

109TH CONGRESS
1ST SESSION

H. R. 4307

To require the Secretary of Homeland Security to annually compile data relating to unauthorized aliens who cross the borders into the United States.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 10, 2005

Mr. ROGERS of Alabama (for himself, Mr. McCAUL of Texas, and Mr. PEARCE) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To require the Secretary of Homeland Security to annually compile data relating to unauthorized aliens who cross the borders into 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 Border Cross-
5 ers Reporting Act of 2005”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Estimates of the number of illegal aliens in
2 the United States range from 7 million to 20 mil-
3 lion.

4 (2) In fiscal year 2004, the United States Bor-
5 der Patrol apprehended 1.16 million people who en-
6 tered the country illegally. However, this represents
7 only one-third of the estimated three million people
8 who cross the border illegally each year.

9 (3) Numerous reports indicate that the num-
10 bers of “Other Than Mexicans” (OTMs) entering
11 the country illegally has been rising. OTM apprehen-
12 sions have more than doubled from 37,316 in fiscal
13 year 2002 to 75,389 in fiscal year 2004. Many of
14 these illegal border crossers may be from countries
15 that sponsor terrorism.

16 (4) In testimony before the Committee on the
17 Judiciary of the Senate on October 18, 2005, Sec-
18 retary of Homeland Security Michael Chertoff stated
19 that “a non-Mexican illegal immigrant caught trying
20 to enter the United States across the southwest bor-
21 der has an 80 percent chance of being released im-
22 mediately because we lack the holding facilities.”.

23 (5) The United States Public Health Service is
24 authorized to pay the medical expenses of unauthor-
25 ized aliens in the custody of immigration officials.

1 However, the Department of Homeland Security is
2 not responsible for the medical costs for unauthor-
3 ized aliens not taken into custody by the Border Pa-
4 trol.

5 (6) Insufficient data currently exists regarding
6 the impact on hospitals from uncompensated costs
7 for unauthorized aliens' emergency medical expenses.

8 (7) In September 2002, a study was released by
9 the United States/Mexico Border Counties Coalition
10 that reviewed the cost of medical care provided to
11 unauthorized aliens in border counties in Texas,
12 New Mexico, Arizona, and California. This study
13 found that southwest border counties incurred over
14 \$200 million in uncompensated emergency medical
15 costs that were provided to undocumented aliens.
16 The study noted further that the \$200 million figure
17 did not include all costs borne by border counties
18 and local medical providers.

19 (8) In May 2004, the Government Account-
20 ability Office issued a report on the costs incurred
21 by hospitals for treating undocumented aliens. The
22 GAO, however, was unable to determine the total
23 costs because of a lack of data collected by the Fed-
24 eral Government or reported by local hospitals.

1 **SEC. 3. COLLECTION OF DATA.**

2 Beginning on October 1, 2006, the Secretary of
3 Homeland Security shall annually compile data on the fol-
4 lowing categories of information:

5 (1) The number of unauthorized aliens who re-
6 quire medical care taken into custody by Border Pa-
7 trol officials.

8 (2) The number of unauthorized aliens with se-
9 rious injuries or medical conditions Border Patrol
10 officials encounter, and refer to local hospitals or
11 other health facilities.

12 (3) The number of unauthorized aliens with se-
13 rious injuries or medical conditions who arrive at
14 United States ports of entry and subsequently are
15 admitted into the United States for emergency med-
16 ical care, as reported by United States Customs and
17 Border Protection.

18 (4) The number of unauthorized aliens de-
19 scribed in paragraphs (2) and (3) who subsequently
20 are taken into custody by the Department of Home-
21 land Security.

22 (5) A breakdown of the number of Mexicans
23 and Other Than Mexicans described in paragraphs
24 (1) through (3) as reported by United States Cus-
25 toms and Border Protection.