Explainer: What are the Most Dangerous Anti-Immigrant Provisions in the Senate-passed Reconciliation Bill?

July 1, 2025

The reconciliation bill (i.e, the Big Bad Betrayal) presents a generational threat to democracy and community safety. The bill has provoked widespread condemnation from voters and groups that protect the rights of children, access to healthcare and food security, affordable housing, education, and more — while adding $4.5 trillion to the national debt and leaving 17 million Americans uninsured.

This bill is absolutely devastating. Instead of funding essential medical care, food security, and education, it hands Trump a slush fund to dismantle democracy even faster.

In just months, the Trump administration has ignored and outright defied judicial orders. Judges and democratically elected officials have been arrested. Federal agents tackled a U.S. Senator—and the White House gleefully defended the assault. U.S. Immigration and Customs Enforcement (ICE) agents — often masked and unmarked — are lurking in streets and courtrooms, ready to snatch people from their loved ones to meet ICE's quotas. High school athletes, long-time residents arrested while gardening, and even U.S. citizens (another one, and another) have been caught in ICE's cruel and sweeping dragnet. As deaths and medical emergencies in ICE jails mount, the Trump administration responded callously: "People die in ICE custody."

As our friends at the Coalition on Human Needs said, "How many deaths are acceptable to pay for rich people's tax breaks?"

Several aspects of the bill were struck by the Senate Parliamentarian. However, many measures remain — including substantive changes in immigration law and policy to target children and vulnerable populations and undermine due process rights. Key anti-immigrant provisions are discussed here.

1) Slashes access to nutrition and health supports for many communities, including refugees and survivors of violence:

- **Deprives more than 2.6 million children from the anti-poverty benefits of the Child Tax Credit:** The bill strips children of the benefits of the Child Tax Credit if they don't have a parent who has a Social Security Number (even if they pay taxes using an individual tax identification number).
- **Excludes refugees, asylees, and trafficking and domestic violence survivors from nutrition and health supports:** The bill excludes many currently eligible and lawfully present immigrants, including those with humanitarian protections and a pathway to citizenship, from eligibility for the Supplemental Nutrition Assistance Program (SNAP), the Affordable Care Act, Medicare, Medicaid, and the Children's Health insurance Program. Many of these lawfully present immigrants work in industries that do not provide health insurance and have no other viable way to get medical care.

- **Raises Taxes on Immigrants:** The bill further excludes immigrants who file taxes without a Social Security Number from tax credits that pay for higher education, as well as the new tax exclusions on tips and overtime.

2) $150 billion lavished upon the corporations running America's immigration enforcement machinery—and a slush fund for even more ICE abductions and mass detention:

- **$45 billion just for ICE jails, including family detention:** Over *13 times* ICE's current annual detention budget (already at a record high), amidst alarm over dire conditions. ICE facilities have little to no oversight and have already resulted in 9 deaths in less than 4 months under Trump 2.0.
- **Nearly $30 billion to expand ICE enforcement without accountability**: These funds expand ICE's workforce, including agents on the streets and expansion of 287(g) agreements, which turn state and local law enforcement into arms of ICE. Already, federal agents have physically pushed and restrained Members of Congress, violently broken into homes and cars, and waged a military assault on U.S. cities.
- **$2.1 billion more for immigration-related enforcement:** Includes hiring additional U.S. Customs and Border Protection (CBP) agents and supports nationwide expansion of expedited removal—rapid deportations without due process. Expedited removal has been weaponized by this administration to fast-track deportations; this additional funding will lead to mass deportations.
- **$59 billion for CBP alone:** Includes $47 billion for a deadly and wasteful border wall.
- **$13.5 billion for a new "State Border Security Reinforcement Fund":** This is a gift for anti-immigrant state governors, funding state and local governments to construct border barriers and directly enforce federal immigration law.
- **$10 billion for a slush fund for the Department of Homeland Security (DHS):** This unrestricted fund allows the agency to carry out additional border enforcement, with no due process or civil rights safeguards.

3) Decimates protections for vulnerable immigrant children, prompting pediatricians to sound the alarm about "family separation 2.0":

- **Allows the government to indefinitely jail immigrant children:** This provision violates the Flores settlement—a landmark 1997 settlement that establishes baseline protections for immigrant children in U.S. custody, including prohibiting indefinite detention of children. Families are already suffering unimaginably in family detention—with witnesses recounting a mother told to use tap water for formula for her 9 month old (resulting in days of illness for the child). This bill will embolden more violations of children's rights, including the targeting of children as young as 6 years old battling leukemia recently jailed by ICE.
- **Fuels trafficking**: Permits summary deportations — without any chance to ask for asylum from an immigration judge — of many children who arrived in the U.S. without a parent or guardian. This marks a historic departure from child welfare law by creating a new process for summary deportations of children who arrive alone, and who a bipartisan Congress determined in 2008 are highly at risk of trafficking or violence if swiftly returned.
- **Allows invasive physical exams on children:** Two different parts of the bill provide dedicated funding to government officials to conduct intrusive physical examinations of unaccompanied

children including children in government custody regardless of how young they are, for so-called "gang checks."

- **Chills sponsors of children from coming forward, leaving children at risk and without a caregiver:** Funds the Office of Refugee Resettlement to conduct extensive background checks of children's family members, including the entire household of their family, without any firewall against sharing this information for enforcement.
- **Mandates the jailing of immigration children along with their parent:** Provides dedicated funding to jail immigrant families if the parent is charged with the misdemeanor offense of unauthorized entry (8 U.S.C. § 1325).

4) Ensures the return of asylum seekers, refugees, and survivors to harm by:

- **Putting an often unaffordable fee on safety:** The bill imposes prohibitive "fees", such as a a non-waivable minimum $100 fee for asylum; another $100 nonwaivable fee for every year an asylum application is pending; $1000 for parole; $550 for work permits based on Temporary Protected Status; and more;
- **Further penalizing the act of seeking safety:** Fines $5000 any adult *or* child who crosses between ports of entry, despite the fact that federal immigration law permits anyone regardless of mode of entry to seek asylum.

5) Pulls the military into immigration enforcement, including migrant camps for families and children on military bases: The bill provides $1 billion to divert military resources towards border militarization, including activities involving the possible detention of immigrants, a provision raising concerns that the administration will engage in violations of the Posse Comitatus Act.

This bill will lead to *preventable* deaths, puts children at risk, and undermines democracy. Opposing this bill should not be a partisan matter. We urge Members of Congress to stand in strong opposition to this bill, which will deprive children and families of nutrition and health support programs while supercharging an immigration enforcement agenda that threatens communities, and constitutional protections.

A more detailed analysis is available in this Section-By-Section analysis of the bill as passed in the House and Senate, prepared by the National Immigration Law Center.

Contact with questions:

- National Immigration Law Center, Heidi Altman or Ben D'Avanzo, altman@nilc.org, davanzo@nilc.org
- National Immigrant Justice Center, Azadeh Erfani or Jesse Franzblau, aerfani@immigrantjustice.org, jfranzblau@immigrantjustice.org
- Immigration Hub, Lia Parada or Joshua Rodriguez, lia@theimmigrationhub.org, joshua@theimmigrationhub.org
- Human Rights First, Robyn Barnard or Yannick Gill, barnardr@humanrightsfirst.org, gilly@humanrightsfirst.org