



Protect America Act

Our country has witnessed alarming levels of unrest and violence targeting federal immigration enforcement operations in major cities. These developments have made it increasingly difficult for ICE and Border Patrol agents to carry out their mission of enforcing immigration law and keeping our communities safe. In recent years some opponents, including certain non-profit organizations, have vilified law enforcement officers, contributing to harassment and violent confrontations that undermine and politicize their work.

ICE and Border Patrol exist to enforce duly enacted immigration laws, securing the border, ensuring lawful entry, executing removal orders, and preserving the integrity of the legal immigration system. When these operations are obstructed or attacked, the result is not compassion or reform, but a breakdown of the rule of law that endangers officers, erodes public trust, and leaves communities less safe.

This environment demands action. The Protect America Act is a comprehensive, four-part legislative response designed to address the root causes of disorder, restore lawful enforcement authority, protect federal officers from coordinated interference and violence, and prevent the abuse of nonprofit status to shield or support criminal activity.

Title 1: End Sanctuary Cities

This title would strengthen cooperation between state and local jurisdictions and federal immigration authorities by:

- Conditioning federal funding on cooperation with ICE and federal law enforcement: Jurisdictions that refuse to share information with ICE, honor detainers, or coordinate releases would automatically lose federal funds.
- Requiring full ICE coordination for detainees: Jails must promptly share identity, immigration status, removability, and release timing with ICE and hold detainees briefly upon request.
- Imposing civil liability for sanctuary city harm: If a jurisdiction knowingly releases a removable alien who later commits a serious crime, victims would be permitted to seek civil damages.
- Making colleges and vocational schools located in sanctuary jurisdictions ineligible to receive new foreign student visas until those jurisdictions comply with Federal immigration law.

Title II: Enhance Penalties for Illegal Entry and Re-Entry

This title enhances penalties for illegal entry and reentry by:

- Ending catch-and-release and mandating detention.
- Making illegal entry a felony: First-time offenders would face fines, imprisonment for at least one year and up to five years, or both.
- Increasing penalties for illegal reentry: Individuals who illegally reenter the United States would face fines, imprisonment for at least ten years and up to twenty years, or both.

Title III: Protect Law Enforcement

This title includes the Shielding Heroes In Enforcement from Loud Disruptions (SHIELD) Act which would:

- Close the legal loophole that allows individuals to interfere with federal law enforcement using whistles and other sound-making devices that prevent officers from communicating or performing their duties.
- Amend 18 U.S.C. § 321 to impose penalties of up to five years in prison for anyone who obstructs, impedes, inhibits, stymies, hinders, hampers, or interferes with any federal law enforcement officer engaged in official duties.
- Preserve First Amendment protections by explicitly stating that the act does not prohibit expressive content or lawful expressive conduct.
- Make knowingly assaulting a federal law enforcement officer a federal criminal offense, with doubled penalties for those convicted.

Title IV: Defund Corrupt NGOs

The final title targets organizations that abuse nonprofit status by:

- Revoking tax-exempt status from any organization that promotes, incites, or provides material support for criminal violence.
- Protecting lawful speech and advocacy, ensuring the act does not penalize First Amendment-protected expression, peaceful assembly, or the discussion of ideas absent the promotion, incitement, or material support of criminal conduct.