

AMENDMENT
OFFERED BY MS. ANSARI OF ARIZONA

Insert in the appropriate place in the bill the following:

1 SEC. ____ . PROHIBITION ON THE USE OF PRIVATE IMMI-
2 GRATION DETENTION FACILITIES.

3 (a) PROHIBITION.—None of the funds made available
4 by this Act, or any other Act making appropriations for
5 the Department of Homeland Security, may be used by
6 U.S. Immigration and Customs Enforcement to enter into,
7 renew, extend, or continue any contract, intergovern-
8 mental service agreement, or other arrangement for the
9 detention of individuals in facilities that are owned, oper-
10 ated, or managed by a private, for-profit entity.

11 (b) PHASE-OUT OF EXISTING CONTRACTS.—Any
12 contract or agreement described in subsection (a) that is
13 in effect on the date of enactment of this Act shall termi-
14 nate not later than 180 days after the date of enactment,
15 and may not be renewed or extended.

16 (c) TRANSFER OF DETAINEES.—The Director of
17 U.S. Immigration and Customs Enforcement shall ensure
18 that any individual detained in a facility described in sub-
19 section (a) is transferred to a publicly owned and operated

1 facility, released, or placed in a non-custodial alternative
2 to detention, consistent with applicable law, prior to the
3 termination of such contract or agreement.

4 (d) DEFINITIONS.—For purposes of this section, the
5 term “private, for-profit entity” means any corporation,
6 partnership, or other nongovernmental entity that oper-
7 ates detention facilities for financial gain, including sub-
8 contractors.

9 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
10 tion shall be construed to require the construction of new
11 detention facilities or to limit the authority of the Sec-
12 retary of Homeland Security to use alternatives to deten-
13 tion.

