

Oppose H.R. 7059, the “Build the Wall, Enforce the Law Act of 2018”

November 15, 2018

Introduced in October 2018 by Rep. Kevin McCarthy, H.R. 7059 is a sweeping bill that both militarizes the border and promotes mass deportation and mass incarceration. First, the bill reintroduces anti-immigrant legislative proposals that have already been voted on and passed in the House prior to the election in a political ploy to advance the White House’s anti-immigrant agenda. Second, the bill authorizes over \$23 billion for Trump’s racist border wall in advance of the December 7th deadline for the current Continuing Resolution which includes funding for the Department of Homeland Security (DHS). We urge Members of Congress to **oppose** this bill, which includes:

- **Attacks on sanctuary jurisdictions** by taking away funding or making jurisdictions financially liable for sanctuary policies. These provisions would retaliate against localities who want their own pro-immigrant policies and have made their own determinations about how best to promote healthier communities. They will also give a pass to law enforcement to racially profile against immigrant communities and communities of color through required information sharing with Immigration & Customs Enforcement (ICE).
 - See H.R. 3003, No Sanctuary for Criminals Act, passed in June 2017.
- **Expansion of federal immigration crimes, leading to mass prosecutions and growing mass incarceration:**
 - Provisions require an illegal reentry conviction to carry a mandatory minimum sentence of 10 years, which is a harsh and disproportionate consequence for immigrants trying to rejoin their families and results in long-term imprisonment and permanent separation. In addition, it undermines bipartisan criminal justice reform efforts of moving away from mandatory minimum sentencing, which has helped fuel the explosion of mass incarceration.
 - See H.R. 3004, then referred to as Kate’s Law, passed in June 2017.
 - Provisions expanding grounds of automatic detention and deportation, which is duplicative, cruel and fails to meet basic due process protections where deprivation of liberty is at risk.
 - See H.R. 3003, No Sanctuary for Criminals Act, passed in June 2017.
- **New gang deportation grounds** that define criminal gang so broadly that DHS could target groups as varied as churches and fraternities for designation as a criminal gang. For example, the government could attempt to designate a church group that offers shelter to an undocumented immigrant as a gang. This definition is even broader than most state definitions and the federal definition of “criminal street gang” under the U.S. Criminal Code.
 - See H.R. 3697, Criminal Alien Gang Member Removal Act, passed in September 2017.
- **Approximately \$23 billion for a border wall** at the southern border, increased border enforcement, and expanded mass incarceration for asylum-seeking families.