

119TH CONGRESS  
2D SESSION

# H. R. 7252

To repeal section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 2026

Ms. GARCIA of Texas (for herself, Mr. ESPAILLAT, Ms. CLARKE of New York, Mr. JACKSON of Illinois, Ms. WILSON of Florida, Ms. TITUS, Mr. CARTER of Louisiana, Ms. SALINAS, Mr. GARCÍA of Illinois, and Ms. PIN-GREE) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To repeal section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

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 “Restoring Community  
5 Trust Act of 2026”.

6 **SEC. REPEAL OF COMMUNICATION BETWEEN GOVERN-**  
7 **MENT AGENCIES AND THE IMMIGRATION**  
8 **AND NATURALIZATION SERVICE.**

9 (a) FINDINGS.—Congress finds the following:

1           (1) The Constitution clearly establishes a sys-  
2           tem of dual sovereignty in which the Federal Gov-  
3           ernment and the States retain distinct and inde-  
4           pendent spheres of authority, including primary re-  
5           sponsibility for the organization, administration, and  
6           supervision of State and local government employ-  
7           ees.

8           (2) Under Supreme Court precedent, including  
9           New York v. United States (1992), Printz v. United  
10          States (1997), and Murphy v. NCAA (2018), the  
11          Federal Government may not compel States or polit-  
12          ical subdivisions to administer or enforce Federal  
13          regulatory programs. It also may not prohibit States  
14          from controlling their internal governmental oper-  
15          ations.

16          (3) Section 642 of the Illegal Immigration Re-  
17          form and Immigrant Responsibility Act of 1996 (8  
18          U.S.C. 1373) threatens the ability of State and local  
19          governments to establish policies governing the re-  
20          ceipt, use, and disclosure of information by their  
21          own public institutions, intruding into areas of tradi-  
22          tional State and local authority.

23          (4) State and local governments have a sub-  
24          stantial interest in fostering trust between residents  
25          and public institutions, including law enforcement,

1 to promote public safety, emergency response, and  
2 community engagement.

3 (5) Many interactions between individuals and  
4 State or local agencies occur for purposes completely  
5 unrelated to Federal immigration enforcement, and  
6 information sharing in such contexts may undermine  
7 the effectiveness of those governmental functions.

8 (6) The Federal Government retains exclusive  
9 authority over civil immigration enforcement and  
10 possesses independent tools and resources to enforce  
11 Federal immigration law without trying to regulate  
12 State or local governments.

13 (7) A repeal of section 642 of the Illegal Immi-  
14 gration Reform and Immigrant Responsibility Act of  
15 1996 (8 U.S.C. 1373) would not limit the Federal  
16 Government's authority to enforce Federal immigra-  
17 tion law or to obtain information through means  
18 otherwise authorized by law.

19 (8) Section 642 of the Illegal Immigration Re-  
20 form and Immigrant Responsibility Act of 1996 (8  
21 U.S.C. 1373) has generated legal uncertainty and  
22 litigation concerning its constitutionality and its  
23 interaction with Federal grant programs, imposing  
24 administrative and financial burdens on State and  
25 local governments.

1           (9) Effective governance is best achieved when  
2           responsibility for Federal law enforcement remains  
3           with Federal authorities and responsibility for State  
4           and local government remains with State and local  
5           officials accountable to their residents.

6           (10) The purpose of repealing section 642 of  
7           the Illegal Immigration Reform and Immigrant Re-  
8           sponsibility Act of 1996 (8 U.S.C. 1373) is to re-  
9           store constitutional balance, reduce legal ambiguity,  
10          and respect State and local control over internal gov-  
11          ernmental operations.

12          (11) That nothing in this Act shall be con-  
13          strued to prohibit or restrict any State or unit of  
14          local government from communicating, cooperating,  
15          or sharing information with a Federal immigration  
16          authority, consistent with applicable State or local  
17          law or otherwise limit the authority of the Federal  
18          Government to enforce the immigration laws (as  
19          such term is defined under section 101 of the Immi-  
20          gration and Nationality Act (8 U.S.C. 1101)).

21          (b) REPEAL.—Section 642 of the Illegal Immigration  
22          Reform and Immigrant Responsibility Act of 1996 (8  
23          U.S.C. 1373) is repealed.

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