

**AMENDMENT TO RULES COMMITTEE PRINT 119-**

**33**

**OFFERED BY MR. MENENDEZ OF NEW JERSEY**

At the end of subtitle B of title XVII, insert the following new section:

1 **SEC. 17\_\_ . PROHIBITION ON DEPARTMENT OF DEFENSE**  
2 **SUPPORT FOR IMMIGRATION DETENTION OP-**  
3 **ERATIONS.**

4 (a) PROHIBITION.—The Secretary of Defense may  
5 not authorize, facilitate, support, or provide assistance to  
6 the Secretary of Homeland Security for the purpose of op-  
7 erating, constructing, expanding, or maintaining an immi-  
8 gration detention facility, including at or on any military  
9 installation or other real property under the jurisdiction  
10 of the Department of Defense, or otherwise provide sup-  
11 port for immigrant detention operations carried out by the  
12 Secretary of Homeland Security.

13 (b) COVERED SUPPORT.—The prohibition under sub-  
14 section (a) includes—

15 (1) the lease, transfer, conveyance, licensing, or  
16 other provision of real property, land, or facilities  
17 under the jurisdiction of the Department of Defense  
18 for purposes of immigration detention;

1           (2) the review, renewal, extension, or execution  
2 of contracts, agreements, memoranda of under-  
3 standing, interagency agreements, or other arrange-  
4 ments relating to immigration detention operations;

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6           (3) contracting, procurement, acquisition, or  
7 logistical support provided in connection with immi-  
8 gration detention operations or immigration deten-  
9 tion facilities;

10          (4) construction, engineering, infrastructure in-  
11 stallation, site preparation, or facility maintenance  
12 activities in support of immigration detention oper-  
13 ations, including temporary or soft-sided detention  
14 facilities;

15          (5) transportation or movement of individuals  
16 in the custody of the Secretary of Homeland Secu-  
17 rity for purposes of immigration detention oper-  
18 ations;

19          (6) administrative, communications, informa-  
20 tion technology, or personnel support provided for  
21 immigration detention operations; and

22          (7) any other material, operational, or technical  
23 assistance provided for the primary purpose of sup-  
24 porting immigration detention activities.

1 (c) RULE OF CONSTRUCTION.—Nothing in this sec-  
2 tion shall be construed to—

3 (1) prohibit cooperation between the Secretary  
4 of Defense and the Secretary of Homeland Security  
5 relating to military operations, disaster re-  
6 sponse, counter-narcotics activities, counterterrorism  
7 activities, or other lawful missions unrelated to civil-  
8 ian immigration detention operations; and

9 (2) authorize or expand the authority of the  
10 Secretary of Defense to participate in immigration  
11 enforcement operations.

