

**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 IMMIGRATION DETENTION FACILITIES.**

2       (a) PROHIBITION.—None of the funds made available

3 by this Act, or any other Act making appropriations for

4 the Department of Homeland Security, may be used by

5 U.S. Immigration and Customs Enforcement to enter into,

6 renew, extend, or continue any contract, intergovernmental

7 service agreement, or other arrangement for the

8 detention of individuals in facilities that are owned, oper-

9 ated, or managed by a private, for-profit entity.

10     (b) PHASE-OUT OF EXISTING CONTRACTS.—Any

11 contract or agreement described in subsection (a) that is

12 in effect on the date of enactment of this Act shall termi-

13 nate not later than 180 days after the date of enactment,

14 and may not be renewed or extended.

15     (c) TRANSFER OF DETAINEES.—The Director of

16 U.S. Immigration and Customs Enforcement shall ensure

17 that any individual detained in a facility described in sub-

18 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.

