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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To prohibit the Department of Homeland Security, including U.S. Immigration and Customs Enforcement, from establishing or operating an immigration detention or holding facility in Washington County, Maryland, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To prohibit the Department of Homeland Security, including U.S. Immigration and Customs Enforcement, from establishing or operating an immigration detention or holding facility in Washington County, Maryland, 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 “Keep ICE Out of
5 Washington County, Maryland Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Immigration detention and holding facilities
4 have significant and lasting impacts on surrounding
5 communities, including effects on public health,
6 housing, infrastructure, and local services.

7 (2) U.S. Immigration and Customs Enforce-
8 ment has detained thousands of citizens and nonciti-
9 zens without regard for due process or the rule of
10 law, undermining key constitutional protections af-
11 forded to all people, regardless of status.

12 (3) Detention conditions in U.S. Immigration
13 and Customs Enforcement facilities across the coun-
14 try are inhumane and fall far short of our values as
15 Americans.

16 (4) Detained noncitizens are routinely denied
17 medical care, access to counsel, and family visitation
18 while in Immigration and Customs Enforcement cus-
19 tody.

20 (5) Land-use planning and community develop-
21 ment are traditionally matters of local concern, and
22 Federal actions should respect community input and
23 local priorities.

24 (6) Residents and local officials in historic
25 Washington County, Maryland, have raised substan-
26 tial concerns regarding the siting of a Federal immi-

1 gration detention or holding facility in their commu-
2 nity.

3 (7) Congress has authority to condition and
4 prohibit the use of Federal funds and facilities.

5 **SEC. 3. PROHIBITION ON CERTAIN DETENTION AND HOLD-**
6 **ING FACILITIES IN WASHINGTON COUNTY,**
7 **MARYLAND.**

8 (a) PROHIBITION.—

9 (1) IN GENERAL.—Notwithstanding any other
10 provision of law, no covered agency may—

11 (A) establish a detention or holding facility
12 in Washington County, Maryland; or

13 (B) operate, expand, or reopen any deten-
14 tion or holding facility in Washington County.

15 (2) USE OF FUNDS PROHIBITED.—No funds
16 appropriated or otherwise made available to any cov-
17 ered agency may be obligated or expended for any
18 purpose described in paragraph (1).

19 (b) ENFORCEMENT.—

20 (1) JUDICIAL REVIEW.—Any resident of Wash-
21 ington County, Maryland, the government of Wash-
22 ington, County, a Member of Congress, or the State
23 of Maryland shall have standing to bring an action
24 in the United States District Court for the District
25 of Maryland to enforce this section.

1 (2) RELIEF.—In any action brought under
2 paragraph (1), the court may grant declaratory and
3 injunctive relief, including an order prohibiting any
4 activity in violation of this section.

5 (c) DEFINITIONS.—In this section:

6 (1) COVERED AGENCY.—The term “covered
7 agency” means the Department of Homeland Secu-
8 rity and any of its components, including U.S. Im-
9 migration and Customs Enforcement.

10 (2) DETENTION OR HOLDING FACILITY.—The
11 term “detention or holding facility” means any facil-
12 ity used primarily for the civil detention or holding
13 of noncitizens, including facilities operated directly
14 by the Federal Government or through contracts,
15 intergovernmental service agreements, or private en-
16 tities.