

119TH CONGRESS
2D SESSION

S. _____

To prohibit sanctuary jurisdictions from receiving community development
block grants, and for other purposes.

IN THE SENATE OF THE UNITED STATES

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

A BILL

To prohibit sanctuary jurisdictions from receiving community
development block grants, 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 “End Housing Welfare
5 for Illegal Aliens Act”.

6 **SEC. 2. INELIGIBILITY OF SANCTUARY JURISDICTIONS FOR**
7 **COMMUNITY DEVELOPMENT BLOCK GRANTS.**

8 Title I of the Housing and Community Development
9 Act of 1974 (42 U.S.C. 5301 et seq.) is amended—

1 (1) in section 102(a) (42 U.S.C. 5302(a)), by
2 adding at the end the following:

3 “(25)(A) Except as provided in subparagraph
4 (B), the term ‘sanctuary jurisdiction’ means any
5 State or political subdivision of a State that has in
6 effect a statute, ordinance, policy, or practice that
7 prohibits or restricts any government entity or offi-
8 cial from—

9 “(i) sending, receiving, maintaining, or ex-
10 changing with any Federal, State, or local gov-
11 ernment entity information regarding the citi-
12 zenship or immigration status (lawful or unlaw-
13 ful) of any individual; or

14 “(ii) complying with a request lawfully
15 made by the Department of Homeland Security
16 under section 236 or 287 of the Immigration
17 and Nationality Act (8 U.S.C. 1226, 1357) to
18 comply with a detainer for, or notify about the
19 release of, an individual.

20 “(iii) A State or political subdivision of a
21 State shall not be deemed a sanctuary jurisdic-
22 tion based solely on its having a policy whereby
23 its officials will not share information regard-
24 ing, or comply with a request made by the De-
25 partment of Homeland Security under section

1 236 or 287 of the Immigration and Nationality
2 Act (8 U.S.C. 1226, 1357) to comply with a de-
3 tainer regarding, an individual who comes for-
4 ward as a victim or a witness to a criminal of-
5 fense.”; and

6 (2) in section 104(b) (42 U.S.C. 5304(b))—

7 (A) in paragraph (5), by striking “and” at
8 the end;

9 (B) by redesignating paragraph (6) as
10 paragraph (7); and

11 (C) by inserting after paragraph (5) the
12 following:

13 “(6) the grantee is not a sanctuary jurisdiction
14 and will not become a sanctuary jurisdiction during
15 the period for which the grantee receives a grant
16 under this title; and”.

17 **SEC. 3. CODIFICATION OF ‘MIXED-STATUS’ RULE TO PRE-**
18 **VENT THE PRORATING OF HOUSING ASSIST-**
19 **ANCE TO HOUSEHOLDS WITH ILLEGAL ALIEN**
20 **RESIDENTS.**

21 (a) RESTRICTION ON USE OF ASSISTED HOUSING.—
22 Section 214(b) of the Housing and Community Develop-
23 ment Act of 1980 (42 U.S.C. 1436a(b)) is amended by
24 striking paragraph (2) and inserting the following:

1 “(2) If the eligibility for financial assistance of at
2 least one member of a family has been affirmatively estab-
3 lished under the program of financial assistance and under
4 this section, and the ineligibility of one or more family
5 members has not been affirmatively established under this
6 section, the applicable Secretary shall not make any finan-
7 cial assistance available on any prorated basis until eligi-
8 bility has been affirmatively established for all members
9 of a family regardless of age.”.

10 (b) REMOVAL OF ASSISTANCE.—Section 214 of the
11 Housing and Community Development Act of 1980 (42
12 U.S.C. 1436a) is amended—

13 (1) by striking subsection (c);

14 (2) by redesignating subsections (d) through (i)
15 as subsections (c) through (h), respectively;

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

17 (A) in paragraph (2), by striking “sub-
18 section (d)(4)(A)(ii)” and inserting “subsection
19 (c)(4)(A)(ii)”;

20 (B) in paragraph (3), by striking “sub-
21 section (d)(4)(B)(ii)” and inserting “subsection
22 (c)(4)(B)(ii);”

23 (4) in subsection (e)(1), as so redesignated, by
24 striking “subsection (d)” and inserting “subsection
25 (c);”

1 (5) in subsection (g), as so redesignated, by
2 striking “subsection (d)” and inserting “subsection
3 (c)”;

4 (6) in subsection (h), as so redesignated, by
5 striking “subsection (d)” each place that term ap-
6 pears and inserting “subsection (c)”.

7 (c) VERIFICATION OF ELIGIBILITY FOR HOUSING AS-
8 SISTANCE.—Subsection (h) of section 214 of the Housing
9 and Community Development Act of 1980 (42 U.S.C.
10 1436a), as so redesignated under subsection (b), is amend-
11 ed—

12 (1) in paragraph (1), by striking “at least the
13 individual or one family member” and inserting “in-
14 dividual and all family members regardless of age”;
15 and

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

17 “(4) PRORATED ASSISTANCE.—With respect to
18 pending verification of eligibility as described in
19 paragraph (1), the applicable Secretary may not pro-
20 vide any financial assistance to any individual or
21 family on any prorated basis until verification of eli-
22 gibility has been confirmed for all individuals or
23 family members regardless of age.”.

1 **SEC. 4. REQUIRING PUBLIC HOUSING AGENCIES TO AF-**
2 **FIRMATIVELY ESTABLISH AND VERIFY CITI-**
3 **ZENSHIP BEFORE PROVIDING FINANCIAL AS-**
4 **SISTANCE.**

5 Subsection (h)(2)(A) of section 214 of the Housing
6 and Community Development Act of 1980 (42 U.S.C.
7 1436a), as so redesignated under section 3, is amended—

8 (1) by striking “may, notwithstanding para-
9 graph (1) of this subsection,” and inserting “shall”;
10 and

11 (2) by striking “assistance” and inserting “as-
12 sistance; and”.

13 **SEC. 5. RESTRICTING ELIGIBILITY OF CERTAIN NONCITI-**
14 **ZENS OF THE UNITED STATES FOR HOUSING**
15 **PROGRAMS.**

16 Section 214(b)(1) of the Housing and Community
17 Development Act of 1980 (42 U.S.C. 1436a(b)(1)) is
18 amended—

19 (1) by inserting “or section 811” after “title
20 III”; and

21 (2) by inserting “(42 U.S.C. 12851 et seq.,
22 8013), section 202 of the Housing Act of 1959 (12
23 U.S.C. 1701q)” after “Affordable Housing Act”.