S. 1814

To withhold certain Federal funding from sanctuary cities.

IN THE SENATE OF THE UNITED STATES

JULY 21, 2015

Mr. Vitter (for himself, Mr. Flake, and Mr. McCain) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To withhold certain Federal funding from sanctuary cities.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Stop Sanctuary Cities Act”.

SEC. 2. LIMITATION ON GRANTS TO SANCTUARY CITIES.

(a) IN GENERAL.—It shall be unlawful for any State or political subdivision of a State—

(1) to violate section 642 of the Illegal Immigra-
tion Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373); or
(2) to fail to comply with a detainer that has been lawfully issued by the Department of Homeland Security in accordance with section 236 and 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357) and section 287.7 of title 8, Code of Federal Regulations.

(b) INELIGIBILITY FOR GRANTS.—

(1) IN GENERAL.—Any State or political subdivision of a State that violates subsection (a) shall not be eligible to receive funds from the State Criminal Alien Assistance Program under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)).

(2) CHRONIC OFFENDERS.—Any State or political subdivision of a State that does not come into compliance with the requirements under subsection (a) within 180 days of receiving notification from the Secretary of Homeland Security of its non-compliance with that subsection is not eligible to receive a grant under the Byrne Memorial Justice Assistance Grant Program established pursuant to subpart I of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.).
(3) Enforcement.—No funding may be withheld pursuant to paragraph (1) until the Secretary of Homeland Security—

(A) has notified the noncompliant State or subdivision of its noncompliance with subsection (a); and

(B) has determined, not later than 60 days after such notification, that compliance cannot be secured by voluntary means.

(c) Reports.—Not later than 5 days after deciding to terminate a grant or to refuse to award a grant pursuant to this section, the Secretary of Homeland Security shall submit a written report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that fully describes the circumstances and grounds for such action. No such action shall become effective until at least 30 days have elapsed after the submission of such report.

(d) Reallocation.—Any funds that are not allocated to a State or political subdivision due to noncompliance with subsection (a) shall be reallocated to States and political subdivisions of States that are in compliance with such subsection.

(e) Immunity.—No liability shall lie with a State or a political subdivision of a State that is acting in compli-
ance with a detainer that has been lawfully issued by the Department of Homeland Security in accordance with sections 236 and 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357) and section 287.7 of title 8, Code of Federal Regulations, solely because the State or political subdivision is holding an alien in compliance with such detainer.

(f) Rule of Construction.—Nothing in this section may be construed to require law enforcement officials of a State or a political subdivision of a State to provide the Secretary of Homeland Security with information related to a victim or a witness to a criminal offense.