

116TH CONGRESS
1ST SESSION

H. R. 2686

To prohibit the transfer, obligation, or expenditure of Federal funds to take property for the construction of a wall along the southern border, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2019

Ms. WATERS (for herself, Mr. TAKANO, Mr. JOHNSON of Georgia, Ms. NORTON, Ms. LEE of California, Ms. MOORE, Mr. LEVIN of Michigan, Mr. MCGOVERN, Mr. LOWENTHAL, Ms. LOFGREN, Ms. OCASIO-CORTEZ, Ms. SCHAKOWSKY, Ms. TLAIB, and Ms. OMAR) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To prohibit the transfer, obligation, or expenditure of Federal funds to take property for the construction of a wall along the southern border, 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 “Border Property Pro-
5 tection Act”.

6 **SEC. 2. PROHIBITION.**

7 (a) IN GENERAL.—Notwithstanding any other provi-
8 sion of law, no Federal department or agency may trans-

1 fer, obligate, or expend any funds in connection with the
2 use of eminent domain to take any property from any
3 landowner on or in the vicinity of the southern border for
4 construction of fencing, physical barriers, or a wall, includ-
5 ing if such transfer, obligation, or expenditure is done in
6 furtherance of the President’s February 15, 2019, dec-
7 laration of a national emergency pursuant to section 201
8 of the National Emergencies Act (50 U.S.C. 1621) enti-
9 tled “Presidential Proclamation on Declaring a National
10 Emergency Concerning the Southern Border of the United
11 States” (Proclamation 9844; 84 Fed. Reg. 4949) or any
12 such related successor declaration.

13 (b) DEFINITIONS.—In this section:

14 (1) LANDOWNER.—The term “landowner”
15 means any person who owns any property.

16 (2) PERSON.—The term “person” means a nat-
17 ural person, any Tribal, State, or local government
18 or similar entity, or any private sector entity.

19 (3) PROPERTY.—The term “property” means
20 land, including an estate or interest in land, includ-
21 ing an easement or right of way in land.

○