

U.S. Rep. Pocan: Members of Congress introduce legislation to terminate ICE and transfer critical functions to other agencies

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WASHINGTON, DC - U.S. Representatives Mark Pocan (WI-02), Pramila Jayapal (WA-07) and Adriano Espaillat (NY-13) today introduced the Establishing a Humane Immigration Enforcement System Act. The legislation would convene a commission of experts to provide a roadmap for Congress to implement a humane immigration enforcement system that upholds the dignity of all individuals, which includes terminating the U.S. Immigration and Customs Enforcement agency (ICE) within one year of enactment.

“President Trump’s blanket directive to round up and target all undocumented immigrants underscores the unchecked power which ICE has used to terrorize our communities. From conducting raids at garden centers and meatpacking plants, to targeting families outside churches and schools, the President is using ICE as a mass-deportation force to rip apart the moral fabric of our nation,” said Pocan. “Sadly, President Trump has so misused ICE that the agency can no longer accomplish its goals effectively. As a result, the best path forward is this legislation, which would end ICE and transfer its critical functions to other executive agencies.”

“There was enforcement of our immigration laws before ICE was created and there will be after ICE, as an agency, is gone. As it stands, ICE is out of control - contracting much of its work out to private, for-profit contractors that cost the taxpayers far more than is necessary, failing to even identify and address

deficiencies in their system and allowing deaths due to substandard in their custody, as numerous Inspector General reports have found. The agency is simply unable to do the work that is most necessary for national security, instead taking away necessary resources from functions that are critical to protect our national security, including investigating terrorism, drug smuggling, and trade fraud,” said Jayapal. “We should eliminate the agency as it stands and start from scratch to restructure its functions. This legislation would establish a commission to look at transitioning essential ICE functions to a new agency that would have accountability, transparency and oversight built in from its inception. It’s time to change the system to one that is accountable, efficient, humane and transparent. There will still be enforcement of immigration laws, but it must be without cruelty and abuse.”

“We are pushing to bring an end to ICE as the agency has strayed too far from its original mission, intent and purpose,” said Espaillat. “In the era of President Trump, ICE has been granted an unlimited range to terrorize Latino communities around the country, regardless of citizenship or status. The agency has a very broad jurisdiction and was created to combat terrorism, human trafficking, and drugs. Yet, ICE now spends the majority of its time detaining and separating mothers and fathers seeking safety for themselves and their children – instead of focusing on hardened criminals, gangs and terrorists set out to hurt our country and negatively impact our quality of life. We are witnessing a human rights crisis, and our bill would bring forward a new model and dismantle ICE once and for all.”

Congress created ICE in the aftermath of the September 11th attacks with the primary mission of preventing “acts of terrorism by targeting the people, money, and materials that support terrorist and criminal activities.” However, since then, ICE has become synonymous with immigration raids, home invasions, family separation, abusive detention practices, and chronic noncompliance with the law.

Recently, ICE agents themselves recognized the irreparable damage being done by President Trump’s actions when nineteen ICE agents wrote to Kirstjen Nielsen, Secretary of Homeland Security, stating that investigations, “have been perceived as targeting undocumented aliens, instead of the transnational criminal organizations that facilitate cross border crimes impacting our communities and national security.” The authors of the letter agree that the agency is now failing to perform its core mission and that the best path forward would be to end it and start fresh.

Ending ICE and developing a more humane immigration system that complies with constitutional protections, domestic law, and binding international treaties, while treating every person with respect and dignity is a strong step forward.

The Establishing a Humane Immigration Enforcement System Act would:

Convene a commission of experts to provide a roadmap for Congress to implement a humane immigration enforcement system that upholds the dignity of all individuals. This will include transferring issues like organized crime, drug smuggling, and human trafficking to other government agencies that are well-equipped to handle them and have proven track records of transparency, accountability and compliance with the law;

Prior to the termination of the agency, direct Congress to act on the recommendations authored by the commission, including the transfer of necessary functions to relevant agencies and the implementation of the new immigration enforcement regime; and

Terminate the agency within one year of enactment.

The legislation is cosponsored by U.S. Representatives Earl Blumenauer (OR-03), Yvette D. Clarke (NY-09), Jim McGovern (MA-02), José E. Serrano (NY-15), Adam Smith (WA-09), and Nydia M. Velázquez (NY-07).