

119TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To establish eligibility requirements for the use of Federal funds for Special Event Assessment Rating support in sanctuary jurisdictions and to reallocate such funds to U.S. Immigration and Customs Enforcement for immigration enforcement efforts.

---

IN THE SENATE OF THE UNITED STATES

---

Mr. SCOTT of Florida introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

---

## **A BILL**

To establish eligibility requirements for the use of Federal funds for Special Event Assessment Rating support in sanctuary jurisdictions and to reallocate such funds to U.S. Immigration and Customs Enforcement for immigration enforcement efforts.

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 “Sanctuary Jurisdiction  
5        Event Security Enhancement Act”.

6        **SEC. 2. FINDINGS.**

7        Congress finds the following:

1           (1) The Special Event Assessment Rating pro-  
2           gram, which is administered by the Department of  
3           Homeland Security, assesses risks for major events  
4           to ensure public safety and national security.

5           (2) Sanctuary jurisdictions, by limiting coopera-  
6           tion with Federal immigration enforcement, may  
7           hinder intelligence sharing and increase  
8           vulnerabilities at such events, including threats from  
9           illegal aliens potentially involved in terrorism or dis-  
10          ruptions.

11          (3) Examples of such increased vulnerabilities  
12          include more than 382 border encounters with indi-  
13          viduals on terrorist watch lists along United States  
14          borders between fiscal years 2021 and 2024, inclu-  
15          sive, and historical cases of foreign-born terrorists il-  
16          legally entering the United States plotting attacks  
17          against our country.

18          (4) Conditioning SEAR support on compliance  
19          with immigration laws—

20                  (A) promotes the general welfare of the  
21                  American people;

22                  (B) is unambiguous;

23                  (C) directly relates to event security risks;

24                  (D) complies with all relevant provisions in  
25          the United States Constitution;

1 (E) does not coerce compliance by sanc-  
2 tuary jurisdictions; and

3 (F) is consistent with the holding by the  
4 United States Supreme Court in *South Dakota*  
5 *v. Dole* (483 U.S. 203 (1987)).

6 **SEC. 3. DEFINITIONS.**

7 In this Act:

8 (1) **SANCTUARY JURISDICTION.**—The term  
9 “sanctuary jurisdiction” means a State or a political  
10 subdivision of a State that has in effect a statute,  
11 ordinance, policy, or practice that prohibits or re-  
12 stricts—

13 (A) sending, receiving, maintaining, or ex-  
14 changing with any Federal, State, or local gov-  
15 ernment entity information regarding the citi-  
16 zenship or immigration status (lawful or unlaw-  
17 ful) of any individual; or

18 (B) complying with a request lawfully  
19 made by the Department of Homeland Security  
20 under section 236 or 287 of the Immigration  
21 and Nationality Act (8 U.S.C. 1226 and 1357)  
22 to detain an alien.

23 (2) **SEAR SUPPORT.**—The term “SEAR sup-  
24 port” means any Federal funds, grants, or resources  
25 provided by the Department of Homeland Security

1 for Special Event Assessment Rating activities, in-  
2 cluding risk assessments, explosive detection teams,  
3 cyber support, or other security measures for volun-  
4 tarily submitted events.

5 **SEC. 4. INELIGIBILITY OF SANCTUARY JURISDICTIONS FOR**  
6 **FEDERAL FUNDING FOR SEAR SUPPORT.**

7 (a) IN GENERAL.—Subject to subsection (b) and not-  
8 withstanding any other provision of law, sanctuary juris-  
9 dictions are ineligible to receive Federal funds for SEAR  
10 support for events taking place in such jurisdictions, in-  
11 cluding funding from—

12 (1) the Department of Homeland Security’s Of-  
13 fice of Operations Coordination; or

14 (2) related grant programs, such as the Home-  
15 land Security Grant Program.

16 (b) NOTIFICATION AND CERTIFICATION REQUIRE-  
17 MENTS.—The ineligibility of a sanctuary jurisdiction to re-  
18 ceive Federal funds described in subsection (a) shall not  
19 take effect unless—

20 (1) 30 days has elapsed since the sanctuary ju-  
21 risdiction was notified by the Secretary of Homeland  
22 Security that it is a sanctuary jurisdiction; and

23 (2) the sanctuary jurisdiction fails to certify to  
24 the Secretary of Homeland Security that it is in full  
25 compliance with the immigration laws (as defined in

1 section 101(a)(17) of the Immigration and Nation-  
2 ality Act (8 U.S.C. 1101(a)(17)), including section  
3 642 of the Immigration Reform and Immigrant Re-  
4 sponsibility Act of 1996 (division C of Public Law  
5 104–208; 8 U.S.C. 1373).

6 **SEC. 5. REALLOCATION.**

7 (a) IN GENERAL.—An amount equal to the reduction  
8 in expenditures resulting from the ineligibility of certain  
9 sanctuary jurisdictions under section 4 shall be reallocated  
10 to Enforcement and Removal Operations of U.S. Immigra-  
11 tion and Customs Enforcement.

12 (b) PRIORITY.—Of the amounts reallocated pursuant  
13 to subsection (a)—

14 (1) priority shall be given to immigration en-  
15 forcement activities in response to public safety  
16 threats, including arrests, detentions, and deporta-  
17 tions of convicted criminal noncitizens, gang mem-  
18 bers, and individuals on terrorist watch lists; and

19 (2) at least 50 percent shall be expended for  
20 border-related removals and enforcement operations.

21 **SEC. 6. SEMIANNUAL REPORTS.**

22 The Secretary of Homeland Security shall submit  
23 semiannual reports to Congress detailing—

24 (1) the amount of funds that have been with-  
25 held pursuant to section 4;

1           (2) the amount of funds that have been reallo-  
2           cated pursuant to section 5;

3           (3) the impact such reallocations have had on  
4           enforcement outcomes, including the number of ar-  
5           rests, detentions, and deportations; and

6           (4) the impact of this Act on reducing risks  
7           from illegal aliens at major events.

8 **SEC. 7. SEVERABILITY.**

9           If any provision of this Act, or the application of such  
10          provision to any person or circumstance, is held invalid,  
11          the remainder of this section, and the application of such  
12          provision to other persons or circumstances, shall not be  
13          affected.