

RESOLVED, that shareholders of Wells Fargo & Company (“WFC”) urge the Board of Directors (the “Board”) to report to shareholders by December 31, 2019 on how WFC is identifying and addressing human rights risks to WFC related to the Trump Administration’s aggressive immigration enforcement policy, which aims to prosecute all persons who enter or attempt to enter the United States (U.S.), including the detention without parole of asylum-seekers and the separation of minor children from parents accused of entering the U.S. illegally.

The report should be prepared at reasonable cost and should omit confidential and proprietary information.

Supporting Statement: Immigration policy has become one of the most high-profile and contentious issues facing the U.S. The Trump Administration has adopted a more aggressive approach: arrests by Immigration and Customs Enforcement (“ICE”) were up 30% from 2016 to 2017.¹ The resulting detention of undocumented immigrants and asylum-seekers, especially the separation of minor children from parents entering the U.S., has spurred widespread debate. As of September 2018, 12,800 children had been detained, a massive increase from the 2,400 detained as of May 2017.²

Media attention has been intense, with coverage of the trauma endured by children, deplorable detention conditions and abuses. One immigration expert noted that family separation has generated “near-universal condemnation, including by traditional allies of this administration.”³ Increased use of indefinite family detention, to which the Administration hopes to shift, is also controversial.⁴

Human rights concerns have been raised about the approach. Indefinite detention of asylum-seekers violates human rights norms,⁵ and the United Nations High Commissioner for Human Rights opined that “the use of immigration detention and family separation as a deterrent runs counter to human rights standards and principles.”⁶

WFC has come under fire for its relationships with GEO Group and CoreCivic, private prison companies that contract with ICE and benefit from more aggressive immigration enforcement. The “Corporate Backers of Hate” campaign has targeted WFC and other banks that lend to the companies, challenging them to “change their business practices in a way that is not entangled with the immigration enforcement agenda of [the Trump] Administration.”⁷ WFC has played an important role in financing GEO and CoreCivic’s businesses: WFC is co-syndication agent for the bank group providing revolving credit and term loans to GEO; has issued letters of credit on CoreCivic’s behalf; and has underwritten bonds for both GEO and CoreCivic.

Banks recognize the reputational consequences of relationships with companies whose conduct is widely condemned in society. In 2018, Bank of America announced that it would no longer lend to companies that make military-style firearms for use by civilians.⁸

Given the urgency and importance of the debate over immigration enforcement, and the risks created for companies like WFC, we believe the disclosure requested in this Proposal would be useful to shareholders. We urge shareholders to vote for this Proposal.

1 <http://www.pewresearch.org/fact-tank/2018/02/08/ice-arrests-went-up-in-2017-with-biggest-increases-in-florida-northern-texas-oklahoma/>

2 <https://www.nytimes.com/2018/09/12/us/migrant-children-detention.html>

3 <https://www.cnn.com/2018/06/18/politics/donald-trump-immigration-policies-q-and-a/index.html>

4 See <http://time.com/5388643/family-separation-policy-court-agreement/>

5 <https://www.amnestyusa.org/campaigns/refugee-and-migrant-rights/>

6 <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23174&LangID=E>

7 <http://time.com/4755885/trump-protests-corporations-activists/>

8 <https://www.charlotteobserver.com/news/business/banking/article208550079.html>