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S. 3790

To condition certain Federal funds for States and local governments on cooperation with Federal immigration enforcement authorities, to deter illegal entry and reentry into the United States, to increase criminal penalties for crimes committed after illegal reentry into the United States, to protect Federal officers and employees from agitators using loud noises to interfere with the performance of their official duties, and to exclude organizations that promote, incite, or provide material support for criminal violence from the tax benefits available under section 501(c)(3) of the Internal Revenue Code of 1986.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 5, 2026

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

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A BILL

To condition certain Federal funds for States and local governments on cooperation with Federal immigration enforcement authorities, to deter illegal entry and reentry into the United States, to increase criminal penalties for crimes committed after illegal reentry into the United States, to protect Federal officers and employees from agitators using loud noises to interfere with the performance of their official duties, and to exclude organizations that promote, incite, or provide material support for criminal violence from the tax benefits available under section 501(c)(3) of the Internal Revenue Code of 1986.

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Protect America Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—CONDITIONS, COORDINATION, AND CIVIL LIABILITY

Sec. 100. Short title.

Subtitle A—Conditions on Federal Funds Related to Immigration Law Cooperation

Sec. 101. Finding; purposes; authority.
Sec. 102. Definitions.
Sec. 103. Condition for the receipt of covered Federal funds.
Sec. 104. Centralized determination and publication of noncompliant jurisdictions.
Sec. 105. Notice and opportunity to cure.
Sec. 106. Ineligibility, termination, and recovery of funds.
Sec. 107. Rules of construction.
Sec. 108. Effective date.
Sec. 109. Severability.

Subtitle B—Immigration Status Information and Custody Coordination Requirements for Federally Funded Detention Facilities

Sec. 121. Finding; purposes; authority.
Sec. 122. Definitions.
Sec. 123. Duty to determine and communicate immigration status information.
Sec. 124. Ongoing information-sharing and access requirements.
Sec. 125. Detainer coordination.
Sec. 126. Substantial burden prohibition.
Sec. 127. Recordkeeping requirements.
Sec. 128. Enforcement.
Sec. 129. Rules of construction.
Sec. 130. Effective date.
Sec. 131. Severability.

Subtitle C—Civil Remedy for Harm Resulting From Sanctuary Policies

Sec. 141. Purpose; authority.
Sec. 142. Definitions.
Sec. 143. Private right of action.
Sec. 144. Relief.
Sec. 145. Waiver of immunity as a condition of receiving Federal funds.

Sec. 146. Prohibition on use of Federal funds for judgments or indemnification.
Sec. 147. Rules regarding proof and causation.
Sec. 148. Statute of limitations.
Sec. 149. Rules of construction.
Sec. 150. Severability.
Sec. 151. Effective date.

Subtitle D—No Student Visas for Sanctuary Cities

Sec. 161. Short title.
Sec. 162. Limitation on availability of F-visas and M-visas for institutions in sanctuary jurisdictions.

TITLE II—INCREASING PENALTIES FOR ILLEGAL ENTRY AND REENTRY

Sec. 201. Short title.
Sec. 202. Purposes.
Sec. 203. Increasing penalties for illegal entry.
Sec. 204. Increasing penalties for illegal reentry.

TITLE III—PROTECT LAW ENFORCEMENT

Subtitle A—Shielding Heroes in Enforcement From Loud Disruptions

Sec. 301. Short titles.
Sec. 302. Amendment.

Subtitle B—Federal Officer Protection

Sec. 311. Short title.
Sec. 312. Increased penalties and adjusted mandatory minimum sentences for assaulting Federal officers.
Sec. 313. Applicability.

TITLE IV—DEFUNDING ROGUE NONPROFITS

Sec. 401. Short title.
Sec. 402. Special rules for certain charitable organizations.

TITLE I—CONDITIONS, COORDINATION, AND CIVIL LIABILITY

SEC. 100. SHORT TITLE.

This title may be cited as the ''No Sanctuary Cities Act''.

Subtitle A—Conditions on Federal Funds Related to Immigration Law Cooperation

SEC. 101. FINDING; PURPOSES; AUTHORITY.

(a) FINDING.—Congress finds that the conditions imposed by this subtitle are unambiguous, directly related to the Federal interest in immigration enforcement and public safety, and knowingly and voluntarily accepted by any jurisdiction that elects to receive covered Federal funds.

(b) PURPOSES.—The purposes of this subtitle are—

(1) to ensure Federal funds are not obligated or expended in a manner that subsidizes, facilitates, or incentivizes State or local policies that obstruct the enforcement of Federal immigration law; and

(2) to protect the Federal interests in immigration enforcement, national security, and public safety.

(c) AUTHORITY.—Congress enacts this subtitle pursuant to its authority under—

(1) section 8 of article I of the Constitution of the United States, which authorizes Congress to tax and spend for the general welfare, to regulate immigration as an inherent attribute of national sov-

ereignty, to make all laws necessary and proper for carrying such powers into execution; and

(2) clause 2 of article VI of the Constitution of the United States (commonly known as the ''Supremacy Clause'').

SEC. 102. DEFINITIONS.

In this subtitle:

(1) COVERED FEDERAL FUNDS.—The term ''covered Federal funds'' means any grant, cooperative agreement, loan, contract, or other form of Federal financial assistance administered by—

(A) the Department of Justice;

(B) the Department of Homeland Security;

(C) the Department of Housing and Urban Development; or

(D) the Department of Transportation.

(2) COVERED JURISDICTION.—The term ''covered jurisdiction'' means any State, political subdivision of a State, or any agency or instrumentality of such a State or political subdivision.

(3) IMMIGRATION ENFORCEMENT COOPERATION.—The term ''immigration enforcement cooperation'' means compliance with Federal laws governing information sharing, notification, and coordi-

nation with U.S. Immigration and Customs Enforcement, including—

(A) communicating information regarding the citizenship or immigration status of individuals in custody;

(B) notifying U.S. Immigration and Customs Enforcement when a detained individual is determined to be a noncitizen; and

(C) refraining from adopting or enforcing policies that prohibit, restrict, or materially impede such communication or coordination.

(4) KNOWING OR CONSTRUCTIVE NONCOMPLIANCE.—The term ''knowing or constructive noncompliance'' means that officials of a covered jurisdiction knew, or reasonably should have known in light of the facts and circumstances, that the covered jurisdiction was maintaining a sanctuary policy in violation of this title.

(5) SANCTUARY POLICY.—The term ''sanctuary policy'' means any statute, ordinance, regulation, policy, or practice of a covered jurisdiction that prohibits, restricts, or materially impedes immigration enforcement cooperation.

SEC. 103. CONDITION FOR THE RECEIPT OF COVERED FEDERAL FUNDS.

(a) CERTIFICATION.—As a condition of receiving covered Federal funds, a covered jurisdiction shall certify that—

(1) it does not have in effect any sanctuary policy; and

(2) it will not adopt, enforce, or maintain any sanctuary policy during the period for which such funds are obligated or expended.

(b) COMPLIANCE.—Acceptance of covered Federal funds constitutes a knowing and voluntary agreement to comply with the requirements under this subtitle.

(c) NO EXEMPTIONS.—No officer or employee of the Federal Government may waive, suspend, or otherwise exempt a covered jurisdiction from the certification requirement described in subsection (a).

(d) FALSE CLAIMS.—Any certification required under this section is a material condition of payment for purposes of sections 3729 through 3733 of title 31, United States Code.

SEC. 104. CENTRALIZED DETERMINATION AND PUBLICATION OF NONCOMPLIANT JURISDICTIONS.

(a) IN GENERAL.—A covered jurisdiction shall be considered noncompliant with this subtitle if the covered jurisdiction adopts or maintains a sanctuary policy during

a period in which covered Federal funds are obligated or expended.

(b) BASIS.—The head of the Federal agency administering covered Federal funds shall make determinations of noncompliance based on law, regulation, policy, or practice in effect within the covered jurisdiction.

(c) PERIODIC DETERMINATIONS.—Not later than 60 days after the date of the enactment of this Act, and periodically thereafter, the Attorney General, in coordination with the Secretary of Homeland Security, shall determine whether any covered jurisdiction is noncompliant with this subtitle or subtitle B.

(d) PUBLICATION.—The Attorney General shall publish and maintain a publicly available list of covered jurisdictions determined to be noncompliant under this section.

(e) NOTICE.—If a covered jurisdiction is included on the list described in subsection (d), the Attorney General shall provide written notice to the covered jurisdiction identifying the basis for such determination.

(f) EVIDENCE.—Inclusion on the list described in subsection (d) shall constitute prima facie evidence of noncompliance for purposes of enforcement under this title.

SEC. 105. NOTICE AND OPPORTUNITY TO CURE.

(a) NOTICE.—Upon a determination of noncompliance, the administering Federal agency shall provide writ-

ten notice to the covered jurisdiction describing the basis for such determination.

(b) RECOVERY.—If a covered jurisdiction is noncompliant during a period in which covered Federal funds have been obligated or expended, the administering Federal agency shall recover—

(1) any covered Federal funds obligated or expended after the expiration of the cure period; and

(2) any covered Federal funds obligated or expended during a period of knowing or constructive noncompliance occurring prior to notice under section 104.

(c) DEADLINE.—Not later than 30 days after receiving notice under subsection (a), a covered jurisdiction shall repeal, suspend, or otherwise eliminate the sanctuary policy giving rise to noncompliance in order to cure the violation.

(d) LIMITATION ON RECOVERY.—Recovery under this section may include funds obligated or expended during the 5-year period immediately preceding the determination of noncompliance.

(e) EFFECT OF CURE.—A covered jurisdiction that cures the violation within the period described in subsection (c) shall not be subject to the penalties described in section 106 for any period preceding the cure.

SEC. 106. INELIGIBILITY, TERMINATION, AND RECOVERY OF FUNDS.

(a) FAILURE TO CURE.—A covered jurisdiction that fails to cure a violation within the period provided under section 105(c) shall be ineligible to receive covered Federal funds for any fiscal year during which such noncompliance persists.

(b) TERMINATION AND RECOVERY OF FUNDS.—If a covered jurisdiction is noncompliant during a period in which covered Federal funds have been obligated or expended, the administering Federal agency shall—

(1) terminate further obligation or expenditure of such funds; and

(2) recover all covered Federal funds subject to recovery under section 105(b).

(c) REALLOCATION.—Any funds recovered under this section shall be reallocated, to the extent practicable, to covered jurisdictions that are in compliance with this subtitle.

(d) LIMITATION.—Actions taken under this section shall be limited to covered Federal funds and shall not apply to unrelated Federal assistance.

SEC. 107. RULES OF CONSTRUCTION.

Nothing in this subtitle may be construed—

(1) to require a covered jurisdiction to enact or administer a Federal regulatory program;

(2) to limit the authority of the Federal Government to enforce Federal immigration law; or

(3) to require a State or political subdivision of a State to enact or administer a Federal regulatory program, or to impose any obligation except as a condition on the voluntary receipt of Federal funds.

SEC. 108. EFFECTIVE DATE.

This subtitle shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply to any covered jurisdiction receiving covered Federal funds on or after such date.

SEC. 109. SEVERABILITY.

If any provision of this subtitle or the application of such a provision to any particular person or circumstance is held to be unconstitutional, the remaining provisions of this subtitle and the application of such provisions to any other person or circumstance shall not be affected.

Subtitle B—Immigration Status Information and Custody Coordination Requirements for Federally Funded Detention Facilities

SEC. 121. FINDING; PURPOSES; AUTHORITY.

(a) FINDING.—Congress finds that the requirements of this subtitle are neutral and generally applicable condi-

tions on the receipt of Federal funds, provide clear notice, and are directly related to the Federal interest in immigration enforcement and public safety.

(b) PURPOSES.—The purposes of this subtitle are—

(1) to ensure detention facilities receiving Federal funds provide timely, complete, and ongoing information and coordination to Federal immigration authorities regarding the immigration status of individuals in custody; and

(2) to prevent the use of Federal funds to obstruct the enforcement of Federal immigration law.

(c) AUTHORITY.—Congress enacts this subtitle pursuant to its authority under—

(1) section 8 of article I of the Constitution of the United States, which authorizes Congress to tax and spend for the general welfare, to regulate immigration as an inherent attribute of national sovereignty, to make all laws necessary and proper for carrying such powers into execution; and

(2) clause 2 of article VI of the Constitution of the United States (commonly known as the ''Supremacy Clause'').

SEC. 122. DEFINITIONS.

In this subtitle:

(1) COVERED DETENTION FACILITY.—The term ''covered detention facility'' means any State or local jail, prison, detention center, or other custodial facility, or any agency or instrumentality thereof, that receives covered Federal funds.

(2) COVERED FEDERAL FUNDS.—The term ''covered Federal funds'' means any grant, cooperative agreement, loan, contract, or other form of Federal financial assistance administered by—

(A) the Department of Justice;

(B) the Department of Homeland Security;

(C) the Department of Housing and Urban Development; or

(D) the Department of Transportation.

(3) FEDERAL IMMIGRATION ENFORCEMENT AUTHORITY.—The term ''Federal immigration enforcement authority'' means U.S. Immigration and Customs Enforcement or any successor component of the Department of Homeland Security.

(4) IMMIGRATION STATUS INFORMATION.—The term ''immigration status information'' means any information relating to citizenship, nationality, immigration status, removability, identity, biographic data, biometric data, or custodial status.

(5) NONCITIZEN.—The term ''noncitizen'' means any individual who is not a citizen or national of the United States.

SEC. 123. DUTY TO DETERMINE AND COMMUNICATE IMMIGRATION STATUS INFORMATION.

(a) CONDITION.—As a condition of receiving covered Federal funds, a covered detention facility shall make a reasonable determination of the citizenship status of each individual detained.

(b) NOTIFICATION.—Not later than 24 hours after determining a detained individual is a noncitizen, the covered detention facility shall submit notice to a Federal immigration enforcement authority that includes immigration status information regarding such individual.

(c) APPLICABILITY.—The duties under subsections (a) and (b) shall apply regardless of the offense charged, the stage of criminal proceedings, or whether release is anticipated.

(d) RULE OF CONSTRUCTION.—Nothing in this section may be construed to require a covered detention facility to make a final legal determination of removability.

SEC. 124. ONGOING INFORMATION-SHARING AND ACCESS REQUIREMENTS.

(a) IN GENERAL.—A covered detention facility shall provide Federal immigration enforcement authorities with

ongoing access to immigration status information, including updates regarding—

(1) transfers of custody;

(2) changes in charges or custodial status;

(3) bail, bond, or sentencing determinations; and

(4) anticipated release eligibility.

(b) REASONABLE ACCESS.—A covered detention facility shall permit reasonable access by Federal immigration enforcement authorities to detained noncitizens for the purpose of interviews, identification, record review, and the lodging of detainers.

(c) PROHIBITIONS.—A covered detention facility may not delay, withhold, or condition the provision of information or access required under this section based on local law, policy, or practice.

SEC. 125. DETAINER COORDINATION.

(a) IN GENERAL.—As a condition of receiving covered Federal funds, a covered detention facility shall honor a detainer lawfully issued by a Federal immigration enforcement authority by providing such authority advance notice of an individual's scheduled release and coordinating a transfer of custody.

(b) CLASSIFICATION.—Compliance with a detainer under this section shall be deemed a Federal function carried out pursuant to Federal authority.

SEC. 126. SUBSTANTIAL BURDEN PROHIBITION.

(a) IN GENERAL.—Except as provided in subsection (c) no State, political subdivision of a State, or covered detention facility may impose or enforce any law, policy, or practice that substantially burdens the provision of immigration status information, access, or coordination required under this subtitle.

(b) SUBSTANTIAL BURDEN.—A law, policy, or practice imposes a substantial burden if it directly or indirectly inhibits, delays, penalizes, or deters compliance with this subtitle.

(c) EXCEPTIONS.—A substantial burden may be imposed only if the jurisdiction imposing such burden demonstrates that the burden—

(1) furthers a compelling governmental interest; and

(2) is the least restrictive means of furthering such interest.

SEC. 127. RECORDKEEPING REQUIREMENTS.

(a) IN GENERAL.—Each covered detention facility shall retain records sufficient to document compliance with this subtitle, including—

(1) determinations of citizenship or immigration status;

(2) communications with Federal immigration authorities;

(3) detainer requests and responses; and

(4) custody transfer or release information.

(b) RETENTION PERIOD.—Records described in subsection (a) shall be retained for not less than 5 years.

(c) AVAILABILITY.—Records retained pursuant to this section shall be made available, upon request, to the Department of Justice or the Department of Homeland Security.

SEC. 128. ENFORCEMENT.

(a) VIOLATION.—A violation of this subtitle shall constitute a failure of a covered detention facility to comply with conditions on the receipt of covered Federal funds.

(b) EFFECT OF NONCOMPLIANCE.—Upon a determination of noncompliance, the Attorney General or the Secretary of Homeland Security shall—

(1) suspend or terminate covered Federal funds to the noncompliant covered detention facility;

(2) recover all covered Federal funds obligated or expended by the noncompliant covered detention facility during the period of noncompliance; and

(3) seek declaratory or injunctive relief, as appropriate.

SEC. 129. RULES OF CONSTRUCTION.

Nothing in this subtitle may be construed—

(1) to require a State or local government to enact or administer a Federal regulatory program;

(2) to limit the authority of the Federal Government to enforce Federal immigration law; or

(3) to require a State or political subdivision of a State to enact or administer a Federal regulatory program, or to impose any obligation except as a condition on the voluntary receipt of Federal funds.

SEC. 130. EFFECTIVE DATE.

This subtitle shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply to any covered detention facility receiving covered Federal funds on or after such date.

SEC. 131. SEVERABILITY.

If any provision of this subtitle or the application of such provision to any particular person or circumstance is held to be unconstitutional, the remaining provisions of this subtitle and the application of such provisions to any other person or circumstance shall not be affected.

Subtitle C—Civil Remedy for Harm Resulting From Sanctuary Policies

SEC. 141. PURPOSE; AUTHORITY.

(a) PURPOSES.—The purposes of this subtitle are to provide a civil remedy to persons injured by serious violent crime committed by removable aliens if a State or local government's sanctuary policy obstructed Federal immigration enforcement and foreseeably contributed to the alien's continued presence at liberty.

(b) AUTHORITY.—Congress enacts this subtitle pursuant to its authority under—

(1) section 8 of article I of the Constitution of the United States, which authorizes Congress to regulate immigration as an inherent attribute of national sovereignty, to provide for the general welfare, and to make all laws necessary and proper for carrying such powers into execution; and

(2) clause 2 of article VI of the Constitution of the United States (commonly known as the ''Supremacy Clause'').

SEC. 142. DEFINITIONS.

In this subtitle:

(1) CONSTRUCTIVE KNOWLEDGE.—The term ''constructive knowledge'' means officials of a covered jurisdiction knew, or reasonably should have

known in light of the facts and circumstances, that—

(A) the individual was a removable alien; and

(B) a sanctuary policy prohibited, restricted, or materially impeded immigration enforcement cooperation with respect to the individual.

(2) COVERED FEDERAL FUNDS.—The term ''covered Federal funds'' has the meaning given such term in section 102.

(3) COVERED JURISDICTION.—The term ''covered jurisdiction'' means any State, political subdivision of a State, or any agency or instrumentality of such State or subdivision.

(4) FEDERAL IMMIGRATION ENFORCEMENT AUTHORITY.—The term ''Federal immigration enforcement authority'' means U.S. Immigration and Customs Enforcement or any successor component of the Department of Homeland Security.

(5) REMOVABLE ALIEN.—The term ''removable alien'' means an alien (as defined in section 101(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(3))) who is unlawfully present in the

United States or otherwise subject to removal under Federal immigration law.

(6) SANCTUARY POLICY.—The term ''sanctuary policy'' means any statute, ordinance, regulation, policy, practice, directive, guidance, or custom of a covered jurisdiction that prohibits, restricts, or materially impedes, directly or indirectly—

(A) sending, receiving, maintaining, accessing, or exchanging with a Federal immigration enforcement authority information regarding the citizenship, nationality, immigration status, removability, identity, location, transfer, detention, or custodial status of any individual; or

(B) complying with a lawful request or detainer issued by a Federal immigration enforcement authority, including a request to provide notice, access, transfer coordination, or temporary detention following the time the individual would otherwise be released.

(7) SERIOUS VIOLENT FELONY.—The term ''serious violent felony'' means murder, voluntary manslaughter, rape, sexual assault, aggravated sexual abuse, child sexual abuse, kidnapping, human trafficking, armed robbery, carjacking, aggravated assault resulting in serious bodily injury, or any felony

offense that has as an element the use, attempted use, or threatened use of physical force against the person of another.

SEC. 143. PRIVATE RIGHT OF ACTION.

(a) CIVIL ACTION AUTHORIZED.—Any individual who suffers personal injury, or the estate, survivors, or heirs of an individual who is killed, as a result of a serious violent felony committed by a removable alien may bring a civil action against a covered jurisdiction in an appropriate Federal district court if the requirements of subsection (b) are satisfied.

(b) BURDEN OF PROOF.—To prevail in an action under this section, a plaintiff shall establish, by a preponderance of the evidence, that—

(1) the covered jurisdiction adopted, enforced, or maintained a sanctuary policy;

(2) with respect to the removable alien, the covered jurisdiction had constructive knowledge;

(3) the sanctuary policy was a substantial factor that prohibited, restricted, or materially impeded a Federal immigration enforcement authority from obtaining timely information about, access to, custody of, or the ability to remove the removable alien; and

(4) the plaintiff's injury or death was a foreseeable and proximate result of the covered jurisdiction's conduct described in paragraphs (1) through (3).

(c) CONSTRUCTIVE KNOWLEDGE.—If a covered jurisdiction is included on the list published under section 104 during the relevant period, such inclusion shall give rise to a rebuttable presumption that the covered jurisdiction had constructive knowledge for purposes of subsection (b)(2).

(d) DEFENSE.—It shall not be a defense to an action under this subtitle that the covered jurisdiction acted pursuant to State or local law, policy, or directive.

(e) EVIDENTIARY STANDARD.—A plaintiff shall not be required to prove that the removable alien was convicted of the serious violent felony if the plaintiff establishes, by a preponderance of the evidence, that the removable alien committed the serious violent felony.

(f) VENUE.—An action under this subtitle may be brought in the judicial district in which—

(1) the injury occurred;

(2) the sanctuary policy was adopted, enforced, or maintained; or

(3) the covered jurisdiction is located.

SEC. 144. RELIEF.

(a) COMPENSATORY DAMAGES.—In an action under section 143, a prevailing plaintiff may recover compensatory damages.

(b) ATTORNEYS' FEES AND COSTS.—In an action under section 143, the court shall award a prevailing plaintiff reasonable attorneys' fees and costs, including reasonable expert witness fees.

(c) JOINT LIABILITY.—A covered jurisdiction found liable under this subtitle shall be jointly and severally liable for the full amount of damages awarded under a civil action authorized under this subtitle.

SEC. 145. WAIVER OF IMMUNITY AS A CONDITION OF RECEIVING FEDERAL FUNDS.

(a) CONDITION.—As a condition of receiving covered Federal funds or any Federal financial assistance administered by the Department of Justice or the Department of Homeland Security, a covered jurisdiction shall be deemed to have waived any claim of sovereign immunity, including immunity under the Eleventh Amendment to the United States Constitution, with respect to a civil action brought under this subtitle.

(b) APPLICABILITY.—The waiver described in subsection (a) applies only to claims arising from conduct occurring during a period in which the covered jurisdiction accepted Federal funds described in subsection (a).

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to require a covered jurisdiction to accept Federal funds.

SEC. 146. PROHIBITION ON USE OF FEDERAL FUNDS FOR JUDGMENTS OR INDEMNIFICATION.

No Federal funds may be used to satisfy any judgment, settlement, indemnification obligation, or insurance premium arising from liability under this subtitle.

SEC. 147. RULES REGARDING PROOF AND CAUSATION.

(a) MATERIAL IMPEDIMENT.—For purposes of section 143(b)(3), a sanctuary policy ''materially impeded'' Federal immigration enforcement if the policy reasonably tended to delay, deter, or prevent a Federal immigration enforcement authority from receiving timely information, obtaining timely access, or taking custody of the removable alien.

(b) FORESEEABILITY.—For purposes of section 143(b)(4), an injury is foreseeable if, in light of the circumstances, a reasonable person would recognize that obstructing immigration enforcement cooperation with respect to a removable alien increases the risk that the alien will remain at liberty and commit a serious violent felony.

(c) RULE OF CONSTRUCTION.—Nothing in this subtitle may be construed to impose liability on a covered ju-

risdiction for the independent criminal acts of another absent the elements set forth in section 143(b).

(d) EXCLUSIVE REQUIREMENTS.—In an action under this subtitle, the elements listed in section 143(b) shall constitute the exclusive requirements for establishing liability.

SEC. 148. STATUTE OF LIMITATIONS.

An action under this subtitle may be brought not later than 10 years after the date on which the injury or death giving rise to the action occurred.

SEC. 149. RULES OF CONSTRUCTION.

Nothing in this subtitle may be construed—

(1) to limit the authority of the United States to enforce Federal immigration law; or

(2) to create liability for a covered jurisdiction solely because the jurisdiction received Federal funds, absent the elements listed in section 143(b).

SEC. 150. SEVERABILITY.

If any provision of this subtitle, or the application of such provision to any person or circumstance, is held invalid, the remainder of this subtitle and the application of such provisions to any other person or circumstance shall not be affected.

SEC. 151. EFFECTIVE DATE.

This subtitle shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply to injuries occurring on or after such date.

Subtitle D—No Student Visas for Sanctuary Cities

SEC. 161. SHORT TITLE.

This subtitle may be cited as the ''No Student Visas for Sanctuary Cities Act of 2026''.

SEC. 162. LIMITATION ON AVAILABILITY OF F-VISAS AND M-VISAS FOR INSTITUTIONS IN SANCTUARY JURISDICTIONS.

Section 214(m) of the Immigration and Nationality Act (8 U.S.C. 1184(m)) is amended by adding at the end the following:

''(3)(A) The Secretary of Homeland Security shall, for each fiscal year, identify sanctuary jurisdictions for purposes of this paragraph.

''(B) In the case of an alien who seeks a visa under or to be accorded status as a nonimmigrant under section 101(a)(15)(F) to pursue a course of study at an established college, university, conservatory, academic high school, elementary school, or other academic institution or in an accredited language training program in the United States, if such college, university, conservatory, academic

high school, elementary school, or other academic institution or accredited language training program is located in a sanctuary jurisdiction, such visa may not be issued nor may such status be accorded.

''(C) In the case of an alien who seeks a visa under or to be accorded status as a nonimmigrant under section 101(a)(15)(M) to pursue a full course of study at an established vocational or other recognized nonacademic institution (other than in a language training program) in the United States, if such vocational or other recognized nonacademic institution is located in a sanctuary jurisdiction, such visa may not be issued nor may such status be accorded.

''(D) The prohibition under subparagraphs (B) and (C) do not apply for a fiscal year in the case of a State or unit of local government identified as a sanctuary jurisdiction if the Secretary of Homeland Security thereafter determines that such State or unit of local government is no longer a sanctuary jurisdiction and submits a report to Congress to that effect.

''(E) In this paragraph, the term 'sanctuary jurisdiction' means any State or unit of local government that has laws, ordinances, regulations, resolutions, policies, or other practices that obstruct immigration enforcement and

shield criminals from U.S. Immigration and Customs Enforcement, including by—

''(i) refusing to or prohibiting agencies from complying with U.S. Immigration and Customs Enforcement detainers;

''(ii) imposing unreasonable conditions on U.S. Immigration and Customs Enforcement detainer compliance;

''(iii) denying U.S. Immigration and Customs Enforcement access to interview incarcerated aliens; or

''(iv) otherwise impeding communication or information exchanges between the jurisdiction's personnel and Federal immigration officers.''.

TITLE II—INCREASING PENALTIES FOR ILLEGAL ENTRY AND REENTRY

SEC. 201. SHORT TITLE.

This title may be cited as the ''Stopping Invaders Act''.

SEC. 202. PURPOSES.

The purposes of this title are—

(1) to deter aliens from attempting to illegally enter the United States; and

(2) to punish aliens who attempt to or successfully illegally enter the United States.

SEC. 203. INCREASING PENALTIES FOR ILLEGAL ENTRY.

Section 275 of the Immigration and Nationality Act (8 U.S.C. 1325) is amended—

(1) by amending subsection (a) to read as follows:

''(a) Any alien who enters or attempts to enter the United States at any time or place other than as designated by immigration officers eludes examination or inspection by immigration officers, or attempts to enter or obtains entry to the United States by a willfully false or misleading representation or the willful concealment of a material fact, shall—

''(1) for the first commission of any such offense, be fined under title 18, United States Code, imprisoned for a period of at least 1 year and not more than 5 years, or both; and

''(2) for a subsequent commission of any such offense, be fined under such title 18, imprisoned for a period of at least 2 years and not more than 10 years, or both.'';

(2) in subsection (b), by amending paragraph (1) to read as follows:

''(1) at least $25,000 and not more than $100,000 for each such entry (or attempted entry); or''; and

(3) by adding at the end the following:

''(e) MANDATORY DETENTION.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, an alien charged with an offense described in subsection (a) shall be detained pending the completion of all criminal proceedings relating to such offense, including sentencing.

''(2) NO RELEASE.—An alien described in paragraph (1) may not be released on bond, parole, recognizance, or any other form of release during the period of detention required under this subsection.''.

SEC. 204. INCREASING PENALTIES FOR ILLEGAL REENTRY.

Section 276 of the Immigration and Nationality Act (8 U.S.C. 1326) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(2) by striking subsections (a) and (b) and inserting the following:

''(a) DEFINED TERM.—In this section, the term 'removal' includes any agreement in which an alien stipulates to removal related to a criminal charge under Federal or State law.

''(b) IN GENERAL.—Except as provided in subsection (c), any alien who—

''(1) has been denied admission, excluded, deported, or removed or has departed the United States while an order of exclusion, deportation, or removal is outstanding; and

''(2) thereafter enters, attempts to enter, or is at any time found in, the United States, unless—

''(A) before the alien's reembarkation at a place outside the United States or the alien's application for admission from foreign contiguous territory, the Secretary of Homeland Security has expressly consented to such alien's reapplying for admission; or

''(B) with respect to an alien previously denied admission and removed, such alien shall establish that the alien was not required to obtain such advance consent under this Act or under any prior Act,

shall be fined under title 18, United States Code, imprisoned at least 5 years but not more than 10 years, or both.

''(c) CRIMINAL PENALTIES FOR REENTRY OF CERTAIN REMOVED ALIENS.—

''(1) IN GENERAL.—Notwithstanding the penalty described in subsection (b), and except as provided in subsection (d), an alien described in subsection (b)—

''(A) who was convicted before such removal or departure of 3 or more misdemeanors involving drugs, crimes against the person, or both, or a felony (other than an aggravated felony), shall be fined under title 18, United States Code, imprisoned at least 10 years but not more than 20 years, or both;

''(B) who has been excluded from the United States pursuant to section 235(c) because the alien was inadmissible under section 212(a)(3)(B) or who has been removed from the United States pursuant to title V, and who thereafter, without the permission of the Secretary of Homeland Security, enters the United States, or attempts to do so, shall be fined under title 18, United States Code, and imprisoned for at least 10 years but not more than 20 years, which sentence shall not run concurrently with any other sentence;

''(C) who was removed from the United States pursuant to section 241(a)(4)(B) who

thereafter, without the permission of the Secretary of Homeland Security, enters, attempts to enter, or is at any time found in, the United States, shall be fined under title 18, United States Code, imprisoned for at least 10 years but not more than 20 years, or both; or

''(D) who has been denied admission, excluded, deported, or removed 3 or more times and thereafter enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, imprisoned for at least 10 years but not more than 20 years, or both.'';

(3) in subsection (d), as redesignated—

(A) by striking ''section 242(h)(2)'' and inserting ''section 241(a)(4)''; and

(B) by striking ''Attorney General'' and inserting ''Secretary of Homeland Security''; and

(4) in subsection (e), as redesignated, in the matter preceding paragraph (1), by striking ''subsection (a)(1) or subsection (b)'' and inserting ''subsection (b)(1) or (c)''.

TITLE III—PROTECT LAW ENFORCEMENT

Subtitle A—Shielding Heroes in Enforcement From Loud Disruptions

SEC. 301. SHORT TITLES.

This subtitle may be cited as the ''Shielding Heroes In Enforcement from Loud Disruptions Act'' or the ''SHIELD Act''.

SEC. 302. AMENDMENT.

(a) IN GENERAL.—Section 231 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking ''or'' at the end;

(B) in paragraph (3), by striking ''any Federally protected function—'', and inserting ''any Federally protected function; or''; and

(C) by inserting after paragraph (3) the following:

''(4) Whoever commits or attempts to commit any act to obstruct, impede, inhibit, stymie, hinder, hamper, or interfere with any person described in section 1114 of this title while that person is engaged in or on account of the performance of official

duties or any Federally protected function of that person—''; and

(2) by adding at the end the following:

''(c) For purposes of this section, 'interfere with' includes creating a loud noise that impedes, inhibits, stymies, hinders, or hampers the operations or audible communications of, by using a device, such as a whistle, megaphone, or sound amplification device.''.

(b) RULE OF CONSTRUCTION.—Nothing in this subtitle, or any amendment made by this subtitle, shall be construed to prohibit the content or expressive aspects of any speech or expressive conduct.

(c) SEVERABILITY.—If any provision of this subtitle, an amendment made by this subtitle, or the application of such a provision or amendment to any particular person or circumstance is held invalid, the remaining provisions of this subtitle and amendments made by this subtitle, and the application of such provisions and amendments to any other person or circumstance, shall not be affected thereby.

Subtitle B—Federal Officer Protection

SEC. 311. SHORT TITLE.

This subtitle may be cited as the ''Federal Officer Protection Act''.

SEC. 312. INCREASED PENALTIES AND ADJUSTED MANDATORY MINIMUM SENTENCES FOR ASSAULTING FEDERAL OFFICERS.

Section 111 of title 18, United States Code, is amended—

(1) in subsection (a), by striking ''not more than one year'' and inserting ''not more than 2 years'';

(2) in subsection (a), by striking ''not more than 8 years'' and inserting ''not less than 2 years and not more than 16 years'';

(3) in subsection (b), by striking ''not more than 20 years'' and inserting ''not less than 5 years and not more than 40 years''; and

(4) by adding at the end the following:

''(d) MANDATORY MINIMUM SENTENCES.—Notwithstanding any other provision of law, a court shall impose a sentence of imprisonment not less than the minimum terms specified under subsections (a) and (b), and no term of imprisonment imposed under those subsections may be suspended, probated, or reduced below such minimum term.''.

SEC. 313. APPLICABILITY.

The amendments made by this subtitle shall apply to offenses committed on or after the date of enactment of this Act.

TITLE IV—DEFUNDING ROGUE NONPROFITS

SEC. 401. SHORT TITLE.

This title may be cited as the ''No Rogue Nonprofits Act''.

SEC. 402. SPECIAL RULES FOR CERTAIN CHARITABLE ORGANIZATIONS.

(a) IN GENERAL.—Section 501 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(s) ADDITIONAL REQUIREMENT FOR CHARITABLE ORGANIZATIONS.—Notwithstanding subsections (e) and (f), for purposes of subsection (c)(3) and section 170(c)(2)(B), an organization shall not be treated as organized and operated for exclusively for charitable purposes if such organization promotes, incites, or provides material support for criminal violence.''.

(b) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to prohibit or penalize lawful speech, advocacy, or assembly protected by the First Amendment to the Constitution of the United States, nor to apply to the discussion of ideas absent promotion, incitement, or material support of criminal conduct.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

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