

119TH CONGRESS
2D SESSION

H. R. 8557

To prohibit long-term custody in U.S. Immigration and Customs Enforcement holding facilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2026

Mr. STANTON (for himself, Ms. ANSARI, and Mrs. GRIJALVA) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To prohibit long-term custody in U.S. Immigration and Customs Enforcement holding facilities, 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 “Short-Term Holding
5 Facility Standards Restoration Act.”

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) U.S. Immigration and Customs Enforce-
9 ment holding facilities are designed for short-term
10 custody and processing.

1 (2) Prior U.S. Immigration and Customs En-
2 forcement policy defined “short-term” as not exceed-
3 ing 12 hours, absent exceptional circumstances.

4 (3) Prolonged detention in holding facilities un-
5 dermines detainee welfare, facility design limits, and
6 operational intent.

7 (4) Restoring the 12-hour standard ensures
8 consistency with prior agency guidance.

9 **SEC. 3. LIMITATION ON DURATION OF DETENTION.**

10 (a) IN GENERAL.—The Secretary of Homeland Secu-
11 rity shall ensure that, absent exceptional circumstances
12 described in subsection (b), a U.S. Immigration and Cus-
13 toms Enforcement holding facility may only be used for
14 short-term custody of a detainee.

15 (b) EXCEPTIONAL CIRCUMSTANCES.—Exceptional
16 circumstances are temporary and unforeseen cir-
17 cumstances requiring immediate action, including—

18 (1) medical emergencies;

19 (2) natural disasters or facility disruptions;

20 (3) transportation or transfer delays beyond the
21 control of the Department of Homeland Security; or

22 (4) other exigent operational conditions as de-
23 termined by the Secretary of Homeland Security.

1 **SEC. 4. HUMANE CONDITIONS.**

2 The Secretary of Homeland Security shall ensure
3 that—

4 (1) each U.S. Immigration and Customs En-
5 forcement holding facility is safe, clean, equipped
6 with restroom facilities, and clear of any object that
7 could be used as a weapon; and

8 (2) each detainee in such facility—

9 (A) is provided a meal not less than every
10 6 hours;

11 (B) in the case of a minor, pregnant
12 woman, or breastfeeding woman, is provided
13 immediate access to meals, snacks, milk, and
14 juice, without regard to the amount of time in
15 custody; and

16 (C) is provided with access to drinking
17 water in each room in which a detainee is held
18 at all times.

19 **SEC. 5. DOCUMENTATION AND COMPLIANCE.**

20 (a) DOCUMENTATION.—The Secretary of Homeland
21 Security shall require contemporaneous documentation of
22 any instance in which a detainee is held in a U.S. Immi-
23 gration and Customs Enforcement holding facility for cus-
24 tody other than short-term custody.

1 (b) RETENTION.—Records under this section shall be
2 maintained for oversight, audit, and reporting purposes
3 for a period of 5 years.

4 **SEC. 6. OVERSIGHT AND REPORTING.**

5 (a) ANNUAL REPORT.—The Secretary of Homeland
6 Security shall submit to Congress an annual report detail-
7 ing—

8 (1) the number of detainees held in custody
9 other than short-term custody in a U.S. Immigration
10 and Customs Enforcement holding facility;

11 (2) the duration of such custody;

12 (3) the justification for each instance in which
13 a detainee is held in a U.S. Immigration and Cus-
14 toms Enforcement holding facility for custody other
15 than short-term custody; and

16 (4) corrective actions taken to ensure compli-
17 ance.

18 (b) INSPECTOR GENERAL REVIEW.—The Inspector
19 General of the Department of Homeland Security shall
20 perform periodic audits of U.S. Immigration and Customs
21 Enforcement holding facilities and Department of Home-
22 land Security records to ensure compliance with this Act.

23 **SEC. 7. DEFINITIONS.**

24 For the purposes of this Act—

1 (1) the term “holding facility” means any facil-
2 ity or holding room for temporary custody, proc-
3 essing, or transfer, and not designed for long-term
4 detention; and

5 (2) the term “short-term custody” means de-
6 tention in a holding facility for a period not to ex-
7 ceed 12 hours, absent exceptional circumstances.

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