

115TH CONGRESS  
1ST SESSION

# H. R. 483

To amend title IV of the Higher Education Act of 1965 to prohibit the provision of funds under such title to institutions of higher education that violate the immigration laws, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 12, 2017

Mr. HUNTER (for himself, Mr. BARLETTA, Mr. MCCLINTOCK, Mr. LAMALFA, Mr. ALLEN, Mr. JONES, Mr. ROHRABACHER, Mr. BIGGS, Mr. BABIN, Mr. GOHMERT, Mr. GROTHMAN, Mr. GRAVES of Louisiana, Mr. CRAMER, and Mr. BRAT) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend title IV of the Higher Education Act of 1965 to prohibit the provision of funds under such title to institutions of higher education that violate the immigration laws, 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 “No Funding for Sanc-  
5 tuary Campuses Act”.

1 **SEC. 2. TREATMENT OF SANCTUARY CAMPUSES.**

2 (a) IN GENERAL.—Part G of title IV of the Higher  
3 Education Act of 1965 (20 U.S.C. 1088 et seq.) is amend-  
4 ed by adding at the end the following:

5 **“SEC. 493E. TREATMENT OF SANCTUARY CAMPUSES.**

6 “(a) DEFINITION.—

7 “(1) IN GENERAL.—For purposes of this sec-  
8 tion, the term ‘sanctuary campus’ means any insti-  
9 tution of higher education (as defined in section  
10 102) that—

11 “(A) has in effect an ordinance, policy, or  
12 practice that prohibits or restricts any institu-  
13 tional entity, official, or personnel from—

14 “(i) sending, receiving, maintaining,  
15 or exchanging with any Federal, State, or  
16 local government entity information re-  
17 garding the citizenship or immigration sta-  
18 tus (lawful or unlawful) of any individual;

19 “(ii) complying with a request lawfully  
20 made by the Secretary of Homeland Secu-  
21 rity under section 236 or 287 of the Immi-  
22 gration and Nationality Act (8 U.S.C.  
23 1226 or 1357) to comply with a detainer  
24 for, or notify about the release of, an indi-  
25 vidual; or

1                   “(iii) otherwise complying with section  
2                   642 of the Illegal Immigration Reform and  
3                   Immigrant Responsibility Act of 1996 (8  
4                   U.S.C. 1373);

5                   “(B) brings in, or harbors, an alien in vio-  
6                   lation of section 274(a)(1)(A) of the Immigra-  
7                   tion and Nationality Act (8 U.S.C.  
8                   1324(a)(1)(A));

9                   “(C) renders an alien who lacks a lawful  
10                  immigration status in the United States eligible  
11                  for any postsecondary education benefit pro-  
12                  vided on the basis of residence within a State  
13                  (or a political subdivision of a State) to the  
14                  same extent as a citizen or national of the  
15                  United States is eligible for such benefit; or

16                  “(D) has in effect a policy or practice that  
17                  either prohibits, or in effect prevents, the Sec-  
18                  retary of Homeland Security from gaining ac-  
19                  cess to campuses or access to students (who are  
20                  17 years of age or older) on campuses, for pur-  
21                  poses of Department of Homeland Security re-  
22                  cruiting in a manner that is at least equal in  
23                  quality and scope to the access to campuses and  
24                  to students that is provided to any other em-  
25                  ployer.

1           “(2) EXCEPTIONS.—An institution of higher  
2 education shall not be considered a sanctuary cam-  
3 pus for purposes of this section based solely on the  
4 institution having a policy under which its officials,  
5 with respect to an individual who comes forward as  
6 a victim or a witness to a criminal offense, will  
7 not—

8           “(A) send, receive, maintain, or exchange  
9 with any Federal, State, or local government  
10 entity information regarding the citizenship or  
11 immigration status (lawful or unlawful) of the  
12 individual; or

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

19           “(b) DETERMINATION BY SECRETARY OF HOME-  
20 LAND SECURITY.—Whenever the Secretary of Homeland  
21 Security makes a determination that an institution of  
22 higher education is a sanctuary campus, the Secretary—

23           “(1) shall transmit a notice of the determina-  
24 tion to the Secretary of Education; and

1           “(2) shall publish in the Federal Register a no-  
2           tice of the determination and the effect of the deter-  
3           mination on the eligibility of the institution for fund-  
4           ing under this title.

5           “(c) EFFECT OF DETERMINATION.—An institution  
6           determined under subsection (b) to be a sanctuary campus  
7           is ineligible to receive funds under this title.

8           “(d) SENSE OF CONGRESS.—It is the sense of the  
9           Congress that providing the public benefit of in-State tui-  
10          tion to an alien who lacks lawful immigration status in  
11          the United States creates an incentive for illegal immigra-  
12          tion and encourages and induces aliens to come to, enter,  
13          or reside in the United States, as described in section  
14          274(a)(1)(A)(iv) of the Immigration and Nationality Act  
15          (8 U.S.C. 1324(a)(1)(A)(iv)).”.

16          (b) EFFECTIVE DATE.—The amendment made by  
17          subsection (a) shall take effect on the date that is 90 days  
18          after the date of the enactment of this Act.

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