

114TH CONGRESS
1ST SESSION

S. 1764

To prohibit certain Federal funds from being made available to sanctuary cities and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 14, 2015

Mr. PAUL introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To prohibit certain Federal funds from being made available to sanctuary cities 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 “Protecting American
5 Citizens Together Act” or the “PACT Act”.

6 **SEC. 2. LIMITATION ON FEDERAL FUNDS TO SANCTUARY**
7 **CITIES.**

8 (a) IN GENERAL.—Section 642 of the Illegal Immi-
9 gration Reform and Immigrant Responsibility Act of 1996

1 (8 U.S.C. 1373) is amended by adding at the end the fol-
2 lowing:

3 “(d) LIMITATION ON FEDERAL FUNDS TO SANC-
4 TUARY CITIES.—

5 “(1) SANCTUARY CITY DEFINED.—In this sec-
6 tion, the term ‘sanctuary city’ means a State or sub-
7 division of a State that the Attorney General deter-
8 mines—

9 “(A) has in effect a statute, policy, or
10 practice that is not in compliance with sub-
11 section (a) or (b); or

12 “(B) does not have a statute, policy, or
13 practice that requires law enforcement offi-
14 cers—

15 “(i) to notify the U.S. Immigration
16 and Customs Enforcement if the State or
17 unit has custody of an alien without lawful
18 status in the United States and detain the
19 alien for no more than six hours for no
20 other purpose than to determine whether
21 or not U.S. Immigration and Customs En-
22 forcement will issue a detainer request;
23 and

24 “(ii) to maintain custody of such an
25 alien for a period of not less than 48 hours

1 (excluding Saturdays, Sundays, and holi-
2 days) if U.S. Immigration and Customs
3 Enforcement issues a detainer for such
4 alien.

5 “(2) LIMITATION ON GRANTS.—A sanctuary
6 city shall not be eligible to receive, for a minimum
7 period of at least 1 year, any funds pursuant to—

8 “(A) the Edward Byrne Memorial Justice
9 Assistance Grant Program established pursuant
10 to subpart 1 of part E of title I of the Omnibus
11 Crime Control and Safe Streets Act of 1968
12 (42 U.S.C. 3750 et seq.);

13 “(B) the ‘Cops’ program under part Q of
14 title I of the Omnibus Crime Control and Safe
15 Streets Act of 1968 (42 U.S.C. 3796dd et seq.);

16 “(C) the Urban Area Security Initiative
17 authorized under section 2003 of the Homeland
18 Security Act of 2002 (6 U.S.C. 604);

19 “(D) the State Homeland Security Grant
20 Program authorized under section 2004 of the
21 Homeland Security Act of 2002 (6 U.S.C. 605);

22 “(E) the port security grant program au-
23 thorized under section 70107 of title 46, United
24 States Code;

1 “(F) the State Criminal Alien Assistance
 2 Program under section 241(i) of the Immigra-
 3 tion and Nationality Act (8 U.S.C. 1231(i)); or

4 “(G) any other non-disaster preparedness
 5 grant program administered by the Federal
 6 Emergency Management Agency.

7 “(3) TERMINATION OF INELIGIBILITY.—A ju-
 8 risdiction that is found to be a sanctuary city shall
 9 only become eligible to receive funds under a pro-
 10 gram set out under paragraph (1) after the Attorney
 11 General certifies that the jurisdiction is no longer a
 12 sanctuary city.”.

13 (b) CLERICAL AMENDMENTS.—Section 642 of the Il-
 14 legal Immigration Reform and Immigrant Responsibility
 15 Act of 1996 (8 U.S.C. 1373) is amended by striking “Im-
 16 migration and Naturalization Service” each place that
 17 term appears and inserting “Department of Homeland Se-
 18 curity”.

19 **SEC. 3. TRANSFER OF ALIENS FROM BUREAU OF PRISONS**
 20 **CUSTODY.**

21 (a) TRANSFER TO U.S. IMMIGRATION AND CUSTOMS
 22 ENFORCEMENT.—The Attorney General shall prioritize a
 23 request from the Secretary of Homeland Security to trans-
 24 fer a covered alien to the custody of U.S. Immigration and
 25 Customs Enforcement before a request from the appro-

1 priate official of a State or a subdivision of a State to
2 transfer the covered alien to the custody of such State or
3 subdivision.

4 (b) COVERED ALIEN DEFINED.—In this section, the
5 term “covered alien” means an alien who—

6 (1) is without lawful status in the United
7 States; and

8 (2) is in the custody of the Bureau of Prisons.

○