

117TH CONGRESS
1ST SESSION

H. R. 3195

To make any city or county that has in effect any law or ordinance that is in violation of Federal immigration law ineligible for any Federal grant, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 13, 2021

Mr. GROTHMAN (for himself, Mr. WEBER of Texas, Mr. ALLEN, Mr. JOHNSON of Ohio, Mr. STEUBE, Mrs. LESKO, Mr. LONG, Mr. JOYCE of Pennsylvania, Mrs. MILLER of Illinois, and Mr. GREEN of Tennessee) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To make any city or county that has in effect any law or ordinance that is in violation of Federal immigration law ineligible for any Federal grant, 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 “Ending Sanctuary Cit-
5 ies Act of 2021”.

1 **SEC. 2. INELIGIBILITY FOR FEDERAL GRANTS OF CERTAIN**
2 **JURISDICTIONS THAT VIOLATE THE IMMI-**
3 **GRATION LAWS.**

4 (a) **INELIGIBLE JURISDICTIONS.**—A State or unit of
5 local government is an ineligible jurisdiction for purposes
6 of this section if that State or unit of local government—

7 (1) violates section 642 of the Illegal Immigra-
8 tion Reform and Immigrant Responsibility Act of
9 1996 (8 U.S.C. 1373);

10 (2) otherwise restricts compliance with a de-
11 tainer issued by the Secretary of Homeland Secu-
12 rity; or

13 (3) has any law or policy in effect that violates
14 the immigration laws.

15 (b) **ANNUAL DETERMINATION OF INELIGIBLE JURIS-**
16 **DICATIONS.**—Not later than 1 year after the date of the
17 enactment of this Act, and annually thereafter, the Sec-
18 retary of Homeland Security shall make a determination
19 as to whether each State or unit of local government is
20 an ineligible jurisdiction under subsection (a) and submit
21 such determinations to Congress.

22 (c) **PROHIBITION ON FEDERAL FINANCIAL ASSIST-**
23 **ANCE.**—A State or unit of local government that is deter-
24 mined to be an ineligible jurisdiction may not receive any
25 Federal financial assistance (as such term is defined in
26 section 7501(a)(5) of title 31, United States Code) for the

1 fiscal year following any fiscal year in which the Secretary
2 of Homeland Security determines that the State or unit
3 of local government is an ineligible jurisdiction under sub-
4 section (b).

5 **SEC. 3. LIMITATION ON LIABILITY FOR COMPLIANCE WITH**
6 **DETAINER.**

7 A State or unit of local government, and any law en-
8 forcement officer of such State or unit of local govern-
9 ment, acting in compliance with a detainer issued by the
10 Secretary of Homeland Security, shall be considered to be
11 acting under color of Federal authority for purposes of
12 determining liability, and immunity from suit, in any civil
13 action brought by the alien under Federal or State law.

14 **SEC. 4. WORKPLACE PROTECTIONS FOR LAW ENFORCE-**
15 **MENT.**

16 Section 15(a) of the Fair Labor Standards Act (29
17 U.S.C. 215(a)) is amended—

18 (1) in paragraph (5), by striking the period at
19 the end and inserting “; and”; and

20 (2) by adding at the end the following:

21 “(6) in the case of a State or unit of local gov-
22 ernment, to discharge or in any other manner dis-
23 criminate against any law enforcement officer of
24 that State or unit of local government because such
25 law enforcement officer has taken any action to com-

1 ply with a detainer (as such term is defined in sec-
2 tion 5 of the Ending Sanctuary Cities Act of 2021)
3 issued by the Secretary of Homeland Security.”.

4 **SEC. 5. DEFINITIONS.**

5 In this Act:

6 (1) The term “detainer” means any order or re-
7 quest by the Secretary of Homeland Security—

8 (A) to temporarily hold an alien in custody
9 until such alien may be taken into Federal cus-
10 tody;

11 (B) to transport an alien for transfer to
12 Federal custody; or

13 (C) to notify the Secretary prior to the re-
14 lease of an alien from State or local custody.

15 (2) The term “immigration laws” has the
16 meaning given such term in section 101 of the Im-
17 migration and Nationality Act.

18 (3) The term “unit of local government” has
19 the meaning given such term under section
20 901(a)(3) of the Omnibus Crime Control and Safe
21 Streets Act of 1968 (42 U.S.C. 3791(a)(3)).

○