care and unqualified medical staff that are likely to expose a record number of immigrants to dangerous conditions. This recent HRW report is only the latest of a series of shocking reports documenting DHS's failure to provide care to ill or injured immigrants in its custody. The International Covenant on Civil and Political Rights (ICCPR), which the United States has ratified, guarantees all people the rights to be free from discrimination and arbitrary arrest and detention, and the right to due process, including fair deportation procedures. Finally, noncitizens who are detained have a right to humane conditions of detention and are entitled to prompt review [[Page H5255]] of their detention by an independent court. The mass expansion of mandatory detention and immigration detention proposed by H.R. 3003 violates all of these international human rights standards. II. H.R. 3004 would increase mass incarceration of immigrants, including survivors of persecution or torture, by increasing criminal penalties for the mere act of migration-- in violation of international human rights standards. Current law already criminalizes illegal reentry in violation of international law and standards under 8 U.S.C. Sec. 1326, imposing a sentence of up to 20 years on anyone convicted of illegal reentry after committing an aggravated felony. According to data compiled by the Transactional Records Access Clearinghouse at Syracuse University, in fiscal

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year 2016 federal criminal prosecutions for illegal entry, reentry, and similar immigration violations made up 52 percent of all federal prosecutions nationwide--surpassing drugs, weapons, fraud and thousands of other crimes. Criminal penalties for unauthorized entry are obstacles for identifying the victims of human rights abuses, and prevent victims from seeking justice. They undermine human rights protections afforded in international law, including the right to seek asylum. The Special Rapporteur on the Human Rights of Migrants has repeatedly stressed that where detention is used as a punitive measure, it is disproportionate and inappropriate, and stigmatizes undocumented immigrants as criminals. The criminal prosecution of illegal reentry has grown exponentially over the past decade. In 2002 there were 8,000 prosecutions for illegal reentry; in 2012 these prosecutions had increased to 37,000. Nearly 99 percent of illegal reentry defendants were sentenced to federal prison time, ranging from a few days to 10 years or more for felony reentry before they are eventually deported. Beyond the trend towards more aggressive criminal prosecutions for illegal reentry, a 2015 U.S. Sentencing Commission report found nearly 50 percent of people sentenced in fiscal 2013 for illegal re-entry had at least one child living in the U.S. Many of the individuals charged with illegal reentry previously resided in the U.S. for many years and are desperate to return to their family in the U.S. On top of this longstanding trend of harsher criminal prosecution for illegal reentry--the sponsors of H.R. 3004 would seek to expand the category of individuals subject to illegal reentry prosecution to include people who surrender themselves at the southern border to seek protection in the U.S. The bill would also expand sentencing enhancements for illegal reentry, and would prosecute people for illegal reentry even if their previous removal orders were unlawful or deprived them of the opportunity to seek protection. For example, the bill would criminalize asylum seekers who return to the U.S. after being previously denied the opportunity to present their claims for protection. While all sovereign states have a legitimate interest in regulating entry into their territories, they can only do so within the limits of their obligations under international law. The U.S. government has an obligation under international human rights law to ensure that its laws, policies, and practices do not place immigrants at an increased risk of human rights abuses. Specifically, individuals have a right to seek asylum from persecution and protection from refoulement, and prosecuting asylum seekers prior to adjudication of their asylum applications violates U.S. obligations under the Refugee Convention. Similarly the Convention Against Torture prohibits a State from expelling, returning, or extraditing a person to another State where there are substantial grounds for believing that s/he would be in danger of being subjected to torture. Finally, all individuals, regardless of immigration status, have a right to family unity which can include limits on the State's power to deport, as recognized by the Human Rights Committee's interpretation of ICCPR obligations. All of these international human rights standards are violated by H.R. 3004. AIUSA strongly urges you to oppose both H.R. 3003 and H.R.

3004. Sincerely, Joanne Lin, Senior Managing Director, Advocacy and Government Affairs. ____ CWS Statement to Opposing H.R. 3003, the No Sanctuary for Criminals Act, and H.R. 3004, Kate's Law. As a 71-year old humanitarian organization representing 37 Protestant, Anglican, and Orthodox communions and 34 refugee resettlement offices across the country, Church World Service (CWS) urges all Members of Congress to support the longstanding efforts of law enforcement officials to foster trusting relationships with the communities they protect and serve. As we pray for peace and an end to senseless acts of violence that are too prevalent in this country, CWS encourages the U.S. Congress to refrain from politicizing tragedies or conflating the actions of one person with an entire community of our immigrant brothers and sisters and oppose H.R. 3003, the No Sanctuary for Criminals Act, and H.R. 3004, Kate's Law. H.R. 3003, the No Sanctuary for Criminals Act, would target more than 600+ cities, counties, and states across the country and threaten to take away millions of dollars in federal funding that local police use to promote public safety. Communities are safer when they commit to policies that strengthen trust and cooperation between local law enforcement, community leadership and institutions, and all residents, regardless of immigration status. The Federal government should not hurt intentional, community-based policing efforts that are vital in communities across the country. Many cities have already recognized that requests by Immigration and Customs Enforcement (ICE) to hold individuals beyond their court-appointed sentences violate due process and have been found unconstitutional by federal courts. This bill would raise profound constitutional concerns by prohibiting localities from declining to comply with ICE detainer requests even when such compliance would violate federal court orders and the U.S. Constitution. Local police that refuse ICE detainer requests see an increase in public safety due to improved trust from the community. It is precisely this trust that enables community members to report dangerous situations without the fear of being deported or separated from their families. When local police comply with ICE detainer requests, more crimes go unreported because

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victims and witnesses are afraid of being deported if they contact the police. This bill would also undermine local criminal prosecutions by allowing the Department of Homeland Security (DHS) to ignore state or local criminal warrants and refuse to transfer individuals to state or local custody in certain circumstances. This bill would reduce community safety by preventing state and local jurisdictions from holding people accountable. The United States already spends more than \$18 billion on immigration enforcement per year, more than all other federal law enforcement agencies combined. H.R. 3004, Kate's Law, would expand the federal government's ability to prosecute individuals for "illegal reentry" and impose even more severe penalties in these cases--even though prosecutions for migration-related offenses already make up more than 50% of all federal prosecutions. Yet, this bill does not include adequate protections for individuals who reenter the U.S. in order to seek protection, which would place asylum seekers at risk of being returned to the violence and persecution they fled. We have seen how Border Patrol's current practices violate existing U.S. law and treaty obligations by preventing viable asylum claims from moving forward. DHS has found that in some areas, Border Patrol refers asylum seekers for criminal prosecution despite the fact that they have expressed fear of persecution. In May 2017, a report was released highlighting that many asylum seekers, who had expressed a fear of returning to their home countries are being turned away by GBP agents. New barriers to protection are unnecessary and would dangerously impede our obligations under international and U.S. law. Federal, state, and local policies that focus on deportation do not reduce crime rates. Individuals are being deported who present no risk to public safety and who are long-standing community members, including parents of young children. Immigrants come to this country to reunite with family, work, and make meaningful contributions that enrich their communities. Several studies over the last century have affirmed that all immigrants, regardless of nationality or status, are less likely than U.S. citizens to commit violent crimes. A recent report found a correlation between the increase in undocumented immigrants, and the sharp decline in violent and property crime rates. Immigration is correlated with significantly higher employment growth and a decline in the unemployment rate, and immigrants have high entrepreneurial rates, creating successful businesses that hire immigrant and U.S. citizen employees. As communities of faith, we are united by principles of compassion, stewardship, and justice. CWS urges all Members of Congress to oppose H.R. 3003, the No Sanctuary for Criminals Act, and H.R. 3004, Kate's Law. What we need are real solutions and immigration policies that treat our neighbors with the dignity and respect that all people deserve and affirm local law enforcement officer's efforts to build trust with their communities. Mr. McGOVERN. Again, Mr. Speaker, our objection is that Washington doesn't always know best. We ought to trust our local law enforcement officials, our local police as to what is effective in terms of protecting the citizens of our community. To introduce legislation that would essentially punish our local police for doing what they think is in the best interest of their communities, this bill should be renamed "punish our local police," because that is what it does. I can't believe that we are going down this road. Maybe it is a nice sound bite, maybe it is a nice press release, maybe it fits in with the Trump campaign rhetoric on immigrants and immigration; but this is just a lousy idea. And I think if we did hearings on this bill, if we actually spent some time being thoughtful about this issue, my colleagues would come to that conclusion. Again, I would say that what we should be talking about is fixing our [[Page H5256]] broken immigration system. We need comprehensive immigration reform. The Senate, in a bipartisan way, stepped up to the plate and did it. It is about time Members of this House have the guts to bring a comprehensive immigration reform bill to the floor and fix our broken immigration system. Mr. Speaker, I reserve the balance of my time. Mr. COLLINS of Georgia. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. Rohrabacher). Mr. ROHRABACHER. Mr. Speaker, I rise in support of H.R. 3003. This is a very positive first step toward coming to grips with an issue that has divided this country because it is causing great damage to so many Americans. What we are talking about is not immigrant hysteria. That type of mixing legal immigrants with illegal immigrants, that is the true racism because it hurts those people who have come here legally. Now, what we have got here are legal immigrants who are being cast into the same pot as illegals, with the opposition to this bill. People who are here legally understand that we need protection for people who are here in this country against, especially, criminals who come from overseas and illegal aliens who are criminals, at that. Working Americans of every race, religion, and ethnic group have seen that their families are less secure, and they are even sometimes being murdered by the insane lack of action on the part of our government to protect our citizens. Our number one responsibility is to make sure our own people, legal immigrants, and all Americans of every race, creed, and color are protected. And what do they see? This massive flood of illegals coming into our country, taking jobs, bidding down wages, lowering the education standards and the healthcare that most Americans rely upon. {time} 1315 No wonder the American people want action. But then, when they are faced with a city saying even criminals who have committed acts of aggression, murder, et cetera, upon

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our citizens, that we are going to let them just stay, and that there is going to be a block. Whose side are you on is what this amendment is all about. Are we on the side of the American people? Are we on the side of those victims who work hard every day and try to raise their families; or are we on the side of a massive flow of people, many of whom, and most of whom, are good people? The SPEAKER pro tempore. The time of the gentleman has expired. Mr. COLLINS of Georgia. I yield the gentleman an additional 1 minute. Mr. ROHRBACHER. Most of the people who come here, most of the people flooding here, even the illegals, are basically wonderful people. But that doesn't mean that we can bring in more than that, 1 million-- By the way, we need to understand, don't condemn America on its immigration policy. We let a million legal immigrants into our country every year, and that is more than the rest of the world combined. We can be proud of that. But, at the same time, we have to make sure that our people are protected, that they don't lose their jobs, or they don't have to accept less money for the same work because you have got somebody here who will work for nothing. We want to make sure when they need their healthcare, they get their healthcare. That will bankrupt our system. Are we going to have a sanctuary healthcare system, too, so anybody in the world can come here and use up our scarce health dollars? No, it is time for us to strike a blow for the protection of Americans and legal immigrants of every race and religion and ethnic background, not to show these things. Immigrant hysteria; shame, shame, shame. Mr. McGOVERN. Mr. Speaker, I yield myself such time as I may consume. I include in the Record a letter to every Member of Congress from The Leadership Conference on Civil and Human Rights in opposition to this bill; a letter to all of us from the ACLU in opposition to this bill; a letter to every Member of Congress from the National Task Force to End Sexual & Domestic Violence that is in opposition to this bill; as well as a letter to Members of Congress from the United States Conference of Catholic Bishops and Catholic Charities USA in opposition to this bill; and a letter from NETWORK, which is a lobby for Catholic social justice in opposition to this bill. The Leadership Conference on Civil and Human Rights, Washington, DC, June 27, 2017. Oppose the ``No Sanctuary for Criminals Act" (H.R. 3003) and ``Kate's Law" (H.R. 3004) Dear Representative: On behalf of The Leadership Conference on Civil and Human Rights, a coalition of more than 200 national advocacy organizations, I urge you to oppose H.R.

3003, the ``No Sanctuary for Criminals Act," and H.R. 3004, ``Kate's Law." These two bills may sound ``tough," but they would ultimately make the problems with our national immigration system even worse than they already are. H.R. 3003 would unnecessarily and unwisely penalize states and municipalities that are attempting to strike the delicate balance between cooperating with federal immigration authorities, on one hand, and respecting the constraints imposed on them by the U.S. Constitution, on the other. At the same time, it would do nothing to address the constitutional concerns raised by the use of immigration ``detainer" requests, concerns that the Department of Homeland Security (DHS) itself has recognized in the past. Among its provisions, H.R. 3003 would eliminate various federal law enforcement grants to states and municipalities, such as the ``Cops on the Beat" program, unless jurisdictions comply with all DHS detainer requests. It aims to overturn local policies adopted by over 300 jurisdictions across the country that have determined, as a matter of constitutional law and sound public policy, including community policing efforts, that they cannot hold individuals beyond their release dates solely on the basis of a DHS detainer request. The senseless and tragic 2015 killing of Kathryn Steinle in San Francisco has renewed the debate over so-called ``sanctuary cities." Yet the term suggests, incorrectly, that certain states and municipalities are refusing to work with federal immigration enforcement authorities. The truth is that state and local law enforcement agencies (``LEAs") throughout the country already aid in the identification of individuals who are subject to immigration enforcement action through the sharing of fingerprints of those who are taken into custody. LEAs with limited detainer policies have determined, however, that they cannot continue to detain individuals for immigration enforcement purposes, under the Fourth Amendment and pursuant to numerous court rulings, unless DHS obtains a judicial warrant, as all other law enforcement agencies are required to do. H.R. 3003 would not address the Fourth Amendment concerns raised by the use of DHS detainers. Instead, it would leave many state and municipal governments in an untenable position: either they must disregard their constitutional responsibilities and erode the trust they have built between the police and the communities they serve, or they will face the loss of vital federal law enforcement funding that helps them fight crime in their jurisdictions. Congress should not force such an arbitrary and unwise choice on cities. H.R. 3004, the other immigration-related bill expected to come to the House floor this week, would significantly increase sentences for previously-removed individuals who reenter the country. While the bill is an improvement over other bills by the same name, in that it does not include mandatory minimum sentencing provisions, it would still lead to a likely increase in the federal prison population without any tangible benefits. The Department of Justice's ``Operation Streamline" program, upon

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which this bill would build, has already shown that increased criminal prosecutions do little but waste resources while failing to deter unauthorized border crossings. It should be ended, not expanded. For these reasons, I urge you to vote against H.R. 3003 and H.R. 3004. Sincerely, Vanita Gupta, President & CEO. ____ American Civil Liberties Union, Washington, DC, June 27, 2017. Re ACLU Opposes H.R. 3003 (No Sanctuary for Criminals Act) and H.R. 3004 (Kate's Law). Hon. Paul D. Ryan, Speaker, House of Representatives, Washington, DC. Hon. Nancy Pelosi, Minority Leader, House of Representatives, Washington, DC. Dear Speaker Ryan and Minority Leader Pelosi: On behalf of the American Civil Liberties Union ("ACLU"), we submit this letter to the House of Representatives to express our strong opposition to H.R. 3003, the No Sanctuary for Criminals Act, and H.R. 3004, Kate's Law. no sanctuary for criminals act (h.r. 3003) H.R. 3003 conflicts with the principles of the Fourth Amendment. H.R. 3003 defies the Fourth Amendment by amending 8 USC Section 1373 of the Immigration and Nationality Act ("INA") to force localities to comply with unlawful detainer requests or risk losing federal funding. This is despite the fact that an "increasing number of federal court decisions" have held that "detainer-based detention by state and local law enforcement agencies violates the "[Page H5257]] Fourth Amendment," as recognized by former Department of Homeland Security Secretary Jeh Johnson in 2014. Disturbingly, H.R. 3003 seeks to penalize the 600+ localities that abide by the Fourth Amendment. These jurisdictions have recognized that by entangling local authorities and federal immigration enforcement, immigration detainers erode trust between immigrant communities and local law enforcement. In this way, immigration detainers ultimately undermine public safety, as entire communities become wary of seeking assistance from police and other government authorities that are supposed to provide help in times of need. Thus, by forcing jurisdictions to comply with unlawful detainer requests, H.R. 3003 will only make communities less safe, not more. H.R. 3003 would also amend Section 287 of the INA to allow the Department of Homeland Security ("DHS") to take custody of a person being held under a detainer within 48 hours (excluding weekends and holidays) "but in no instance more than 96 hours" following the date that the individual would otherwise be released from criminal custody. This, again, raises serious Fourth Amendment concerns, as the Supreme Court has stated that the Constitution requires a judicial finding of probable cause within 48 hours of arrest. This provision would disregard the Court's ruling entirely and allow a local law enforcement agency to hold a person for up to 7 days before requiring DHS intervention--and never requiring the person be brought before a judge for a probable cause hearing. Protection against unreasonable detention by the government is the bedrock of the Constitution's Fourth Amendment, which provides that the government cannot hold anyone in jail without getting a warrant or approval from a neutral magistrate. This constitutional protection applies to everyone in the United States--citizen and immigrant alike. Immigration detainers, however, do not abide by these standards. Detainers are one of the key tools that DHS uses to apprehend individuals who come in contact with local and state law enforcement agencies. An immigration detainer is a written request from DHS to that local law enforcement agency, requesting that they detain an individual for an additional 48 hours after the person's release date, in order to allow immigration agents extra time to decide whether to take that person into custody for deportation purposes. DHS' use of detainers to imprison people without due process, without any charges pending, and without probable cause of a criminal violation flies in the face of our Fourth Amendment protections. Policies that allow DHS to detain people at-will are ripe for civil and human rights violations and have resulted in widespread wrongful detentions, including detentions of U.S. citizens. That is why many of the 600+ localities targeted by H.R. 3003 have decided not to execute a DHS immigration detainer request unless it is accompanied by additional evidence, a determination of probable cause, or a judicial warrant. Unfortunately, H.R. 3003 does nothing to address the fundamental constitutional problems plaguing DHS's use of immigration detainers. Rather than fix the constitutional problems by requiring a judicial warrant, the bill perpetuates the unconstitutional detainer practices and forces the federal government to absorb legal liability for the constitutional violations which will inevitably result. This is irresponsible lawmaking. Instead of saddling taxpayers with the liability the federal government will incur from Fourth Amendment violations, Congress should end the use of DHS's unconstitutional detainer requests. H.R. 3003 violates the Due Process Clause by allowing DHS to detain people indefinitely without a bond hearing. Section 4 of H.R. 3003 radically expands our immigration detention system by amending Section 236(c) of the INA to authorize mandatory detention "without time limitation." This empowers DHS to detain countless immigrants for as long as it takes to conclude removal proceedings--even if that takes years--without the basic due process of a bond hearing to determine if their imprisonment is even justified. This is a clear constitutional violation, as the federal courts have overwhelmingly held that jailing immigrants for months and years without bond hearings raises serious problems under the Due Process Clause. Although the bill claims to provide for the "detention of criminal aliens," it massively expands mandatory detention to people with no criminal record whatsoever, including

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immigrants who lack legal papers or who overstay a tourist visa. The "lock 'em up" approach to immigration enforcement is cruel, irrational, and unconstitutional. The Supreme Court has permitted brief periods of mandatory detention only in cases where individuals are charged with deportation based on certain criminal convictions. The Court has not endorsed the mandatory lock-up of people who have never committed a crime. Kate's Law (H.R. 3004) H.R. 3004 is piecemeal immigration enforcement that expands America's federal prison population and lines the coffers of private prison companies. Increasing the maximum sentences for illegal reentrants is unnecessary, wasteful, and inhumane. H.R. 3004 envisions a federal criminal justice system that prosecutes asylum-seekers, persons providing humanitarian assistance to migrants in distress, and parents who pose no threat to public safety in returning to the U.S. to reunite with children who need their care (individuals with children in the United States are 50 percent of those convicted of illegal reentry). Current law already imposes a sentence of up to 20 years on anyone convicted of illegally reentering the country who has committed an aggravated felony. U.S. Attorneys' Offices aggressively enforce these provisions. According to the U.S. Sentencing Commission, immigration prosecutions account for 52 percent of all federal prosecutions--surpassing drugs, weapons, fraud and thousands of other crimes. Nearly 99 percent of illegal reentry defendants are sentenced to federal prison time. H.R. 3004 would drastically expand America's prison population of nonviolent prisoners at a time when there is bipartisan support to reduce the federal prison population. It offends due process by cutting off all collateral attacks on unjust prior deportation orders, despite the Supreme Court's contrary ruling in *United States v. Mendoza-Lopez*. Profiteering by private prison companies has been the main consequence of border-crossing prosecutions, which the Government Accountability Office and the DHS Office of Inspector General have criticized as lacking sound deterrent support. H.R. 3004 is an integral part of this administration's mass deportation and mass incarceration agenda. Longer sentences for illegal reentry are not recommended by any informed federal criminal-justice stakeholders; rather they represent this administration's anti-immigrant obsession and would expensively expand substandard private jail contracting despite the life-threatening conditions in these facilities. In conclusion, H.R. 3003 and H.R. 3004 are fraught with constitutional problems that threaten the civil and human rights of our immigrant communities, undercut law enforcement's ability to keep our communities safe, and would balloon our federal prison population by financing private prison corporations. Rather than taking a punitive approach to local law enforcement agencies that are working hard to balance their duties to uphold the Constitution and to keep their communities safe, Congress should end DHS's unconstitutional detainer practices or fix the constitutional deficiencies by requiring judicial warrants for all detainer requests. Congress should also repeal mandatory detention so that all immigrants receive the basic due process of a bond hearing and reject any attempt to unfairly imprison individuals who are not a threat to public safety. For more information, please contact ACLU Director of Immigration Policy and Campaigns. Sincerely, Faiz Shakir, National Political Director. Lorella Praeli, Director of Immigration Policy and Campaigns. _____ 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 violence 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

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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 [[Page H5258]] (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% of advocates and attorneys reporting that victims are describing fear of contacting the police; 75% of them reporting that victims are afraid of going to court; and 43% 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. HR 3003 Will Unfairly Punish Entire Communities. H.R. 3003 punishes localities that follow Constitutional guidelines and refuse to honor detainer 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 violaters. 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

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violence charges and/or prostitution. H.R. 3003 imposes harsh criminal penalties and H.R. 3009 imposes expanded bases for detention without consideration of mitigating circumstances or humanitarian exceptions for these victims. In addition, HR. 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 HR 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.4vawa.org). ____ 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. [[Page H5259]] 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 Vasquez, Bishop of Austin, Chairman, USCCB Committee on Migration. Sr. Donna

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Markham, OP, PhD, President & CEO, Catholic Charities USA. ____ June 27, 2017. Dear Representative McGovern: NETWORK Lobby for Catholic Social Justice stands in strong opposition to the ``No Sanctuary for Criminals Act" (H.R. 3003) and ``Kate's Law" (H.R. 3004) to be considered this week by the House of Representatives. We urge Congress to reject these bills. In a country that prides itself on being the land of welcome and opportunity, we must ensure that our immigration laws reflect our shared values. As Congress continues to delay comprehensive immigration reform and a permanent solution for the nation's 11 million undocumented immigrants, we are left with the status quo--an enforcement-only approach that tears apart families and keeps people in the shadows. Despite the gridlock in Congress, localities across the country still have the responsibility to uphold safety and peace in their communities. To fulfill this goal, local police and residents have fostered mutual trust to root out crime and promote public safety, encouraging community members to cooperate with local authorities. The ``No Sanctuary for Criminals Act" (H.R.

3003) does nothing to promote public safety and instead will make communities more dangerous while striking fear in the hearts of our immigrant families. Likewise, ``Kate's Law" (H.R. 3004) would criminalize immigrants who simply want an opportunity to succeed in the United States, and often are simply trying to be reunited with their family. Punishing immigrants for wanting to provide for their families with fines and imprisonment is harsh and cruel--we, as a nation, are called to be better than that. Again, we ask Congress to abandon the ``enforcement first" policies that have been the de facto U.S. strategy for nearly thirty years, yielding too many costs and too few results. Our antiquated system that does not accommodate the migration realities we face in our nation today does not serve our national interests and does not respect the basic human rights of migrants who come to this nation fleeing persecution or in search of employment for themselves and better living conditions for their children. Pope Francis cautions that ``migrants and refugees are not pawns on the chessboard of humanity" and he asks political leaders to create a new system, one that ``calls for international cooperation and a spirit of profound solidarity and compassion." This is a holy call to embrace hope over fear. Congress should recognize the God-given humanity of all individuals and uphold our sacred call to love our neighbor and welcome the stranger in our midst. Any action that further militarizes our borders, criminalizes assistance to immigrant communities, or weakens legal protection of refugees is neither just nor compatible with the values that we, as Americans, strive to uphold. Sincerely, Sr. Simone Campbell, SSS, Executive Director, NETWORK Lobby for Catholic Social Justice. Mr. McGOVERN. Mr. Speaker, I, again, would simply say that if we really want to do something about immigration, we ought to come together, like the Senate did not long ago, and pass comprehensive immigration reform. But, apparently, that is not in the DNA of the current leadership of this House. Instead, we have bills that demagogue the immigration issue, that demean immigrants, that cause hysteria, and I find that very unfortunate. This bill is a bad idea. It falls in the same category as that other bad, stupid idea of building a wall across our country. What we ought to be doing is serious legislating, enough demagoguing, and let's get back to doing the people's business, and that includes comprehensive immigration reform. Mr. Speaker, as I said, we need to fix our immigration laws. When a mother in the Philippines has to wait 25 years or more for a visa to reunite with her son in the United States, is that system working? No. To lose the entire childhood and young adulthood of your son? What mother wouldn't try to enter the United States some other way, in fact, any way that she could in order to be with her child? When your daughter is threatened with rape and murder if she doesn't become a sexual slave to gang members; when your son and the entire family is threatened with death if the boy doesn't join the gangs, wouldn't you run away and try to find safety someplace else? And when the family arrives at the U.S. border and they actively seek out the U.S. Border Patrol and voluntarily surrender to them and ask for safe refuge and asylum, is that really entering our borders illegally? You know, when you have been an upstanding member of the community for 10, 15, 20 years or more in the United States, and you get pulled over because the tags have expired on your car, or your license, do you really deserve to be deported, to tear apart your family, to leave behind the businesses that you have spent a lifetime creating? And does anyone in this Chamber honestly think that if this father or mother is deported, that they won't do everything they can to try to come back to be with their kids? I mean, these are real stories. It is not fiction. They are not fantasies. It is real. And if you listened to people in your community, you would know these stories. If you paid attention to your local police, you would know why it is so damaging to turn them in to ICE, because they rely on these community members to inform them of criminal activities in their community. The police don't want to do what you are asking them to do. Why would you force this on them? And why would you punish them by taking away essential Federal funding to help them protect the citizens of this country? This is a bad idea. I guess, maybe it is a good press release. Maybe Steve Bannon thinks it is a good idea. Maybe it is a good sound bite for Trump. Who

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knows what the rationale behind this is. But it is not sensible. It is not thoughtful. So if you want to get serious about these issues, you know, come together, like the Senate did, in a bipartisan way, and come up with comprehensive immigration reform. That is our duty. That is our job, as Members of Congress, not this garbage. This is a waste of time. This is an insult to the American people. We ought to be able to do better. So, Mr. Speaker, I urge my colleagues to reject this. I urge them to defeat the previous question so we can have a debate and vote on whether or not to increase the minimum wage to \$15 to give people a raise. Again, we have to do that because this House is being so tightly controlled that you can't get anything to the floor. I would remind my colleagues that the underlying bill that we are talking about here today on immigration is under a closed rule. We will have another closed rule tomorrow. So much for democracy. So much for deliberative process. So much for openness. There is no such thing here. I mean, the Rules Committee has become a place where democracy goes to die, where everything gets shut down. We need to do better. This process stinks, and this bill is lousy. I urge my colleagues to vote "no" on the previous question, vote "no" on the rule, and if it gets to the point we have to debate this, vote "no" on the underlying bill. Mr. Speaker, I yield back the balance of my time. Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, I do believe that in just a little bit we will be debating this bill. I do believe in just a short time it will pass. I think what was very interesting, Mr. Speaker, is the frustrations of my friend, and I believe they are true frustrations, and the stories of folks coming from terrible places around the world wanting to get here. We are the light on a hill. We are the ones that everybody wants to come to. I grant you that. But I do have a question. For these folks who are leaving disaster, places in which law and order are not enforced, in which people are dying, and they are striving to get someplace else, [[Page H5260]] why in the world would we want to get to here to find that we have a situation in which local law enforcement can sort of decide what they want to do, where law and order is not followed? You are leaving one area to get to an area in which what they say is law and order is what is needed and what is followed and why they come here, but yet we are saying no. I think it has also been, possibly, Mr. Speaker, a vast mischaracterization to say that all police are against this. In fact, if we have seen, there was 200 that was identified earlier, the vast majority of police departments in this country uphold the law. So let's don't make a blanket assessment of police here. I think it is just an interesting development here. I think you can talk about laws. You can like laws, you cannot like laws, you can do something about immigration. But I do think we also need to address something else. It wasn't a part of this bill, but we wanted to make it a part of this bill, and that is comprehensive immigration reform. I do agree with my friend. There needs to be immigration reform. I think it needs to start with security and safety and protection. It needs to start with actually enforcing law, and then begin the foundation of finding a way to get workers here--our guest worker program, our ag worker program, the things that we need to make our expansion so that we do it properly. I agree completely. But, Mr. Speaker, I do find it has been amazing here because, just in the context of this debate, these were words that were used: We're demagoguing this issue. We didn't have the guts to address this issue. Our DNA of leadership is to obstruct or to not bring this forward. Well, I think the one thing that I do need to remind is, this body, Mr. Speaker, if you are very familiar with this, over the last few weeks, we have been dealing with a very difficult issue--we passed it out of the House--that is healthcare, which was passed when this body was filled in a majority of a different party, my friends across the aisle, when they had, at times, filibuster-proof majorities. They worked to pass healthcare. They worked to pass Dodd-Frank. They worked to pass their priorities. My interesting question is, they did not work to pass comprehensive immigration reform. I am not sure why now we decide that it is such their issue that they are now blaming us, many of us who want to find a way forward. But I think the answer is plain and obvious in history. They chose not to do it. I repeat, they chose not to do it. So I think in the discussion of this battle, we will continue these discussions. We will continue to have differences of opinion. I think it is sort of amazing though that we do have to have a discussion here on telling police to enforce the law and work out the details as we go, work out what is in this bill. But it also is about priorities, Mr. Speaker. For those of us who have had to look at the tragedies left behind as a result of some of these decisions that they have made to "better" their community, the deaths, the tragedies, then it is a pretty interesting choice. Is the death more important or less important than your policy? All we are simply saying is: just don't take the money. Look at it from that perspective. And we will continue to have these debates. My friend and I will continue to be passionately different on this, and that is okay. That is what this floor is for because, at the end of the day, we are going to have a vote. One side is going to win and one side is going to lose in this vote. And the debate is going to happen, and the bill is going to come forward. There will be another vote. And then it will go to the Senate. I disagree with my friend from Massachusetts, respect his opinion, but, in this case, I believe the debate is fairly clear to most Americans. All we are asking is, and what the current law already states, follow the rules. And all we are simply

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saying is, follow the rules. The material previously referred to by Mr. McGovern is as follows: An Amendment to H. Res. 414 Offered by Mr. McGovern At the end of the resolution, add the following new sections: Sec. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R.

15) to provide for increases in the Federal minimum wage, and for other purposes. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill. Sec. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 15. ____ The Vote on the Previous Question: What It Really Means This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating. Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition." The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment." In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon." Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan. Mr. COLLINS of Georgia. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution. The SPEAKER pro tempore. The question is on ordering the previous question. The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it. Mr. McGOVERN. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered. The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, [[Page H5261]] this 15-minute vote on ordering the previous question will be followed by 5-minute votes on: Adoption of the resolution, if ordered; and Agreeing to the Speaker's approval of the Journal. The vote was taken by electronic device, and there were--yeas

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235, nays 190, not voting 8, as follows: [Roll No. 331] YEAS--235 Abraham Aderholt Allen Amash Amodei Arrington Babin Bacon Banks (IN) Barletta Barr Barton Bergman Biggs Bilirakis Bishop (MI) Bishop (UT) Black Blackburn Blum Bost Brady (TX) Brat Bridenstine Brooks (AL) Brooks (IN) Buchanan Buck Bucshon Budd Burgess Byrne Calvert Carter (GA) Carter (TX) Chabot Chaffetz Cheney Coffman Cole Collins (GA) Collins (NY) Comer Conaway Cook Costello (PA) Cramer Crawford Culberson Curbelo (FL) Davidson Davis, Rodney Denham Dent DeSantis DesJarlais Diaz-Balart Donovan Duffy Duncan (SC) Duncan (TN) Dunn Emmer Estes (KS) Farenthold Faso Ferguson Fitzpatrick Fleischmann Flores Fortenberry Foxx Franks (AZ) Frelinghuysen Gaetz Gallagher Garrett Gianforte Gibbs Gohmert Goodlatte Gosar Gowdy Granger Graves (GA) Graves (LA) Graves (MO) Griffith Grothman Guthrie Handel Harper Harris Hartzler Hensarling Herrera Beutler Hice, Jody B. Higgins (LA) Hill Holding Hollingsworth Hudson Huizenga Hultgren Hunter Hurd Issa Jenkins (KS) Jenkins (WV) Johnson (LA) Johnson (OH) Johnson, Sam Jones Jordan Joyce (OH) Katko Kelly (MS) Kelly (PA) King (IA) King (NY) Kinzinger Knight Kustoff (TN) Labrador LaHood LaMalfa Lamborn Lance Latta Lewis (MN) LoBiondo Loudermilk Love Lucas Luetkemeyer MacArthur Marchant Marino Marshall Massie Mast McCarthy McCaul McClintock McHenry McKinley McMorris Rodgers McSally Meadows Meehan Messer Mitchell Moolenaar Mooney (WV) Mullin Murphy (PA) Newhouse Noem Norman Nunes Olson Palazzo Palmer Paulsen Pearce Perry Pittenger Poe (TX) Poliquin Posey Ratcliffe Reed Reichert Rice (SC) Roby Roe (TN) Rogers (AL) Rogers (KY) Rohrabacher Rokita Rooney, Francis Rooney, Thomas J. Ros-Lehtinen Roskam Ross Rothfus Rouzer Royce (CA) Russell Rutherford Sanford Schweikert Scott, Austin Sensenbrenner Sessions Shimkus Shuster Simpson Smith (MO) Smith (NE) Smith (NJ) Smith (TX) Smucker Stefanik Stewart Taylor Tenney Thompson (PA) Thornberry Tiberi Tipton Trott Turner Upton Valadao Wagner Walberg Walden Walker Walorski Walters, Mimi Weber (TX) Webster (FL) Wenstrup Westerman Williams Wilson (SC) Wittman Womack Woodall Yoder Yoho Young (AK) Young (IA) Zeldin NAYS--190 Adams Aguilar Barragan Bass Beatty Bera Beyer Bishop (GA) Blumenauer Blunt Rochester Bonamici Boyle, Brendan F. Brady (PA) Brown (MD) Brownley (CA) Bustos Butterfield Capuano Carbajal Cardenas Carson (IN) Cartwright Castor (FL) Castro (TX) Chu, Judy Cicilline Clark (MA) Clarke (NY) Clay Cleaver Clyburn Cohen Connolly Conyers Cooper Correa Costa Courtney Crist Crowley Cuellar Davis (CA) Davis, Danny DeFazio DeGette Delaney DeLauro DelBene Demings DeSaulnier Deutch Dingell Doggett Doyle, Michael F. Ellison Engel Eshoo Espaillat Esty (CT) Evans Foster Frankel (FL) Fudge Gabbard Gallego Garamendi Gonzalez (TX) Gottheimer Green, Al Green, Gene Grijalva Gutierrez Hanabusa Hastings Heck Higgins (NY) Himes Hoyer Huffman Jackson Lee Jayapal Jeffries Johnson (GA) Johnson, E. B. Kaptur Keating Kelly (IL) Kennedy Khanna Kihuen Kildee Kilmer Kind Krishnamoorthi Kuster (NH) Langevin Larsen (WA) Larson (CT) Lawrence Lawson (FL) Lee Levin Lewis (GA) Lieu, Ted Lipinski Loebsack Lofgren Lowenthal Lowey Lujan Grisham, M. Lujan, Ben Ray Lynch Maloney, Carolyn B. Maloney, Sean Matsui McCollum McEachin McGovern McNeerney Meeks Meng Moore Moulton Murphy (FL) Nadler Neal Nolan Norcross O'Halleran O'Rourke Pallone Panetta Pascrell Payne Perlmutter Peters Peterson Pingree Pocan Polis Price (NC) Quigley Raskin Rice (NY) Richmond Rosen Roybal-Allard Ruiz Ruppersberger Rush Ryan (OH) Sanchez Sarbanes Schakowsky Schiff Schneider Schrader Scott (VA) Scott, David Serrano Sewell (AL) Shea-Porter Sherman Sinema Sires Slaughter Smith (WA) Soto Speier Suozzi Swalwell (CA) Takano Thompson (CA) Thompson (MS) Titus Tonko Torres Tsongas Vargas Veasey Vela Velazquez Visclosky Walz Wasserman Schultz Waters, Maxine Watson Coleman Welch Wilson (FL) Yarmuth NOT VOTING--8 Comstock Cummings Long Napolitano Pelosi Renacci Scalise Stivers {time} 1349 Mr. TAKANO changed his vote from ``yea" to ``nay." So the previous question was ordered. The result of the vote was announced as above recorded. The SPEAKER pro tempore. The question is on the resolution. The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it. Recorded Vote Mr. McGOVERN. Mr. Speaker, I demand a recorded vote. A recorded vote was ordered. The SPEAKER pro tempore. This is a 5-minute vote. The vote was taken by electronic device, and there were--

ayes 235, noes 190, not voting 8, as follows: [Roll No. 332] AYES--235 Abraham Aderholt Allen Amash Amodei Arrington Babin Bacon Banks (IN) Barletta Barr Barton Bergman Biggs Bilirakis Bishop (MI) Bishop (UT) Black Blackburn Blum Bost Brady (TX) Brat Bridenstine Brooks (AL) Brooks (IN) Buchanan Buck Bucshon Budd Burgess Byrne Calvert Carter (GA) Carter (TX) Chabot Chaffetz Cheney Coffman Cole Collins (GA) Comer Comstock Conaway Cook Costello (PA) Cramer Crawford Culberson Curbelo (FL) Davidson Davis, Rodney Denham Dent DeSantis DesJarlais Diaz-Balart Donovan Duffy Duncan (SC) Duncan (TN) Dunn Emmer Estes (KS) Farenthold Faso Ferguson Fitzpatrick Fleischmann Flores Fortenberry Foxx Franks (AZ) Frelinghuysen Gaetz Gallagher Garrett Gianforte Gibbs Gohmert Goodlatte Gosar Gowdy Granger Graves (GA) Graves (LA) Graves (MO) Griffith Grothman Guthrie Handel Harper Harris Hartzler Hensarling Herrera Beutler Hice, Jody B. Higgins (LA) Hill Holding Hollingsworth Hudson Huizenga Hultgren Hunter Hurd Issa Jenkins (KS) Jenkins (WV) Johnson (LA) Johnson (OH)

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Johnson, Sam Jones Jordan Joyce (OH) Katko Kelly (MS) Kelly (PA) King (IA) King (NY) Kinzinger Knight Kustoff (TN) Labrador LaHood LaMalfa Lamborn Lance Latta Lewis (MN) LoBiondo Loudermilk Love Lucas Luetkemeyer MacArthur Marchant Marino Marshall Massie Mast McCarthy McCaul McClintock McHenry McKinley McMorris Rodgers McSally Meadows Meehan Messer Mitchell Moolenaar Mooney (WV) Mullin Murphy (PA) Newhouse Noem Norman Nunes Olson Palazzo Palmer Paulsen Pearce Perry Pittenger Poe (TX) Poliquin Posey Ratcliffe Reed Reichert Rice (SC) Roby Roe (TN) Rogers (AL) Rogers (KY) Rohrabacher Rokita Rooney, Francis Rooney, Thomas J. Ros-Lehtinen Roskam Ross Rothfus Rouzer Royce (CA) Russell Rutherford Sanford Schweikert Scott, Austin Sensenbrenner Sessions Shimkus Shuster Simpson Smith (MO) Smith (NE) Smith (NJ) Smith (TX) Smucker Stefanik Stewart Taylor Tenney Thompson (PA) Thornberry Tiberi Tipton Trott Turner Upton Valadao Wagner Walberg Walden Walker Walorski Walters, Mimi Weber (TX) Webster (FL) Wenstrup Westerman Williams Wilson (SC) Wittman Womack Woodall Yoder Yoho Young (AK) Young (IA) Zeldin NOES--190 Adams Aguilar Barragan Bass Beatty Bera Beyer Bishop (GA) Blumenauer Blunt Rochester Bonamici Boyle, Brendan F. Brady (PA) Brown (MD) Brownley (CA) Bustos Butterfield Capuano Carbajal Cardenas Carson (IN) Cartwright Castor (FL) Castro (TX) Chu, Judy Cicilline Clark (MA) Clarke (NY) Clay Cleaver Clyburn Cohen Connolly Conyers Cooper Correa Costa Courtney Crist Crowley Cuellar Davis (CA) Davis, Danny DeFazio [[Page H5262]] DeGette Delaney DeLauro DelBene Demings DeSaulnier Deutch Dingell Doggett Doyle, Michael F. Ellison Engel Eshoo Espaillat Esty (CT) Evans Foster Frankel (FL) Fudge Gabbard Gallego Garamendi Gonzalez (TX) Gottheimer Green, Al Green, Gene Grijalva Gutierrez Hanabusa Hastings Heck Higgins (NY) Himes Hoyer Huffman Jackson Lee Jayapal Jeffries Johnson (GA) Johnson, E. B. Kaptur Keating Kelly (IL) Kennedy Khanna Kihuen Kildee Kilmer Kind Krishnamoorthi Kuster (NH) Langevin Larsen (WA) Larson (CT) Lawrence Lawson (FL) Lee Levin Lewis (GA) Lieu, Ted Lipinski Loeb sack Lofgren Lowenthal Lowey Lujan Grisham, M. Lujan, Ben Ray Lynch Maloney, Carolyn B. Maloney, Sean Matsui McCollum McEachin McGovern McNerney Meeks Meng Moore Moulton Murphy (FL) Nadler Neal Nolan Norcross O'Halleran O'Rourke Pallone Panetta Pascrell Payne Pelosi Perlmutter Peters Peterson Pingree Pocan Polis Price (NC) Quigley Raskin Rice (NY) Richmond Rosen Roybal-Allard Ruiz Ruppersberger Rush Ryan (OH) Sarbanes Schakowsky Schiff Schneider Schrader Scott (VA) Scott, David Serrano Sewell (AL) Shea-Porter Sherman Sinema Sires Slaughter Smith (WA) Soto Speier Suozzi Swalwell (CA) Takano Thompson (CA) Thompson (MS) Titus Tonko Torres Tsongas Vargas Veasey Vela Velazquez Visclosky Walz Wasserman Schultz Waters, Maxine Watson Coleman Welch Wilson (FL) Yarmuth NOT VOTING--8 Collins (NY) Cummings Long Napolitano Renacci Sanchez Scalise Stivers {time} 1357 So the resolution was agreed to. The result of the vote was announced as above recorded. A motion to reconsider was laid on the table. Stated against: Ms. SANCHEZ. Mr. Speaker, on rollcall No. 332, providing for consideration of H.R. 3003, the No Sanctuary for Criminals Act I was unavoidably detained and missed the vote. Had I been present, I would have voted ``no." personal explanation Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall votes No. 331 and 332 due to my spouse's health situation in California. Had I been present, I would have voted ``nay" on the Motion on Ordering the Previous Question on the Rule providing for consideration of H.R. 3003. I would have also voted ``nay" on H. Res. 414--Rule providing for consideration of H.R. 3003--No Sanctuary for Criminals Act.

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