

115TH CONGRESS
1ST SESSION

S. 1126

To prohibit certain Federal funds from being available to sanctuary jurisdictions that refuse to cooperate with the Federal Government on immigration matters or retaliate against border security contractors, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 15, 2017

Mr. STRANGE (for himself and Mr. PERDUE) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To prohibit certain Federal funds from being available to sanctuary jurisdictions that refuse to cooperate with the Federal Government on immigration matters or retaliate against border security contractors, 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 “Securing the Border
5 and Protecting Our Communities Act”.

1 **SEC. 2. SANCTUARY JURISDICTION DEFINED.**

2 In this Act, the term “sanctuary jurisdiction” means
3 a State or any political subdivision of a State that the
4 Attorney General determines has in effect a statute, ordi-
5 nance, policy, or practice that—

6 (1) is in violation of subsection (a) or (b) of
7 section 642 of the Illegal Immigration Reform and
8 Immigrant Responsibility Act of 1996 (8 U.S.C.
9 1373);

10 (2) prohibits any government entity or official
11 from complying with a detainer that has been law-
12 fully issued or a request to notify about the release
13 of an alien that has been made by the Department
14 of Homeland Security in accordance with section
15 236 or 287 of the Immigration and Nationality Act
16 (8 U.S.C. 1226 and 1357); or

17 (3) restricts the ability of a person to bid for,
18 or be awarded, a contract or otherwise retaliates
19 against a person that assists in construction, includ-
20 ing the provision of materials, labor, or architectural
21 or design services, relating to an activity carried out
22 pursuant to the Secure Fence Act of 2006 (Public
23 Law 109–367; 120 Stat. 2638) or any amendment
24 made by that Act.

1 **SEC. 3. SANCTUARY JURISDICTIONS INELIGIBILITY FOR**
2 **CERTAIN FEDERAL FUNDS.**

3 (a) IN GENERAL.—No sanctuary jurisdiction may be
4 allocated or receive any Federal infrastructure or trans-
5 portation funds authorized under—

6 (1) the Transportation Investment Generating
7 Economic Recovery (“TIGER”) discretionary grant
8 program;

9 (2) the Fostering Advancements in Shipping
10 and Transportation for the Long-Term Achievement
11 of National Efficiencies (“FASTLANE”) grant pro-
12 gram carried out pursuant to section 117 of title 23,
13 United States Code; or

14 (3) the surface transportation block grant pro-
15 gram carried out pursuant to section 133 of title 23,
16 United States Code.

17 (b) REALLOCATION OF FUNDS.—Notwithstanding
18 any other provision of law, any Federal infrastructure or
19 transportation funds not allocated to a sanctuary jurisdic-
20 tion pursuant to subsection (a) shall be made available for
21 activities carried out under the Secure Fence Act of 2006
22 (Public Law 109–367; 120 Stat. 2638) or any amendment
23 made by that Act.

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