

114TH CONGRESS
1ST SESSION

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.

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 “Stop Sanctuary Cities
5 Act”.

6 **SEC. 2. LIMITATION ON GRANTS TO SANCTUARY CITIES.**

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

9 (1) to violate section 642 of the Illegal Immi-
10 gration Reform and Immigrant Responsibility Act of
11 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.).

1 (3) ENFORCEMENT.—No funding may be with-
2 held pursuant to paragraph (1) until the Secretary
3 of Homeland Security—

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

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

10 (c) REPORTS.—Not later than 5 days after deciding
11 to terminate a grant or to refuse to award a grant pursu-
12 ant to this section, the Secretary of Homeland Security
13 shall submit a written report to the Committee on the Ju-
14 diciary of the Senate and the Committee on the Judiciary
15 of the House of Representatives that fully describes the
16 circumstances and grounds for such action. No such ac-
17 tion shall become effective until at least 30 days have
18 elapsed after the submission of such report.

19 (d) REALLOCATION.—Any funds that are not allo-
20 cated to a State or political subdivision due to noncompli-
21 ance with subsection (a) shall be reallocated to States and
22 political subdivisions of States that are in compliance with
23 such subsection.

24 (e) IMMUNITY.—No liability shall lie with a State or
25 a political subdivision of a State that is acting in compli-

1 ance with a detainer that has been lawfully issued by the
2 Department of Homeland Security in accordance with sec-
3 tions 236 and 287 of the Immigration and Nationality Act
4 (8 U.S.C. 1226 and 1357) and section 287.7 of title 8,
5 Code of Federal Regulations, solely because the State or
6 political subdivision is holding an alien in compliance with
7 such detainer.

8 (f) RULE OF CONSTRUCTION.—Nothing in this sec-
9 tion may be construed to require law enforcement officials
10 of a State or a political subdivision of a State to provide
11 the Secretary of Homeland Security with information re-
12 lated to a victim or a witness to a criminal offense.

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