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(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R.

To require the Secretary of Homeland Security and the Secretary of Health and Human Services to notify the relevant Federal, State, and local officials of a jurisdiction before placing a covered alien in such jurisdiction, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. MEUSER introduced the following bill; which was referred to the Committee on _____

A BILL

To require the Secretary of Homeland Security and the Secretary of Health and Human Services to notify the relevant Federal, State, and local officials of a jurisdiction before placing a covered alien in such jurisdiction, and for other purposes.

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 “Immigration Trans-
5 parency and Transit Notification Act of 2022”.

1 **SEC. 2. STATE INVOLVEMENT IN THE PLACEMENT OF COV-**
2 **ERED ALIENS.**

3 (a) NOTIFICATION REQUIRED.—

4 (1) IN GENERAL.—The Secretary of Homeland
5 Security or the Secretary of Health and Human
6 Services, as applicable, shall notify the relevant Fed-
7 eral, State, and local officials of a jurisdiction at
8 least 7 calendar days before—

9 (A) transporting a covered alien to such
10 jurisdiction by airplane, motor vehicle, or other
11 means for disembarkment (even if such trans-
12 porting or related processing is carried out on
13 behalf of the Federal Government by a private
14 entity); or

15 (B) placing a covered alien in such juris-
16 diction.

17 (2) CONTENTS.—In the case of a notification
18 under paragraph (1) to the Governor of a State, the
19 Secretary of Homeland Security or the Secretary of
20 Health and Human Services, as applicable, shall
21 supplement the notification, for each covered alien,
22 to include the following:

23 (A) Name.

24 (B) Date of birth.

25 (C) Verification of the covered alien's
26 country of nationality, consisting of—

1 (i) a copy of a government-issued
2 identity document of the covered alien
3 from that country; or

4 (ii) if the covered alien does not have
5 such a document, other such verification.

6 (D) Any biometrics collected from the cov-
7 ered alien.

8 (E) Proof of completion of any required
9 background check, the results of any back-
10 ground check, and any criminal history infor-
11 mation, if applicable.

12 (F) Final destination.

13 (G) Sponsor information, if applicable, in-
14 cluding the sponsor's name, date of birth, immi-
15 gration status, and address.

16 (b) OPPORTUNITY FOR GOVERNOR TO OBJECT.—

17 (1) OBJECTION.—Not later than 3 calendar
18 days after receiving a notification under subsection
19 (a), the Governor of a State in which a covered alien
20 is proposed to be placed or transported for
21 disembarkment may submit to the Secretary of
22 Homeland Security or the Secretary of Health and
23 Human Services, as applicable, a written objection
24 to the proposed placement or disembarkment in that
25 State.

1 (2) ALTERNATE PLACEMENT REQUIRED.—In
2 the case that the Governor of a State objects to the
3 placement or disembarkment of a covered alien in
4 that State under paragraph (1), the Secretary of
5 Homeland Security and the Secretary of Health and
6 Human Services may not place or transport for
7 disembarkment the covered alien in that State.

8 (3) EXCEPTION.—Paragraph (2) does not apply
9 in the case of placement of an unaccompanied alien
10 child with, or transport of an unaccompanied alien
11 child to, a family member in accordance with section
12 235 of the William Wilberforce Trafficking Victims
13 Protection Reauthorization Act of 2008 (8 U.S.C.
14 1232).

15 (c) DEFINITIONS.—In this section:

16 (1) The term “unaccompanied alien child” has
17 the meaning given to such term in section 462 of the
18 Homeland Security Act of 2002 (6 U.S.C. 279).

19 (2) The term “covered alien” means—

20 (A) an unaccompanied alien child; or

21 (B) an alien without lawful immigration
22 status.

23 (3) The term “disembarkment” excludes dis-
24 embarking at an airport for transfer to another air-

1 plane at that airport unless the final destination is
2 in the same State as the transfer airport.

3 (4) The term “family member” means an indi-
4 vidual described in any of subparagraphs (1)
5 through (4) of section 410.301 of title 45, Code of
6 Federal Regulations (as in effect on the date of en-
7 actment of this Act).

8 (5) The terms “place” and “placement” include
9 placing a covered alien on a temporary basis in juve-
10 nile or other housing.

11 (6) The term “relevant Federal, State, and
12 local officials” means, with respect to a jurisdiction
13 referred to in subsection (a), the following officials:

14 (A) The Governor of the State.

15 (B) The Attorney General of the State.

16 (C) The head of any county or municipal
17 government that includes such jurisdiction.

18 (D) The head or heads of local law en-
19 forcement in such jurisdiction.

20 (E) Federal and State legislators elected to
21 represent a State or district including such ju-
22 risdiction.

23 **SEC. 3. QUARTERLY REPORTS TO CONGRESS.**

24 Not less than quarterly each year, the Secretary of
25 Homeland Security and the Secretary of Health and

1 Human Services shall each submit to the Chair and rank-
2 ing member of each of the Committee on Homeland Secu-
3 rity and the Committee on the Judiciary of the House of
4 Representatives, and the Chair and ranking member of
5 each of the Committee on Homeland Security and Govern-
6 mental Affairs and the Committee on the Judiciary of the
7 Senate, a report—

8 (1) including—

9 (A) the notifications made by the respec-
10 tive Secretary pursuant to subsection (a)(1);
11 and

12 (B) any objections received by the respec-
13 tive Secretary under subsection (b)(1); and

14 (2) identifying—

15 (A) each private entity that pays all or
16 part of the costs of, or otherwise assists with,
17 any Federal transport by the respective Sec-
18 retary's department of a covered alien (as de-
19 fined in section 2) between jurisdictions; and

20 (B) the amount and source of any Federal
21 funding used to pay for such transport.