

115TH CONGRESS
1ST SESSION

H. R. 4398

To require the Secretary of Homeland Security to suspend immigration enforcement operations within an area for which the President has declared a major disaster or an emergency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 15, 2017

Ms. BARRAGÁN (for herself, Ms. LOFGREN, Ms. NORTON, Mr. EVANS, Mr. MCGOVERN, Mrs. NAPOLITANO, Mr. BEYER, Mr. HUFFMAN, Mr. GUTIÉRREZ, Mr. VARGAS, Mr. SOTO, Mr. GOMEZ, Mr. CARBAJAL, and Mr. KIHUEN) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To require the Secretary of Homeland Security to suspend immigration enforcement operations within an area for which the President has declared a major disaster or an emergency, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “Safe Emergency Re-
5 sponse Act”.

1 **SEC. 2. SUSPENSION OF LESS SERIOUS IMMIGRATION EN-**
2 **FORCEMENT OPERATIONS IN AREAS AF-**
3 **FECTED BY MAJOR DISASTER OR EMER-**
4 **GENCY.**

5 (a) IN GENERAL.—The Secretary of Homeland Secu-
6 rity shall suspend immigration enforcement operations
7 and initiatives, including immigration enforcement initia-
8 tives associated with evacuations or sheltering and the use
9 of checkpoints for immigration enforcement purposes,
10 within an area for which the President has declared a
11 major disaster or an emergency under section 401 or 501,
12 respectively, of the Robert T. Stafford Disaster Relief and
13 Emergency Assistance Act (42 U.S.C. 5121 et seq.).

14 (b) STATE AND LOCAL RESPONSIBILITIES.—To the
15 extent State and local officials are otherwise permitted to
16 participate in immigration enforcement, including any
17 lawful detention of individuals who are not citizens of the
18 United States, such participation shall be suspended ex-
19 cept in cases specifically identified by the Secretary of
20 Homeland Security, and communicated to the State or lo-
21 cality, that pose an urgent and individualized threat to
22 public safety or national security. With respect to persons
23 in State or local detention during a major disaster or an
24 emergency, the Secretary of Homeland Security should ad-
25 vise and support State and local law enforcement agencies

- 1 to prioritize the safety needs of their communities and in-
- 2 dividual detainees.

