

## HR 3004

Kate's Law

**Congress:** 115 (2017–2019, Ended)

**Chamber:** House

**Policy Area:** Immigration

**Introduced:** Jun 22, 2017

**Current Status:** Received in the Senate.

**Latest Action:** Received in the Senate. (Jul 10, 2017)

**Official Text:** <https://www.congress.gov/bill/115th-congress/house-bill/3004>

### Sponsor

**Name:** Rep. Goodlatte, Bob [R-VA-6]

**Party:** Republican • **State:** VA • **Chamber:** House

### Cosponsors (17 total)

Cosponsor	Party / State	Role	Date Joined
Rep. King, Steve [R-IA-4]	R · IA		Jun 22, 2017
Rep. Sessions, Pete [R-TX-32]	R · TX		Jun 22, 2017
Rep. Bacon, Don [R-NE-2]	R · NE		Jun 26, 2017
Rep. Barletta, Lou [R-PA-11]	R · PA		Jun 26, 2017
Rep. Fitzpatrick, Brian K. [R-PA-8]	R · PA		Jun 26, 2017
Rep. Gaetz, Matt [R-FL-1]	R · FL		Jun 26, 2017
Rep. Jenkins, Evan H. [R-WV-3]	R · WV		Jun 26, 2017
Rep. Lamborn, Doug [R-CO-5]	R · CO		Jun 26, 2017
Rep. Smith, Jason [R-MO-8]	R · MO		Jun 26, 2017
Rep. Smith, Lamar [R-TX-21]	R · TX		Jun 26, 2017
Rep. Zeldin, Lee M. [R-NY-1]	R · NY		Jun 26, 2017
Rep. Buchanan, Vern [R-FL-16]	R · FL		Jun 27, 2017
Rep. Calvert, Ken [R-CA-42]	R · CA		Jun 27, 2017
Rep. Duncan, John J., Jr. [R-TN-2]	R · TN		Jun 27, 2017
Rep. Ratcliffe, John [R-TX-4]	R · TX		Jun 27, 2017
Rep. Renacci, James B. [R-OH-16]	R · OH		Jun 27, 2017
Rep. Garrett, Thomas A., Jr. [R-VA-5]	R · VA		Jun 28, 2017

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Jun 22, 2017

## Subjects & Policy Tags

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### Policy Area:

Immigration

### Related Bills

Bill	Relationship	Last Action
115 HR 7059	Related bill	<b>Oct 18, 2018:</b> Referred to the Subcommittee on Trade.
115 HR 4760	Related bill	<b>Jun 21, 2018:</b> Motion to reconsider laid on the table Agreed to without objection.
115 HRES 415	Procedurally related	<b>Jun 29, 2017:</b> Motion to reconsider laid on the table Agreed to without objection.
115 HR 2431	Related bill	<b>May 24, 2017:</b> Ordered to be Reported (Amended) by the Yeas and Nays: 19 - 13.

(This measure has not been amended since it was introduced. The summary has been expanded because action occurred on the measure.)

### **Kate's Law**

(Sec. 2) This bill amends the Immigration and Nationality Act to revise provisions relating to the reentry of removed aliens.

The bill provides that an alien who has been excluded, deported, removed, or denied admission, or who has departed the United States while under an outstanding order of exclusion, deportation, or removal, and who subsequently crosses or attempts to cross the border into the United States, shall be fined, imprisoned not more than two years, or both.

("Crosses the border" refers to the physical act of crossing the border, regardless of whether the alien is free from official restraint.)

The bill revises reentry of criminal offender provisions to provide that an alien who was convicted before such removal or departure of:

- three or more misdemeanors or for a felony shall be fined, imprisoned up to 10 years, or both;
- a felony for which the alien was sentenced to not less than 30 months in prison shall be fined, imprisoned up to 15 years, or both;
- a felony for which the alien was sentenced to not less than 60 months shall be fined, imprisoned up to 20 years, or both; or
- murder, rape, kidnapping, or a felony offense relating to peonage and slavery or terrorism, or of three or more felonies of any kind, shall be fined, imprisoned up to 25 years, or both.

An alien who has been excluded, deported, removed, or denied admission three or more times and thereafter enters, attempts to enter, or crosses or attempts to cross the border to, or is at any time found in, the United States shall be fined, imprisoned not more than 10 years, or both.

The bill states that it shall be an affirmative defense to a reentry violation (thus placing the burden of proof on the defendant) that: (1) prior to the alleged violation, the alien had received Department of Homeland Security (DHS) consent to reapply for U.S. admission; or (2) with respect to an alien previously denied admission and removed, the alien was not required to obtain such advance consent and had complied with all other applicable admissions laws and regulations.

In a criminal proceeding under this section, an alien may not challenge the validity of any prior removal order. (Currently, the validity of a prior deportation order may be challenged under certain grounds.)

A removed alien who enters, attempts to enter, or crosses or attempts to cross the border to, or is at any time found in, the United States shall be incarcerated for the remainder of the sentence that was pending at the time of deportation without any reduction for parole or supervised release unless the alien affirmatively demonstrates that DHS has consented to the alien's reentry.

## Actions Timeline

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- **Jul 10, 2017:** Received in the Senate.
- **Jun 29, 2017:** Rule H. Res. 415 passed House.
- **Jun 29, 2017:** Considered under the provisions of rule H. Res. 415. (consideration: CR H5333-5353)
- **Jun 29, 2017:** Rule provides for consideration of H.R. 3004 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Bill is closed to amendments. Providing for adjournment for the period of July 3, 2017 through July 10, 2017.
- **Jun 29, 2017:** DEBATE - The House proceeded with one hour of debate on H.R. 3004.
- **Jun 29, 2017:** The previous question was ordered pursuant to the rule.
- **Jun 29, 2017:** Ms. Lofgren moved to recommit with instructions to the Committee on the Judiciary. (text: CR H5352)
- **Jun 29, 2017:** DEBATE - The House proceeded with 10 minutes of debate on the Lofgren motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment adding a new section at the end of the bill pertaining to Protecting Victims of Trafficking.
- **Jun 29, 2017:** The previous question on the motion to recommit with instructions was ordered without objection.
- **Jun 29, 2017:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Lofgren motion to recommit with instructions, Chair put the question on adoption of the motion to recommit and by voice vote announced that the noes had prevailed. Ms. Lofgren demanded the yeas and nays, and the Chair postponed further proceedings until later in the later legislative day.
- **Jun 29, 2017:** Considered as unfinished business. (consideration: CR H5355-5356)
- **Jun 29, 2017:** On motion to recommit with instructions Failed by the Yeas and Nays: 193 - 232 (Roll no. 343).
- **Jun 29, 2017:** Passed/agreed to in House: On passage Passed by recorded vote: 257 - 167 (Roll no. 344).(text: CR H5333)
- **Jun 29, 2017:** On passage Passed by recorded vote: 257 - 167 (Roll no. 344). (text: CR H5333)
- **Jun 29, 2017:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 27, 2017:** Rules Committee Resolution H. Res. 415 Reported to House. Rule provides for consideration of H.R. 3004 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Bill is closed to amendments. Providing for adjournment for the period of July 3, 2017 through July 10, 2017.
- **Jun 22, 2017:** Introduced in House
- **Jun 22, 2017:** Referred to the House Committee on the Judiciary.
- **Jun 22, 2017:** Referred to the Subcommittee on Immigration and Border Security.

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