

119TH CONGRESS  
1ST SESSION

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

To amend the Internal Revenue Code of 1986 to modify eligibility for  
501(c)(3) status.

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IN THE SENATE OF THE UNITED STATES

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

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**A BILL**

To amend the Internal Revenue Code of 1986 to modify  
eligibility for 501(c)(3) status.

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 “Fixing Exemptions for  
5 Networks Choosing to Enable Illegal Migration Act” or  
6 the “FENCE Act”.

7 **SEC. 2. ORGANIZATIONS HARBORING ALIENS UNLAWFULLY**

8 **PRESENT IN THE UNITED STATES.**

9 (a) IN GENERAL.—Paragraph (3) of section 501(c)  
10 of the Internal Revenue Code of 1986 is amended—

1 (1) by striking “animals, no part” and inserting

2 “animals—

3 “(A) no part”,

4 (2) by striking “individual, no substantial part”

5 and inserting “individual,

6 “(B) no substantial part”,

7 (3) by striking “subsection (h)), and which”

8 and inserting “subsection (h)),

9 “(C) which”,

10 (4) by striking the period at the end and insert-

11 ing “, and”, and

12 (5) by adding at the end the following:

13 “(D) which does not engage in a pattern

14 or practice of providing financial assistance,

15 benefits, services, or other material support to

16 individuals which such corporation, community

17 chest, fund, or foundation knows or reasonably

18 should know to be unlawfully present in the

19 United States.

20 Subparagraph (D) shall not be construed to require

21 proof of citizenship or verification of an individual’s

22 immigration status to be presented, or to require a

23 religious organization to act in violation of its reli-

24 gious beliefs.”.

1           (b) **EFFECTIVE DATE.**—The amendments made by  
2 this section shall take effect upon the date of the enact-  
3 ment of this Act.