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(Original Signature of Member)

119TH CONGRESS
2ND SESSION

H. R. _____

To end detention and electronic monitoring, and redirect funding to
community-based wrap around services.

IN THE HOUSE OF REPRESENTATIVES

Mrs. RAMIREZ introduced the following bill; which was referred to the
Committee on _____

A BILL

To end detention and electronic monitoring, and redirect
funding to community-based wrap around services.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ABOLISH IMMIGRATION DETENTION; REPEAL**
4 **OF DETENTION AUTHORITY AND ENFORCE-**
5 **MENT.**

6 (a) REQUIREMENT FOR RELEASE ON RECOG-
7 NIZANCE.—Not later than six months after the date of
8 the enactment of this Act, the Secretary of Homeland Se-

1 curity shall release on their own recognizance any noncit-
2 izen detained by the Secretary of Homeland Security.

3 (b) REPEAL OF DETENTION AUTHORITY AND EN-
4 FORCEMENT.—

5 (1) INSPECTION OF APPLICANTS FOR ADMIS-
6 SION.—Clauses (ii) and (iii)(IV) of section
7 235(b)(1)(B) of the Immigration and Nationality
8 Act (8 U.S.C. 1225(b)(1)(B)) are repealed.

9 (2) INSPECTION OF OTHER NONCITIZENS.—
10 Subparagraphs (A), (B), and (C) of section
11 235(b)(2) of the Immigration and Nationality Act (8
12 U.S.C. 1225(b)(2)) are repealed.

13 (3) AUTHORITY RELATING TO INSPECTIONS.—
14 Section 235(d)(2) of the Immigration and Nation-
15 ality Act (8 U.S.C. 1225(d)(2)) is amended—

16 (A) by striking subparagraphs (A) and
17 (B); and

18 (B) by striking “United States—” and in-
19 serting “United States to deliver the noncitizen
20 to an immigration officer for inspection or to a
21 medical officer for examination.”.

22 (4) APPREHENSION AND DETENTION OF NON-
23 CITIZENS.—Section 236 of the Immigration and Na-
24 tionality Act (8 U.S.C. 1226) is repealed.

1 (5) DETENTION AND REMOVAL OF NONCITI-
2 ZENS ORDERED REMOVED.—Section 241 of the Im-
3 migration and Nationality Act (8 U.S.C. 1231) is
4 amended—

5 (A) by striking subsection (a); and
6 (B) by redesignating subsection (b), (c),
7 (d), (e), (f), (g), and (h) as subsection (a), (b),
8 (c), (d), (e), (f), (g), respectively.

9 (6) POWER OF IMMIGRATION OFFICERS AND
10 EMPLOYEES.—Section 287 of the Immigration and
11 Nationality Act (8 U.S.C. 1357) is amended to read
12 as follows:

13 “(a) Any officer or employee of the Service authorized
14 under regulations prescribed by the Attorney General shall
15 have power without warrant to arrest any alien who in
16 his presence or view is entering or attempting to enter the
17 United States in violation of any law or regulation made
18 in pursuance of law regulating the admission, exclusion,
19 expulsion or removal of aliens, or to arrest any alien in
20 the United States, if he has reason to believe that the alien
21 so arrested is in the United States in violation of any such
22 law or regulation and is likely to escape before a warrant
23 can be obtained for his arrest, but the alien arrested shall
24 be taken without unnecessary delay for examination before

1 an officer of the Service having authority to examine aliens
2 as to their right to enter or remain in the United States.

3 “(b) An alien described in section 101(a)(27)(J) of
4 the Immigration and Nationality Act who has been bat-
5 tered, abused, neglected, or abandoned, shall not be com-
6 pelled to contact the alleged abuser (or family member of
7 the alleged abuser) at any stage of applying for special
8 immigrant juvenile status, including after a request for
9 the consent of the Secretary of Homeland Security under
10 section 101(a)(27)(J)(iii)(I) of such Act.”.

11 (7) AUTHORIZING STATE AND LOCAL LAW EN-
12 FORCEMENT OFFICIALS TO ARREST AND DETAIN
13 CERTAIN NONCITIZENS.—Section 439 of the
14 Antiterrorism and Effective Death Penalty Act of
15 1996 (8 U.S.C. 1252C) is repealed.

16 (8) COMMUNICATION BETWEEN STATE AND
17 LOCAL GOVERNMENT AGENCIES AND THE IMMIGRA-
18 TION AND NATURALIZATION SERVICE.—Section 434
19 of the Personal Responsibility and Work Oppor-
20 tunity Reconciliation Act of 1996 (8 U.S.C. 1644) is
21 repealed.

22 (9) COMMUNICATION BETWEEN GOVERNMENT
23 AGENCIES AND THE IMMIGRATION AND NATURALIZA-
24 TION SERVICE.—Section 642 of the Illegal Immigra-

1 tion Reform and Immigrant Responsibility Act of
2 1996 (8 U.S.C. 1373) is repealed.

3 (10) PUBLIC CHARGE; UNLAWFUL VOTERS.—
4 Paragraphs (5) and (6) of section 237(a) of the Im-
5 migration and Nationality Act (8 U.S.C. 1227) is re-
6 pealed.

7 (c) TERMINATION OF CONTRACTS FOR IMMIGRATION
8 DETENTION.—

9 (1) EXISTING CONTRACTS WITH RESPECT TO
10 PHYSICAL DETENTION AND MONITORING.—Not later
11 than two years after the date of the enactment of
12 this Act, the Secretary of Homeland Security shall
13 terminate any contract entered into by the Secretary
14 of Homeland Security on or before the date of the
15 enactment of this Act with respect to immigration
16 detention and monitoring programs, including any
17 contract with any entity that owns or operates a
18 program or facility that provides services related to
19 detention or monitoring.

20 (2) OTHER CONTRACTS WITH RESPECT TO
21 PHYSICAL DETENTION AND MONITORING.—Begin-
22 ning on the date that is two years after the date of
23 the enactment of this Act, no Federal funds may be
24 used with respect to immigration detention and
25 monitoring programs, including any contract with

1 any entity that owns or operates a program or facil-
2 ity that provides services related to detention or
3 monitoring.

4 **SEC. 2. REMOVAL OF ENFORCEMENT AUTHORITIES.**

5 (a) ANKLE MONITORING SYSTEM.—

6 (1) PLAN REQUIRED.—Not later than one
7 month after the date of the enactment of this Act,
8 the Secretary of Homeland Security shall submit to
9 the Committee on Homeland Security of the House
10 of Representatives and the Committee on Homeland
11 Security and Government Affairs of the Senate a
12 plan to remove all ankle monitors from noncitizens
13 being monitored by the Secretary.

14 (2) REMOVAL OF ANKLE MONITORS.—Not later
15 than six months after the date of the enactment of
16 this Act, the Secretary of Homeland Security shall
17 remove each ankle monitor from a noncitizen being
18 monitored by the Secretary.

19 (3) PROHIBITION ON USE OF FEDERAL
20 FUNDS.—Beginning on the date that is six months
21 after the date of the enactment of this Act, no Fed-
22 eral funds may be used with respect to ankle mon-
23 itors or ankle monitoring programs.

24 (b) SECURE COMMUNITIES PROGRAM.—Not later
25 than two years after the date of the enactment of this Act,

1 no Federal funds may be used for information sharing
2 partnerships between the Department of Homeland Secu-
3 rity and any State or local law enforcement agency to
4 identify or target noncitizens for the purpose of enforcing
5 the immigration laws (as such term is defined in section
6 101 of the Immigration and Nationality Act (8 U.S.C.
7 1101)).

8 (c) CERTAIN FUNDS.—None of the funds provided to
9 U.S. Immigration and Customs Enforcement for “Oper-
10 ations and Support” may be used—

11 (1) to engage in civil immigration enforcement
12 activities, including arrests, detention, removal, or
13 the processing or issuance of charging documents;

14 (2) to enforce, or assist another Federal, State,
15 or local agency to enforce, a criminal offense in
16 which an essential element of the offense is the non-
17 citizen’s immigration status, including State and
18 local offenses and offenses under sections 243, 264,
19 275, or 276 or subsections (a) or (b) of section 266
20 of the Immigration and Nationality Act (8 U.S.C.
21 1253; 1304; 1325; 1326; 1306).

22 **SEC. 3. GRANT PROGRAM FOR WRAP-AROUND SOCIAL**
23 **SERVICES.**

24 (a) ESTABLISHMENT.—Not later than 90 days after
25 the date of the enactment of this Act, the Secretary of

1 Health and Human Services shall establish a grant pro-
2 gram to award grants to an eligible entity to administer
3 wrap-around social services to any individual affected by
4 the enforcement of the immigration laws (as such term
5 is defined under section 101 of the Immigration and Na-
6 tionality Act (8 U.S.C. 1101)), including providing—

- 7 (1) housing assistance;
- 8 (2) mental health services;
- 9 (3) assistance accessing healthcare;
- 10 (4) financial empowerment and employment as-
11 sistance;
- 12 (5) English classes;
- 13 (6) education assistance; and
- 14 (7) immigration legal assistance.

15 (b) ELIGIBLE ENTITY.—A grant awarded under this
16 section shall be awarded to community-based non-profit
17 organizations that are not involved, and have not pre-
18 viously been involved, in any immigration or law enforce-
19 ment activity.

20 (c) PROVISION OF SERVICES.—Any services provided
21 pursuant to a grant awarded under this section shall—

- 22 (1) be provided on an opt-in and voluntary
23 basis and shall not be made contingent on participa-
24 tion in any monitoring or compliance mechanisms;
25 and

1 (2) be provided without subjecting individuals
2 to surveillance or monitoring as they access such
3 services, including physical, electronic, or other sur-
4 veillance or monitoring.

5 (d) CONDITIONS ON REPORTING.—A community-
6 based organization providing services pursuant to a grant
7 awarded under this section may not submit any personal
8 identifying information relating to individuals to any Fed-
9 eral entity.