

**AMENDMENT TO H.R. 4367, AS REPORTED
OFFERED BY MR. RASKIN OF MARYLAND**

At the end of the bill (before the short title), insert the following:

1 SEC. _____. None of the funds made available by this
2 Act may be used to enter into a contract or agreement
3 with a nongovernmental entity or a State or local govern-
4 ment entity for the purposes of incarcerating or detaining
5 Federal prisoners or detainees in a non-Federal prison,
6 jail, or correctional or detention facility, unless the con-
7 tract, agreement, or renewal of a contract or agreement
8 includes as a material term—

9 (1) that the Agency shall be deemed to have
10 control over all information of the contractor entity
11 related to—

12 (A) the incarceration, detention, treatment
13 or condition of federal prisoners or detainees;

14 (B) any costs or the expenditure of any
15 funds related to the contract or agreement; and

16 (C) any other information related to the
17 performance of the contract or agreement;

1 (2) that the information identified in paragraph
2 (1) is subject to disclosure pursuant to section 552
3 of title 5, United States Code; and

4 (3) that the contractor shall provide access to
5 the information identified in paragraph (1) to any
6 person upon request made pursuant to section
7 552(a)(3)(A) of title 5, United States Code.

