

109TH CONGRESS  
1ST SESSION

# H. R. 4253

To expand the authority of the Secretary of Homeland Security to transport and remove aliens unlawfully present in the United States.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 8, 2005

Ms. GINNY BROWN-WAITE of Florida (for herself and Mr. JONES of North Carolina) introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To expand the authority of the Secretary of Homeland Security to transport and remove aliens unlawfully present in the United States.

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 “Illegal Alien Transport  
5 and Removal Act of 2005”.

### 6 **SEC. 2. TRANSPORT AND REMOVAL OF ALIENS UNLAW-** 7 **FULLY PRESENT IN THE UNITED STATES.**

8 (a) TRANSPORT.—

1           (1) IN GENERAL.—The Secretary of Homeland  
2       Security is authorized to enter into contracts with  
3       private entities for the purpose of providing secure  
4       domestic transport of aliens who are apprehended at  
5       or along the international land or maritime borders  
6       from the custody of the Border Patrol to detention  
7       facilities and other locations as necessary.

8           (2) CRITERIA FOR SELECTION.—To enter into a  
9       contract under paragraph (1), a private entity shall  
10      submit an application to the Secretary at such time,  
11      in such manner, and containing such information as  
12      the Secretary may require. The Secretary shall select  
13      from such applications those entities which offer, in  
14      the determination of the Secretary, the best com-  
15      bination of quality, lowest cost, and security.

16      (b) REMOVAL.—Nothing in section 241(a)(1)(C) of  
17      the Immigration and Nationality Act (8 U.S.C.  
18      1231(a)(1)(C)) shall be construed as preventing the Sec-  
19      retary from removing an alien from the United States if  
20      the alien has failed or refused to make timely application  
21      in good faith for travel or other documents necessary to  
22      the alien's departure or conspires or acts to prevent the  
23      alien's removal subject to an order of removal.

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