

116TH CONGRESS  
1ST SESSION

# H. R. 3524

To support the people of Central America and strengthen United States national security by addressing the root causes of migration from El Salvador, Guatemala and Honduras, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2019

Ms. LOFGREN (for herself, Mr. COHEN, Mr. CORREA, Mr. COX of California, Ms. DEAN, Mr. DESAULNIER, Ms. ESCOBAR, Ms. ESHOO, Mr. ESPAILLAT, Mr. GARAMENDI, Ms. GARCIA of Texas, Mr. HORSFORD, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Mr. KENNEDY, Mr. KHANNA, Mr. MCGOVERN, Ms. MENG, Mr. NADLER, Ms. NORTON, Mr. RASKIN, Ms. ROYBAL-ALLARD, Ms. SCANLON, Mr. SMITH of Washington, Mr. TONKO, Mr. WELCH, Mr. PETERS, and Ms. JUDY CHU of California) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Education and Labor, Armed Services, Intelligence (Permanent Select), Financial Services, Homeland Security, Ways and Means, and Agriculture, 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 support the people of Central America and strengthen United States national security by addressing the root causes of migration from El Salvador, Guatemala and Honduras, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Northern Triangle and Border Stabilization Act”.

4 (b) TABLE OF CONTENTS.—The table of contents of  
5 this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—ADDRESSING THE ROOT CAUSES OF MIGRATION AND  
PROMOTING RULE OF LAW, SECURITY, AND ECONOMIC DEVELOPMENT IN CENTRAL AMERICA**

Sec. 101. United States strategy for engagement in Central America.

Sec. 102. United States coordinator on the strategy for engagement in Central America.

Sec. 103. Requirement for strategy to secure support of international donors and partners.

Sec. 104. Strengthening the rule of law and combating corruption.

Sec. 105. Combating criminal violence and improving citizen security.

Sec. 106. Combating sexual, gender-based, and domestic violence.

Sec. 107. Tackling extreme poverty and advancing economic development.

Sec. 108. Conditions, limitations, and certifications on United States assistance.

Sec. 109. Limitations on funding.

**TITLE II—ADDRESSING MIGRATION NEEDS BY STRENGTHENING  
REGIONAL HUMANITARIAN RESPONSES FOR REFUGEES AND  
ASYLUM SEEKERS IN THE WESTERN HEMISPHERE**

Sec. 201. Expanding refugee and asylum processing in the western hemisphere.

Sec. 202. Further strengthening regional humanitarian responses in the western hemisphere.

Sec. 203. Information campaign on dangers of irregular migration.

Sec. 204. Definitions.

Sec. 205. Reporting requirement.

**TITLE III—MANAGING MIGRATION THROUGH REFUGEE RESETTLEMENT, COMPLEMENTARY PATHWAYS, AND STRENGTHENING REPATRIATION INITIATIVES.**

Sec. 301. Identification, screening, and processing of refugees and other individuals eligible for lawful admission to the United States.

Sec. 302. Registration and intake.

Sec. 303. Central American refugee program.

Sec. 304. Central American minors program.

Sec. 305. Central American family reunification parole program.

Sec. 306. Central American worker referral program.

Sec. 307. Informational campaign; case status hotline.

**TITLE IV—IMPROVING BORDER INFRASTRUCTURE FOR FAMILIES  
AND CHILDREN; CRACKING DOWN ON CRIMINAL ORGANIZATIONS.**

- Sec. 401. Additional U.S. Customs and Border Protection personnel.
- Sec. 402. Ports of entry infrastructure enhancement report.
- Sec. 403. General short-term custody standards in Customs and Border Protection facilities.
- Sec. 404. Standards for children in the short-term custody of Customs and Border Protection.
- Sec. 405. Child welfare at the border.
- Sec. 406. Enhanced investigation and prosecution of human smuggling networks and trafficking organizations.
- Sec. 407. Enhanced penalties for organized smuggling schemes.
- Sec. 408. Expanding financial sanctions on narcotics trafficking and money laundering.
- Sec. 409. Support for FBI Transnational Anti-Gang Task Forces for countering criminal gangs.
- Sec. 410. Hindering immigration, border, and customs controls.
- Sec. 411. Office of Inspector General Oversight.
- Sec. 412. Fatality reporting.
- Sec. 413. Establishment of the Office of Ombudsman for Border and Immigration Related Concerns.

TITLE V—PROMOTING EFFICIENT PROCESSING OF ASYLUM SEEKERS; ADDRESSING IMMIGRATION COURT BACKLOGS; EFFICIENT REPATRIATION OF MIGRANTS ORDERED REMOVED.

- Sec. 501. Joint Task Force to address rise in migrants.
- Sec. 502. Incentivizing applications at ports of entry.
- Sec. 503. Streamlining intake of asylum seekers.
- Sec. 504. Prioritizing prosecution resources for illegal entry.
- Sec. 505. Expanding alternatives to detention.
- Sec. 506. Eliminating immigration court backlogs.
- Sec. 507. Improved training for immigration judges and members of the Board of Immigration Appeals.
- Sec. 508. New technology to improve court efficiency.
- Sec. 509. Court appearance compliance and legal orientation.
- Sec. 510. Improving court efficiency and reducing costs by increasing access to legal information.
- Sec. 511. Facilitating safe and efficient repatriation.

TITLE VI—PROTECTING FAMILY VALUES AND MONITORING AND CARING FOR UNACCOMPANIED ALIEN CHILDREN AFTER ARRIVAL.

- Sec. 601. Limitation on the separation of families.
- Sec. 602. Family reunification.
- Sec. 603. Prohibiting use of certain information.
- Sec. 604. Responsibility of sponsor for immigration court compliance and child well-being.
- Sec. 605. Monitoring unaccompanied alien children.
- Sec. 606. Funding to school districts for unaccompanied alien children.
- Sec. 607. School enrollment.
- Sec. 608. Definitions.

1 **TITLE I—ADDRESSING THE**  
2 **ROOT CAUSES OF MIGRATION**  
3 **AND PROMOTING RULE OF**  
4 **LAW, SECURITY, AND ECO-**  
5 **NOMIC DEVELOPMENT IN**  
6 **CENTRAL AMERICA**

7 **SEC. 101. UNITED STATES STRATEGY FOR ENGAGEMENT IN**  
8 **CENTRAL AMERICA.**

9 (a) IN GENERAL.—Not later than 90 days after the  
10 date of the enactment of this Act, the Secretary of State  
11 shall submit to Congress a 5-year, interagency strategy,  
12 to be known as the “United States Strategy for Engage-  
13 ment in Central America” (hereinafter referred to as the  
14 “Strategy”), to advance reforms in Central American  
15 countries and address the key factors contributing to the  
16 flight of families, unaccompanied alien children, and other  
17 individuals to the United States.

18 (b) ELEMENTS.—The Strategy under subsection (a)  
19 shall include efforts to—

20 (1) strengthen the rule of law, improve access  
21 to justice, bolster the effectiveness and independence  
22 of judicial systems and public prosecutors’ offices,  
23 and improve the effectiveness of civilian police  
24 forces;

1           (2) combat corruption and improve public sec-  
2       tor transparency;

3           (3) confront and counter the violence, extortion  
4       and other crimes perpetrated by armed criminal  
5       gangs, illicit trafficking organizations, and organized  
6       crime, and disrupt recruitment efforts by such orga-  
7       nizations;

8           (4) disrupt money laundering and other illicit  
9       financial operations of criminal networks, armed  
10      gangs, illicit trafficking organizations, and human  
11      smuggling networks;

12          (5) strengthen democratic governance and pro-  
13      mote greater respect for internationally recognized  
14      human rights, labor rights, fundamental freedoms,  
15      and the media, including through the protection of  
16      human rights and environmental defenders, other  
17      civil society activists, and journalists;

18          (6) enhance accountability for government offi-  
19      cials, including police and security force personnel,  
20      credibly alleged to have committed serious violations  
21      of human rights or other crimes;

22          (7) enhance the capability of Central American  
23      governments to protect and provide for vulnerable  
24      and at-risk populations;

1           (8) address the underlying causes of poverty  
2           and inequality, and the constraints to inclusive eco-  
3           nomic growth in Central America; and

4           (9) prevent and respond to endemic levels of  
5           sexual, gender-based, and domestic violence.

6           (c) COORDINATION AND CONSULTATION.—In formu-  
7           lating the Strategy required under subsection (a), the Sec-  
8           retary of State shall—

9           (1) coordinate with the Secretary of the Treas-  
10          ury, the Secretary of Defense, the Secretary of  
11          Homeland Security, the Attorney General, and the  
12          Administrator of the United States Agency for  
13          International Development;

14          (2) consult with the Director of National Intel-  
15          ligence; and

16          (3) consult with national and local civil society  
17          organizations in Central America and the United  
18          States.

19          (d) SUPPORT FOR CENTRAL AMERICAN EFFORTS.—  
20          To the degree feasible, the Strategy shall support or com-  
21          plement efforts being carried out by the Governments of  
22          El Salvador, Guatemala, and Honduras under the Plan  
23          of the Alliance for Prosperity in the Northern Triangle  
24          (hereinafter referred to as the “Plan”), in coordination

1 with the Inter-American Development Bank and other bi-  
2 lateral and multilateral donors.

3 (e) DEFINITIONS.—In this section—

4 (1) the term the “Plan of the Alliance for Pros-  
5 perity in the Northern Triangle” means the plan de-  
6 veloped by the Governments of El Salvador, Guate-  
7 mala, and Honduras, with the technical assistance of  
8 the Inter-American Development Bank, to address  
9 national security priorities, including rule of law and  
10 anti-corruption initiatives; and

11 (2) the term “unaccompanied alien child” has  
12 the meaning given such term in section 269(g)(2) of  
13 the Homeland Security Act of 2002.

14 **SEC. 102. UNITED STATES COORDINATOR ON THE STRAT-**  
15 **EGY FOR ENGAGEMENT IN CENTRAL AMER-**  
16 **ICA.**

17 (a) DESIGNATION.—Not later than 30 days after the  
18 date of the enactment of this Act, the President shall des-  
19 ignate a senior official to coordinate the Strategy. The of-  
20 ficial shall report directly to the Secretary of State.

21 (b) DUTIES.—The official designated under sub-  
22 section (a) shall coordinate all efforts, activities, and pro-  
23 grams related to the United States Strategy for Engage-  
24 ment in Central America, including the following:

1           (1) Coordinating with the Department of State,  
2           the Department of Justice, the Department of De-  
3           fense, the Department of the Treasury, the Depart-  
4           ment of Homeland Security, the intelligence commu-  
5           nity (as such term is defined in section 3(4) of the  
6           National Security Act of 1947 (50 U.S.C. 3003(4))),  
7           the United States Agency for International Develop-  
8           ment, and international partners on efforts to—

9                   (A) dismantle and disrupt criminal gangs,  
10                  illicit trafficking networks, illicit financial net-  
11                  works, human smuggling networks, and orga-  
12                  nized crime;

13                  (B) combat corruption, and strengthen the  
14                  rule of law, democratic governance, and human  
15                  rights protections; and

16                  (C) prevent and mitigate the effects of  
17                  criminal gangs and other criminal organizations  
18                  on vulnerable Central American populations.

19           (2) Coordinating with the Department of State,  
20           the Department of Homeland Security, the United  
21           States Agency for International Development, and  
22           international partners, including the United Nations  
23           High Commissioner for Refugees, to increase protec-  
24           tions for vulnerable Central American populations,



1 improve refugee processing, and strengthen asylum  
2 and migration systems throughout the region.

3 (3) Coordinating with the Department of State,  
4 the Department of Agriculture, the United States  
5 Agency for International Development, the Depart-  
6 ment of Labor, the Overseas Private Investment  
7 Corporation, the United States Trade and Develop-  
8 ment Agency, and international partners, including  
9 the Inter-American Development Bank, to strength-  
10 en the foundation for inclusive economic growth and  
11 improve food security, the investment climate, and  
12 protections for labor rights.

13 (4) Coordinating with the Ambassador-at-Large  
14 for Global Women’s Issues, the Senior Coordinator  
15 for Gender Equality and Women’s Empowerment at  
16 the United States Agency for International Develop-  
17 ment, the President and Chief Executive Officer of  
18 the Inter-American Foundation, and international  
19 partners to develop and implement new community-  
20 based interventions to combat sexual, gender-based,  
21 and domestic violence.

22 (c) CONSULTATION.—The official designated under  
23 subsection (a) shall consult multilateral organizations and  
24 institutions, and domestic and international civil society

1 organizations, in strategy development and implementa-  
2 tion.

3 **SEC. 103. REQUIREMENT FOR STRATEGY TO SECURE SUP-**  
4 **PORT OF INTERNATIONAL DONORS AND**  
5 **PARTNERS.**

6 (a) STRATEGY.—Not later than 90 days after the  
7 date of the enactment of this Act, the Secretary of State  
8 shall submit to the appropriate congressional committees  
9 a 3-year strategy that—

10 (1) describes how the United States will secure  
11 support from international donors and regional part-  
12 ners to enhance the implementation of the Strategy;

13 (2) identifies governments that are willing to  
14 provide financial and technical assistance for the im-  
15 plementation of the Strategy and a description of  
16 such assistance; and

17 (3) identifies the financial and technical assist-  
18 ance to be provided by multilateral institutions, in-  
19 cluding the Inter-American Development Bank, the  
20 World Bank, the International Monetary Fund, the  
21 Andean Development Corporation - Development  
22 Bank of Latin America, and the Organization of  
23 American States, and a description of such assist-  
24 ance.

1 (b) DIPLOMATIC ENGAGEMENT AND COORDINA-  
2 TION.—The Secretary of State, in coordination with the  
3 Secretary of the Treasury, as appropriate, shall—

4 (1) carry out diplomatic engagement to secure  
5 contributions of financial and technical assistance  
6 from international donors and partners in support of  
7 the Strategy; and

8 (2) take all necessary steps to ensure effective  
9 cooperation among international donors and part-  
10 ners supporting the Strategy.

11 (c) REPORT.—Not later than one year after submit-  
12 ting the strategy under subsection (a) and annually there-  
13 after, the Secretary of State shall submit to the appro-  
14 priate congressional committees a report that describes—

15 (1) the progress made in implementing the  
16 Strategy; and

17 (2) the financial and technical assistance pro-  
18 vided by international donors and partners, includ-  
19 ing the multilateral institutions specified in sub-  
20 section (a)(3).

21 (d) DEFINITION.—In this section, the term “appro-  
22 priate congressional committees” means—

23 (1) the Committee on Foreign Affairs of the  
24 House of Representatives;

1           (2) the Committee on Appropriations of the  
2       House of Representatives;

3           (3) the Committee on Foreign Relations of the  
4       Senate; and

5           (4) the Committee on Appropriations of the  
6       Senate.

7   **SEC. 104. STRENGTHENING THE RULE OF LAW AND COM-**  
8                           **BATING CORRUPTION.**

9       There are authorized to be appropriated such sums  
10 as may be necessary to the Secretary of State and the  
11 Administrator of the United States Agency for Inter-  
12 national Development to strengthen the rule of law, com-  
13 bat corruption, consolidate democratic governance, and de-  
14 fend human rights in Central American countries through  
15 the following activities:

16           (1) Strengthening the rule of law in Central  
17       American countries by providing support for:

18                   (A) Attorney general offices, public pros-  
19                   ecutors, and the judiciary, including the en-  
20                   hancement of investigative and forensics capa-  
21                   bilities.

22                   (B) The promotion of independent, merit-  
23                   based selection processes for judges and pros-  
24                   ecutors, independent internal controls, and rel-  
25                   evant ethics and professional training, including

1 training on sexual, gender-based, and domestic  
2 violence.

3 (C) The improvement of victim, witness,  
4 and whistleblower protection and access to jus-  
5 tice.

6 (D) The reform and improvement of prison  
7 facilities and management.

8 (2) Combating corruption by providing support  
9 for:

10 (A) Inspectors general and oversight insti-  
11 tutions, including relevant training for inspec-  
12 tors and auditors.

13 (B) International commissions against im-  
14 punity, including the International Commission  
15 against Impunity in Guatemala and the Sup-  
16 port Mission against Corruption and Impunity  
17 in Honduras.

18 (C) Civil society organizations conducting  
19 oversight of executive branch officials and func-  
20 tions, police and security forces, and judicial of-  
21 ficials and public prosecutors.

22 (D) The enhancement of freedom of infor-  
23 mation mechanisms.

24 (3) Consolidating democratic governance by  
25 providing support for:

1 (A) The reform of civil services, related  
2 training programs, and relevant laws and proc-  
3 esses that lead to independent, merit-based se-  
4 lection processes.

5 (B) National legislatures and their capac-  
6 ity to conduct oversight of executive branch  
7 functions.

8 (C) The reform and strengthening of polit-  
9 ical party and campaign finance laws and elec-  
10 toral tribunals.

11 (D) Local governments and their capacity  
12 to provide critical safety, education, health, and  
13 sanitation services to citizens.

14 (4) Defending human rights by providing sup-  
15 port for:

16 (A) Human rights ombudsman offices.

17 (B) Government protection programs that  
18 provide physical protection and security to  
19 human rights defenders, journalists, trade  
20 unionists, whistleblowers, and civil society activ-  
21 ists at risk.

22 (C) Civil society organizations that pro-  
23 mote and defend human rights, freedom of ex-  
24 pression, freedom of the press, labor rights, en-  
25 vironmental protection, and the rights of indi-

1 individuals with diverse sexual orientations or gen-  
2 der identities.

3 (D) Civil society organizations that address  
4 sexual, gender-based, and domestic violence,  
5 and that protect victims of such violence.

6 **SEC. 105. COMBATING CRIMINAL VIOLENCE AND IMPROV-**  
7 **ING CITIZEN SECURITY.**

8 There are authorized to be appropriated such sums  
9 as may be necessary to the Secretary of State and the  
10 Administrator of the United States Agency for Inter-  
11 national Development to counter the violence and crime  
12 perpetrated by armed criminal gangs, illicit trafficking or-  
13 ganizations, and human smuggling networks in Central  
14 American countries through the following activities:

15 (1) Countering criminal activity by providing  
16 assistance to civilian law enforcement, including sup-  
17 port for—

18 (A) the execution and management of com-  
19 plex, multi-actor criminal cases;

20 (B) the enhancement of intelligence collec-  
21 tion capacity, and training on civilian intel-  
22 ligence collection (including safeguards for pri-  
23 vacy and basic civil liberties), investigative tech-  
24 niques, forensic analysis, and evidence preserva-  
25 tion;

1 (C) community policing policies and pro-  
2 grams;

3 (D) the enhancement of capacity to iden-  
4 tify, investigate, and prosecute crimes involving  
5 sexual, gender-based, and domestic violence;  
6 and

7 (E) port, airport, and border security sys-  
8 tems, including—computer infrastructure and  
9 data management systems, secure communica-  
10 tions technologies, nonintrusive inspection  
11 equipment, radar and aerial surveillance equip-  
12 ment, and canine units.

13 (2) Disrupting illicit financial networks, includ-  
14 ing by providing support for—

15 (A) finance ministries, including for the  
16 imposition of financial sanctions to block the  
17 assets of individuals and organizations involved  
18 in money laundering and the financing of  
19 armed criminal gangs, illicit trafficking net-  
20 works, human smuggling networks, and orga-  
21 nized crime;

22 (B) financial intelligence units, including  
23 the establishment and enhancement of anti-  
24 money laundering programs; and

25 (C) the reform of bank secrecy laws.



1           (3) Professionalizing civilian police forces by  
2     providing support for—

3           (A) the reform of personnel recruitment,  
4     vetting and dismissal processes, including the  
5     enhancement of polygraph capability for use in  
6     such processes;

7           (B) inspectors general and oversight of-  
8     fices, including relevant training for inspectors  
9     and auditors, and independent oversight mecha-  
10    nisms, as appropriate; and

11          (C) training and the development of proto-  
12    cols regarding the appropriate use of force and  
13    human rights.

14          (4) Improving crime prevention, and reducing  
15    violence, extortion, child recruitment into gangs, and  
16    sexual slavery by providing support for—

17          (A) the improvement of child protection  
18    systems;

19          (B) the enhancement of programs for at-  
20    risk youth, including the improvement of com-  
21    munity centers and programs aimed at success-  
22    fully reinserting former gang members;

23          (C) livelihood programming that provides  
24    youth and other at-risk individuals with legal

1 and sustainable alternatives to gang member-  
2 ship;

3 (D) safe shelter and humanitarian re-  
4 sponses for victims of crime and internal dis-  
5 placement; and

6 (E) programs to receive and effectively re-  
7 integrate repatriated migrants in El Salvador,  
8 Guatemala, and Honduras.

9 **SEC. 106. COMBATING SEXUAL, GENDER-BASED, AND DO-**  
10 **MESTIC VIOLENCE.**

11 There are authorized to be appropriated such sums  
12 as may be necessary for the Secretary of State and the  
13 Administrator of the United States Agency for Inter-  
14 national Development to counter sexual, gender-based,  
15 and domestic violence in Central American countries  
16 through the following activities:

17 (1) Broadening engagement among national  
18 and local institutions to address sexual, gender-  
19 based, and domestic violence.

20 (2) Supporting educational initiatives to reduce  
21 sexual, gender-based, and domestic violence.

22 (3) Supporting outreach efforts tailored to meet  
23 the needs of women, girls, individuals of diverse sex-  
24 ual orientations or gender identities, and other vul-

1       nerable individuals at risk of violence and exploi-  
2       tation.

3               (4) Formalizing standards of care and confiden-  
4       tiality at police, health facilities, and other govern-  
5       ment facilities.

6               (5) Establishing accountability mechanisms for  
7       perpetrators of violence.

8       **SEC. 107. TACKLING EXTREME POVERTY AND ADVANCING**  
9               **ECONOMIC DEVELOPMENT.**

10       There are authorized to be appropriated such sums  
11       as may be necessary for the Secretary of State and the  
12       Administrator of the United States Agency for Inter-  
13       national Development to tackle extreme poverty and the  
14       underlying causes of poverty in Central American coun-  
15       tries through the following activities:

16               (1) Strengthening human capital, including by  
17       providing support for—

18                       (A) workforce development and entrepre-  
19       neurship training programs that are driven by  
20       market demand, including programs that  
21       prioritize women, at-risk youth, and indigenous  
22       communities;

23                       (B) improving early-grade literacy, and  
24       primary and secondary school curricula;

1 (C) relevant professional training for  
2 teachers and educational administrators;

3 (D) educational policy reform and improve-  
4 ment of education sector budgeting; and

5 (E) establishment and expansion of safe  
6 schools and related facilities for children.

7 (2) Enhancing economic competitiveness and  
8 investment climate by providing support for—

9 (A) small business development centers  
10 and programs that strengthen supply chain in-  
11 tegration;

12 (B) the improvement of protections for in-  
13 vestors, including dispute resolution and arbi-  
14 tration mechanisms;

15 (C) trade facilitation and customs harmo-  
16 nization programs; and

17 (D) reducing energy costs through invest-  
18 ments in clean technologies and the reform of  
19 energy policies and regulations.

20 (3) Strengthening food security, including by  
21 providing support for:

22 (A) Small and medium-scale sustainable  
23 agriculture, including by providing technical  
24 training, improving access to credit, and pro-  
25 moting policies and programs that incentivize

1 government agencies and private institutions to  
2 buy from local producers.

3 (B) Agricultural value chain development  
4 for farming communities.

5 (C) Nutrition programs to reduce child-  
6 hood malnutrition and stunting rates.

7 (D) Mitigation, adaptation, and recovery  
8 programs in response to natural disasters and  
9 other external shocks.

10 (4) Improving fiscal and financial affairs, in-  
11 cluding by providing support for—

12 (A) domestic revenue generation, including  
13 programs to improve tax administration, collec-  
14 tion, and enforcement;

15 (B) strengthening public sector financial  
16 management, including strategic budgeting and  
17 expenditure tracking; and

18 (C) reform of customs and procurement  
19 policies and processes.

20 **SEC. 108. CONDITIONS, LIMITATIONS, AND CERTIFI-**  
21 **CATIONS ON UNITED STATES ASSISTANCE.**

22 (a) ASSISTANCE FUNDING WITHOUT CONDITION.—  
23 The Secretary of State or the Administrator of the United  
24 States Agency for International Development, as appro-  
25 priate, may obligate up to 25 percent of the funds made

1 available for the Governments of El Salvador, Guatemala,  
2 and Honduras to carry out the United States Strategy for  
3 Engagement in Central America.

4 (b) CONDITIONS RELATED TO COMBATTING SMUG-  
5 GLING AND PROVIDING FOR SCREENING AND SAFETY OF  
6 MIGRANTS.—In addition, 25 percent of the funds that are  
7 made available for assistance for the Governments of El  
8 Salvador, of Guatemala, and of Honduras to carry out the  
9 United States Strategy for Engagement in Central Amer-  
10 ica may only be made available after the Secretary of  
11 State, in consultation with the Secretary of Homeland Se-  
12 curity, consults with, and subsequently certifies and re-  
13 ports to the appropriate congressional committees that  
14 such governments are taking effective steps, in addition  
15 to steps taken during previous years, to—

16 (1) combat human smuggling networks and  
17 trafficking organizations, including investigating,  
18 prosecuting, and increasing penalties for individuals  
19 responsible for such crimes;

20 (2) improve border security and border screen-  
21 ing to detect and deter illicit smuggling and traf-  
22 ficking, while respecting the rights of individuals  
23 fleeing violence and seeking asylum or other forms  
24 of protection, in accordance with regional and inter-  
25 national law;

1           (3) cooperate with United States Government  
2           agencies and other governments in the region to fa-  
3           cilitate the safe and timely repatriation of migrants  
4           who are not found to have a well-founded fear of  
5           persecution or other serious harm, in accordance  
6           with international law;

7           (4) improve reintegration services, in open part-  
8           nership with civil society organizations, for repatri-  
9           ated migrants in a manner that ensures the safety  
10          and well-being of the individual and reduces the like-  
11          lihood of repeated migration to the United States;  
12          and

13          (5) cooperate with the United Nations High  
14          Commissioner for Refugees to improve protections  
15          for, and the processing of, vulnerable populations  
16          fleeing violence.

17          (c) CONDITIONS RELATED TO PROGRESS ON SPE-  
18          CIFIC ISSUES.—

19               (1) EFFECTIVE IMPLEMENTATION.—In addi-  
20               tion, 50 percent of the funds that are made available  
21               for assistance for the Governments of El Salvador,  
22               of Guatemala, and of Honduras to carry out the  
23               United States Strategy for Engagement in Central  
24               America may only be made available after the Sec-  
25               retary consults with, and subsequently certifies and

1 reports to, the appropriate congressional committees  
2 that such governments are meeting these conditions  
3 in their respective countries, in addition to steps  
4 taken during the previous calendar year, to—

5 (A) combat corruption, including inves-  
6 tigating and prosecuting government officials,  
7 military personnel, and civilian police officers  
8 credibly alleged to be corrupt;

9 (B) implement reforms and strengthen the  
10 rule of law, including increasing the capacity  
11 and independence of the judiciary and public  
12 prosecutors;

13 (C) counter the activities of armed crimi-  
14 nal gangs, illicit trafficking networks, and orga-  
15 nized crime;

16 (D) establish and implement a plan to cre-  
17 ate a professional, accountable civilian police  
18 force and curtail the role of the military in in-  
19 ternal policing;

20 (E) investigate and prosecute, through the  
21 civilian justice system, military and police per-  
22 sonnel who are credibly alleged to have violated  
23 human rights, and to ensure that the military  
24 and the police are cooperating in such cases;



1           (F) counter and prevent domestic, sexual,  
2           and gender-based violence;

3           (G) cooperate, as appropriate, with inter-  
4           national human rights entities and international  
5           commissions against impunity, including the  
6           United Nations' Commission against Impunity  
7           in Guatemala (CICIG), the Organization of  
8           American States' Mission to Support the Fight  
9           against Corruption and Impunity in Honduras  
10          (MACCIH), and any other similar entities that  
11          may be established;

12          (H) implement electoral and political re-  
13          forms, including reforms related to improving  
14          the transparency of financing political cam-  
15          paigns and political parties;

16          (I) protect the right of political opposition  
17          parties, journalists, trade unionists, human  
18          rights defenders, whistleblowers, and other civil  
19          society activists to operate without interference;

20          (J) increase government revenues, includ-  
21          ing by enhancing tax collection, strengthening  
22          customs agencies, and reforming procurement  
23          processes;

1 (K) implement reforms to strengthen edu-  
2 cational systems, vocational training programs,  
3 and programs for at-risk youth;

4 (L) resolve commercial disputes, including  
5 the confiscation of real property, between  
6 United States entities and the respective gov-  
7 ernments; and

8 (M) implement a policy by which local  
9 communities, civil society organizations (includ-  
10 ing indigenous and marginalized groups), and  
11 local governments are consulted in the design,  
12 implementation, and evaluation of the activities  
13 of the Plan that affect such communities, orga-  
14 nizations, or governments.

15 (2) ADDITIONAL ELEMENTS.—The Secretary of  
16 State may not certify that the Government of Guate-  
17 mala is taking effective steps to address the issues  
18 listed in paragraph (1) until after the Government  
19 of Guatemala—

20 (A) extends the mandate of the Inter-  
21 national Commission against Impunity in Gua-  
22 temala (CICIG) beyond 2019; and

23 (B) permits the CICIG Commissioner and  
24 CICIG staff to carry out their work with gov-  
25 ernment obstruction.

1           (3) EXCEPTION.—The certification and report-  
2       ing requirements under paragraph (1) shall not  
3       apply to assistance provided to the International  
4       Commission against Impunity in Guatemala and the  
5       Mission to Support the Fight against Corruption  
6       and Impunity in Honduras.

7       (d) REPROGRAMMING.—

8           (1) IN GENERAL.—Funds withheld pursuant to  
9       the limitations described in subsections (b) and (c)  
10      shall be made available for programs in El Salvador,  
11      Guatemala, and Honduras that do not directly sup-  
12      port the central governments of such countries.

13          (2) EXCEPTION.—The limitations described in  
14      subsections (b) and (c) do not apply to funds au-  
15      thorized to be appropriated by this Act for humani-  
16      tarian assistance or global good security programs.

17   **SEC. 109. LIMITATIONS ON FUNDING.**

18       None of the amounts authorized to be appropriated  
19      pursuant to this title may be used or transferred to an-  
20      other agency to assist in the removal or repatriation of  
21      any individual from a third country to his or her country  
22      of origin or to another country.

1 **TITLE II—ADDRESSING MIGRA-**  
2 **TION NEEDS BY STRENGTH-**  
3 **ENING REGIONAL HUMANI-**  
4 **TARIAN RESPONSES FOR REF-**  
5 **UGEES AND ASYLUM SEEK-**  
6 **ERS IN THE WESTERN HEMI-**  
7 **SPHERE**

8 **SEC. 201. EXPANDING REFUGEE AND ASYLUM PROCESSING**  
9 **IN THE WESTERN HEMISPHERE.**

10 (a) REFUGEE PROCESSING.—The Secretary of State,  
11 in consultation with the Secretary of Homeland Security,  
12 shall work with international partners, including the  
13 United Nations High Commissioner for Refugees, to sup-  
14 port and strengthen the domestic capacity of countries in  
15 the Western Hemisphere to process and accept refugees  
16 for resettlement and adjudicate asylum claims, including  
17 by—

18 (1) providing support and technical assistance  
19 to expand and improve the capacity to identify, proc-  
20 ess, and adjudicate refugee claims, adjudicate appli-  
21 cations for asylum, or otherwise accept refugees re-  
22 ferred for resettlement by the United Nations High  
23 Commissioner for Refugees or host nations, includ-  
24 ing by increasing the number of refugee and asylum

1 officers who are trained in the relevant legal stand-  
2 ards for adjudicating claims for protection;

3 (2) establishing and expanding safe and secure  
4 refugee reception centers to facilitate the safe and  
5 orderly movement of individuals and families seeking  
6 international protection;

7 (3) improving national refugee and asylum reg-  
8 istration systems to ensure that any person seeking  
9 refugee status, asylum, or other humanitarian pro-  
10 tections—

11 (A) receives due process and meaningful  
12 access to existing humanitarian protections;

13 (B) is provided with adequate information  
14 about his or her rights, including the right to  
15 seek protection;

16 (C) is properly screened for security, in-  
17 cluding biographic and biometric capture; and

18 (D) receives appropriate documents to pre-  
19 vent fraud and ensure freedom of movement  
20 and access to basic social services; and

21 (4) developing the capacity to conduct best in-  
22 terest determinations for unaccompanied children  
23 with international protection needs to ensure that  
24 such children are properly registered and that their  
25 claims are appropriately considered.

1 (b) DIPLOMATIC ENGAGEMENT AND COORDINA-  
2 TION.—The Secretary of State, in coordination with the  
3 Secretary of Homeland Security, as appropriate, shall—

4 (1) carry out diplomatic engagement to secure  
5 commitments from governments to resettle refugees  
6 from Central America; and

7 (2) take all necessary steps to ensure effective  
8 cooperation among governments resettling refugees  
9 from Central America.

10 **SEC. 202. FURTHER STRENGTHENING REGIONAL HUMANI-**  
11 **TARIAN RESPONSES IN THE WESTERN HEMI-**  
12 **SPHERE.**

13 The Secretary of State, in consultation with the Sec-  
14 retary of Homeland Security, and in coordination with  
15 international partners, including the United Nations High  
16 Commissioner for Refugees, shall support and coordinate  
17 with the government of each country hosting a significant  
18 population of refugees and asylum seekers from El Sal-  
19 vador, Guatemala, and Honduras to—

20 (1) establish and expand temporary shelter and  
21 shelter network capacity to meet the immediate pro-  
22 tection and humanitarian needs of refugees and asy-  
23 lum seekers, including shelters for families, women,  
24 unaccompanied children, and other vulnerable popu-  
25 lations;

1           (2) deliver gender-, trauma-, and age-sensitive  
2 humanitarian assistance to refugees and asylum  
3 seekers, including access to accurate information,  
4 legal representation, education, livelihood opportuni-  
5 ties, cash assistance, and health care;

6           (3) establish and expand sexual, gender-based,  
7 and domestic violence prevention, recovery, and hu-  
8 manitarian programming;

9           (4) fund national- and community-led humani-  
10 tarian organizations in humanitarian response; and

11           (5) support local integration initiatives to help  
12 refugees and asylum seekers rebuild their lives and  
13 contribute in a meaningful way to the local economy  
14 in their host country.

15 **SEC. 203. INFORMATION CAMPAIGN ON DANGERS OF IR-**  
16 **REGULAR MIGRATION.**

17       (a) IN GENERAL.—The Secretary of State, in con-  
18 sultation with the Secretary of Homeland Security, shall  
19 design and implement public information campaigns in El  
20 Salvador, Guatemala, and Honduras to—

21           (1) disseminate information about the potential  
22 dangers of travel to the United States;

23           (2) provide accurate information about United  
24 States immigration law and policy; and

1           (3) provide accurate information about the  
2           availability of asylum and other humanitarian pro-  
3           tections in countries in the Western Hemisphere.

4           (b) ELEMENTS.—The information campaigns imple-  
5           mented pursuant to subsection (a) shall, to the greatest  
6           extent possible—

7           (1) be targeted at regions with high rates of vi-  
8           olence, high levels of out-bound migration, or signifi-  
9           cant populations of internally displaced persons;

10          (2) be in local languages;

11          (3) employ a variety of communications media;  
12          and

13          (4) be developed in consultation with program  
14          officials at the Department of Homeland Security,  
15          the Department of State, and other government,  
16          nonprofit, or academic entities in close contact with  
17          migrant populations from El Salvador, Guatemala,  
18          and Honduras, including repatriated migrants.

19 **SEC. 204. DEFINITIONS.**

20          In this title—

21          (1) the term “internally displaced persons”  
22          means persons or groups of persons who have been  
23          forced to leave their homes or places of habitual res-  
24          idence, in particular due to armed conflict, general-  
25          ized violence, violations of human rights, or natural



1 or human-made disasters, and who have not crossed  
2 an internationally recognized state border;

3 (2) the term “international protection” means  
4 asylum status, refugee status, protection under the  
5 Convention Against Torture, and other regional pro-  
6 tection status available in the Western Hemisphere;  
7 and

8 (3) the term “best interest determination”  
9 means a formal process with procedural safeguards  
10 designed to give primary consideration to the child’s  
11 best interests in decisionmaking.

12 **SEC. 205. REPORTING REQUIREMENT.**

13 Not later than 90 days after the date of the enact-  
14 ment of this Act, the Secretary of State, in consultation  
15 with the Secretary of Homeland Security, shall submit a  
16 report describing the plans of the Secretary of State to  
17 assist in developing the refugee and asylum processing ca-  
18 pabilities described in this title to—

19 (1) the Committee on the Judiciary of the  
20 House of Representatives;

21 (2) the Committee on Foreign Affairs of the  
22 House of Representatives;

23 (3) the Committee on Appropriations of the  
24 House of Representatives;

1 (4) the Committee on the Judiciary of the Sen-  
2 ate;

3 (5) the Committee on Foreign Relations of the  
4 Senate; and

5 (6) the Committee on Appropriations of the  
6 Senate.

7 **TITLE III—MANAGING MIGRA-**  
8 **TION THROUGH REFUGEE RE-**  
9 **SETTLEMENT, COMPLEMEN-**  
10 **TARY PATHWAYS, AND**  
11 **STRENGTHENING REPATRI-**  
12 **ATION INITIATIVES.**

13 **SEC. 301. IDENTIFICATION, SCREENING, AND PROCESSING**  
14 **OF REFUGEES AND OTHER INDIVIDUALS ELI-**  
15 **GIBLE FOR LAWFUL ADMISSION TO THE**  
16 **UNITED STATES.**

17 (a) DESIGNATED PROCESSING CENTERS.—

18 (1) IN GENERAL.—Not later than 90 days after  
19 the date of the enactment of this Act, the Secretary  
20 of State, in consultation with the Secretary of  
21 Homeland Security, shall enter into agreements for  
22 the establishment by the Secretary of Homeland Se-  
23 curity of Designated Processing Centers for the reg-  
24 istration, screening, and processing of refugees and  
25 other eligible individuals in North and Central

1 America, and the resettlement or relocation of these  
2 individuals to the United States or other countries.

3 (2) LOCATIONS.—One or more Designated  
4 Processing Centers shall be established in a safe and  
5 secure location identified by the United States and  
6 the host government in—

7 (A) El Salvador;

8 (B) Guatemala;

9 (C) Honduras;

10 (D) Mexico;

11 (E) Costa Rica; and

12 (F) any other country deemed appropriate  
13 by the Secretary of State to accept and process  
14 requests and applications under this title, in-  
15 cluding any country in North or Central Amer-  
16 ica hosting significant numbers of refugees or  
17 other displaced individuals.

18 (b) ASSISTANT DIRECTOR OF REGIONAL PROC-  
19 ESSING.—

20 (1) IN GENERAL.—There shall be an Assistant  
21 Director of Regional Processing, who shall report to  
22 the Director of U.S. Citizenship and Immigration  
23 Services, and who shall oversee the establishment  
24 and operation of all Designated Processing Centers.

1           (2) DUTIES.—The Assistant Director of Re-  
2           gional Processing, in coordination with the Secretary  
3           of Homeland Security and the Director of U.S. Citi-  
4           zenship and Immigration Services, shall—

5                   (A) coordinate with the Secretary of State  
6                   and the host country to ensure that each Des-  
7                   ignated Processing Center is safe, secure, and  
8                   reasonably accessible to the public to facilitate  
9                   the registration, screening, and processing of  
10                  individuals under this title;

11                  (B) establish standard operating proce-  
12                  dures for the registration, screening, and proc-  
13                  essing of individuals under this title;

14                  (C) oversee the administration of such pro-  
15                  cedures; and

16                  (D) carry out other duties and powers pre-  
17                  scribed by the Director of U.S. Citizenship and  
18                  Immigration Services.

19       (c) PERSONNEL.—

20           (1) REFUGEE OFFICERS AND RELATED PER-  
21           SONNEL.—The Secretary of Homeland Security, in  
22           consultation with the Director of U.S. Citizenship  
23           and Immigration Services and the Assistant Director  
24           of Regional Processing, shall ensure that sufficient  
25           numbers of refugee officers and other personnel are

1 assigned to each Designated Processing Center to  
2 fulfill the requirements of this title.

3 (2) SUPPORT PERSONNEL.—The Secretary of  
4 Homeland Security and the Attorney General shall  
5 hire and assign sufficient personnel to ensure that  
6 absent exceptional circumstances, all security and  
7 law enforcement background checks required under  
8 this title are completed in 180 days or less.

9 (d) OPERATIONS.—

10 (1) IN GENERAL.—Absent extraordinary cir-  
11 cumstances, each Designated Processing Center  
12 shall commence operations not later than 270 days  
13 after the date of the enactment of this Act.

14 (2) PRODUCTIVITY.—The Secretary of Home-  
15 land Security, in coordination with the Secretary of  
16 State, shall monitor the activities of each Designated  
17 Processing Center and establish metrics and criteria  
18 for evaluating the productivity of each Designated  
19 Processing Center.

20 (3) CONTINUING OPERATIONS.—Each Des-  
21 ignated Processing Center shall remain in operation  
22 for at least five fiscal years, and shall continue in  
23 operation until such time as the Secretary of Home-  
24 land Security, in consultation with the Secretary of  
25 State, determines, under the metrics and criteria es-

1        tablished under paragraph (2), that for at least 4  
2        consecutive calendar quarters the Designated Proc-  
3        essing Center has failed to maintain sufficient pro-  
4        ductivity.

5        (e) CONGRESSIONAL REPORTS.—Not later than Jan-  
6        uary 31 following the end of each fiscal year, and begin-  
7        ning with the first fiscal year that at least one Designated  
8        Processing Center commences operations, the Secretary of  
9        Homeland Security, in consultation with the Secretary of  
10       State, shall submit a report to the Committee on the Judi-  
11       ciary and the Committee on Foreign Affairs of the House  
12       of Representatives and to the Committee on the Judiciary  
13       and the Committee on Foreign Relations of the Senate  
14       on the number of individuals who have been registered,  
15       screened, and processed for benefits under this title at  
16       each Designated Processing Center, including the number  
17       of benefits requests that have been approved and the num-  
18       ber of benefits requests that have been denied.

19       **SEC. 302. REGISTRATION AND INTAKE.**

20        (a) REGISTRATION.—Each Designated Processing  
21       Center shall receive and register individuals seeking to  
22       apply for benefits under this title.

23        (b) INTAKE.—Consistent with this title, registered in-  
24       dividuals shall be assessed to determine the benefits for  
25       which they may be eligible, including—

1           (1) refugee resettlement pursuant to the Cen-  
2           tral American Refugee Program described in section  
3           303;

4           (2) the Central American Minors Program de-  
5           scribed in section 304;

6           (3) the Central American Family Reunification  
7           Parole Program described in section 305; and

8           (4) referral for suitable temporary worker pro-  
9           grams under the Central American Worker Referral  
10          Program described in section 306.

11         (c) EXPEDITED PROCESSING.—Expedited processing  
12         of applications and requests under this title shall be grant-  
13         ed in emergency situations, for humanitarian reasons, or  
14         if other circumstances warrant expedited treatment in the  
15         exercise of discretion.

16         **SEC. 303. CENTRAL AMERICAN REFUGEE PROGRAM.**

17         (a) IN GENERAL.—In addition to any refugees des-  
18         ignated for admission under section 207 of the Immigra-  
19         tion and Nationality Act (8 U.S.C. 1157), in each of fiscal  
20         years 2020, 2021, 2022, 2023, and 2024, not less than  
21         100,000 nationals of El Salvador, Guatemala, and Hon-  
22         duras combined shall be admitted into the United States  
23         under this section. Admission under this subsection shall  
24         be available to any such national who registers at a Des-  
25         ignated Processing Center and is determined to be admis-

1 sible as a refugee of special humanitarian concern to the  
2 United States consistent with this section.

3 (b) INITIAL PROCESSING.—

4 (1) IN GENERAL.—Any individual who registers  
5 at a Designated Processing Center and who ex-  
6 presses a fear of persecution or an intention to apply  
7 for refugee status may make an application for ref-  
8 ugee resettlement under this section. Upon filing of  
9 a completed application, the applicant shall be re-  
10 ferred to a refugee officer for further processing con-  
11 sistent with this section.

12 (2) SUBMISSION OF BIOGRAPHIC AND BIOMET-  
13 RIC DATA.—An applicant described in paragraph (1)  
14 shall be required to submit biographic and biometric  
15 data in accordance with procedures established by  
16 the Assistant Director of Regional Processing. The  
17 Assistant Director shall provide an alternative proce-  
18 dure for applicants who are unable to provide all re-  
19 quired biographic and biometric data due to a phys-  
20 ical or mental impairment.

21 (3) BACKGROUND CHECKS.—The Assistant Di-  
22 rector of Regional Processing shall utilize biometric,  
23 biographic, and other appropriate data to conduct  
24 security and law enforcement background checks of  
25 applicants to determine whether there is any crimi-



1       nal, national security, or other ground that would  
2       render the applicant ineligible for admission as a  
3       refugee under section 207 of the Immigration and  
4       Nationality Act (8 U.S.C. 1157).

5           (4) ORIENTATION.—The Assistant Director of  
6       Regional Processing shall provide prospective appli-  
7       cants for refugee resettlement with information on  
8       applicable requirements and legal standards. All ori-  
9       entation materials, including application forms and  
10      instructions, shall be provided in English and Span-  
11      ish.

12          (5) INTERNATIONAL ORGANIZATIONS.—The  
13      Secretary of State, in consultation with the Sec-  
14      retary of Homeland Security, shall enter into agree-  
15      ments with international organizations, including the  
16      United Nations High Commissioner for Refugees, to  
17      facilitate the processing and preparation of case files  
18      for applicants under this section.

19      (c) ADJUDICATION OF APPLICATIONS.—

20          (1) IN GENERAL.—Not later than 60 days after  
21      the date on which an applicant is referred under  
22      subsection (b)(1), the applicant shall be interviewed  
23      by a refugee officer for a determination of whether  
24      the applicant is a refugee of special humanitarian  
25      concern, as described in paragraph (5).

1           (2) DECISION.—Not later than 14 days after  
2           the date on which an applicant is interviewed under  
3           paragraph (1), the refugee officer shall issue a writ-  
4           ten decision on the application.

5           (3) APPROVAL OF APPLICATION.—If the refugee  
6           officer approves an application under this section,  
7           the applicant shall be processed for resettlement to  
8           the United States as a refugee under section 207 of  
9           the Immigration and Nationality Act. The security  
10          and law enforcement background checks required  
11          under subsection (b)(3) shall be completed, to the  
12          satisfaction of the Assistant Director of Regional  
13          Processing, before the date on which an approved  
14          applicant may be admitted to the United States.

15          (4) DENIAL OF APPLICATION.—If the refugee  
16          officer denies an application under this section, the  
17          officer shall include a reasoned, written explanation  
18          for the denial and refer the applicant for a deter-  
19          mination of eligibility for other benefits under this  
20          title, consistent with section 302(b). A denied appli-  
21          cant may request review of the decision by a super-  
22          visory refugee officer not later than 30 days after  
23          the date of the denial. The supervisory refugee offi-  
24          cer shall issue a final written decision within 30  
25          days of the request for review.

1           (5) REFUGEES OF SPECIAL HUMANITARIAN  
2 CONCERN.—For the purposes of this section, refu-  
3 gees of special humanitarian concern to the United  
4 States shall include individuals who have suffered, or  
5 have a well-founded fear of suffering—

6           (A) domestic, sexual, or other forms of  
7 gender-based violence, including persecution  
8 based on sexual orientation or gender identity;

9           (B) violence, extortion, or other forms of  
10 persecution (including forced recruitment) com-  
11 mitted by gangs or other organized criminal or-  
12 ganizations;

13           (C) a severe form of trafficking in persons;  
14 or

15           (D) other serious human rights abuses.

16           (6) SPOUSES AND MINOR CHILDREN.—The  
17 spouse or child of any applicant who qualifies for ad-  
18 mission under section 207(c) of the Immigration and  
19 Nationality Act shall be granted the same status as  
20 the applicant if accompanying or following to join  
21 such applicant, consistent with such section.

22           (7) REFUGEE STATUS.—An individual who is  
23 admitted to the United States as a refugee under  
24 this section shall enjoy the same rights and privi-  
25 leges and shall be subject to the same grounds for

1 termination of refugee status as provided in sections  
2 207 and 209 of the Immigration and Nationality  
3 Act.

4 (8) FEES.—No fee shall be imposed for the fil-  
5 ing, processing, or adjudication of an application  
6 under this section.

7 (d) OPTIONAL REFERRAL TO OTHER COUNTRIES.—

8 (1) IN GENERAL.—Notwithstanding subsection  
9 (b), an applicant for refugee resettlement under this  
10 section may be referred to another country for the  
11 processing of the applicant’s refugee claim if—

12 (A) another country agrees to immediately  
13 process the applicant’s refugee claim in accord-  
14 ance with the terms and procedures of a bilat-  
15 eral agreement under paragraph (2); and

16 (B) the applicant lacks substantial ties to  
17 the United States as defined in paragraph (3)  
18 or requests resettlement to a country other than  
19 the United States.

20 (2) BILATERAL AGREEMENTS FOR REFERRAL  
21 OF REFUGEES.—

22 (A) IN GENERAL.—The Secretary of State,  
23 in consultation with the Secretary of Homeland  
24 Security, shall enter into bilateral agreements  
25 with other countries for the referral, processing,

1 and resettlement of individuals who register  
2 with a Designated Processing Center and seek  
3 to apply for refugee resettlement under this sec-  
4 tion. Such agreements shall be limited to coun-  
5 tries with the demonstrated capacity to accept  
6 and adjudicate applications for refugee status,  
7 and other forms of international protection, and  
8 resettle refugees consistent with obligations  
9 under the 1951 United Nations Convention Re-  
10 lating to the Status of Refugees and the 1967  
11 United Nations Protocol Relating to the Status  
12 of Refugees.

13 (B) INTERNATIONAL ORGANIZATIONS.—

14 The Secretary of State, in consultation with the  
15 Secretary of Homeland Security, shall enter  
16 into agreements with international organiza-  
17 tions, including the United Nations High Com-  
18 missioner for Refugees, to facilitate the referral,  
19 processing, and resettlement of individuals cov-  
20 ered under this paragraph.

21 (3) SUBSTANTIAL TIES DEFINED.—An indi-

22 vidual has substantial ties to the United States if  
23 the individual—

1           (A) has a spouse, parent, son, daughter,  
2           sibling, grandparent, aunt, or uncle who resides  
3           in the United States;

4           (B) can demonstrate previous residence in  
5           the United States for not less than 2 years; or

6           (C) can otherwise demonstrate substantial  
7           ties to the United States as defined by the Sec-  
8           retary of Homeland Security.

9       (e) EMERGENCY RELOCATION COORDINATION.—The  
10      Secretary of State, in consultation with the Secretary of  
11      Homeland Security, shall enter into bilateral or multilat-  
12      eral agreements with other Western Hemisphere countries  
13      to establish safe and secure emergency transit centers for  
14      individuals who register at a Designated Processing Cen-  
15      ter, are deemed to face an imminent risk of harm, and  
16      require temporary placement in a safe location pending  
17      a final decision on an application under this section. Such  
18      agreements shall be developed in consultation with the  
19      United Nations High Commissioner for Refugees and  
20      shall conform to international humanitarian standards.

21      (f) EXPANSION OF REFUGEE CORPS.—Not later than  
22      60 days after the date of the enactment of this Act, and  
23      subject to the availability of amounts provided in advance  
24      in appropriation Acts, the Secretary of Homeland Security

1 shall appoint additional refugee officers as may be nec-  
2 essary to carry out this section.

3 **SEC. 304. CENTRAL AMERICAN MINORS PROGRAM.**

4 (a) ELIGIBILITY.—If it is determined as a result of  
5 the assessment under section 302(b) that an alien is eligi-  
6 ble for special immigrant status in accordance with this  
7 subsection, the Designated Processing Center shall accept  
8 a petition for such status filed by the alien, or on behalf  
9 of the alien by a parent or legal guardian, and, subject  
10 to subsection (d) and notwithstanding any other provision  
11 of law, the Secretary of Homeland Security shall provide  
12 the alien with status as a special immigrant under section  
13 101(a)(27) of the Immigration and Nationality Act. An  
14 alien shall be eligible under this subsection if the alien—

15 (1) is a national of El Salvador, Honduras, or  
16 Guatemala;

17 (2) is an unmarried child (as defined in section  
18 101(b)(1) of the Immigration and Nationality Act)  
19 of an individual who is lawfully present in the  
20 United States;

21 (3) is otherwise eligible to receive an immigrant  
22 visa; and

23 (4) is otherwise admissible to the United States  
24 (excluding the grounds of inadmissibility specified in

1 section 212(a)(4) of the Immigration and Nation-  
2 ality Act).

3 (b) MINOR CHILDREN.—Any child (as defined in sec-  
4 tion 101(b)(1) of the Immigration and Nationality Act)  
5 of an alien described in subsection (b) is entitled to the  
6 same special immigrant status if accompanying or fol-  
7 lowing to join the alien.

8 (c) NUMERICAL LIMITATIONS.—

9 (1) IN GENERAL.—The total number of aliens  
10 who may be provided special immigrant status under  
11 this section may not exceed 10,000 per year for the  
12 fiscal year during which at least one Designated  
13 Processing Center commences operations, and for  
14 each of the four fiscal years that immediately follow.

15 (2) EXCLUSION FROM NUMERICAL LIMITA-  
16 TIONS.—Aliens provided special immigrant status  
17 under this section shall not be counted against any  
18 numerical limitation under section 201, 202, or 203  
19 of the Immigration and Nationality Act.

20 (3) CARRY FORWARD.—If the numerical limita-  
21 tion under paragraph (1) is not reached during a  
22 given fiscal year, the numerical limitation under  
23 such paragraph for the following fiscal year shall be  
24 increased by a number equal to the difference be-  
25 tween—



1 (A) the total number of aliens provided  
2 special immigrant status under paragraph (1)  
3 for the given fiscal year; and

4 (B) the number of aliens provided special  
5 immigrant status under this section during the  
6 given fiscal year.

7 (d) PETITION AND ADJUDICATION.—

8 (1) IN GENERAL.—Absent exceptional cir-  
9 cumstances, an eligible alien shall be permitted to  
10 submit a petition for special immigrant status under  
11 this section up to 90 days after the date the alien  
12 was determined to be eligible for such status.

13 (2) ADJUDICATION DEADLINES.—Absent excep-  
14 tional circumstances, petitions submitted under this  
15 section shall be adjudicated not later than 180 days  
16 after submission.

17 (3) APPLICANTS UNDER PRIOR CAM PRO-  
18 GRAM.—The Secretary of Homeland Security shall  
19 deem an application filed under the Central Amer-  
20 ican Minors Refugee Program, established on De-  
21 cember 1, 2014 and terminated on August 16, 2017,  
22 and which was not the subject of a final disposition  
23 prior to January 31, 2018, to be a petition filed  
24 under this section. Absent exceptional circumstances,  
25 the Secretary shall make a final determination on

1 such petitions not later than 180 days after the date  
2 of enactment of this Act. The Secretary shall  
3 promptly notify all relevant parties of the conversion  
4 of a CAM application into a special immigrant peti-  
5 tion, and shall provide instructions for withdrawal of  
6 the petition if the alien no longer wishes to proceed  
7 with the requested relief.

8 (4) BIOMETRICS AND BACKGROUND CHECKS.—

9 (A) SUBMISSION OF BIOMETRIC AND BIO-  
10 GRAPHIC DATA.—Petitioners for special immi-  
11 grant status under this section shall be required  
12 to submit biometric and biographic data in ac-  
13 cordance with procedures established by the As-  
14 sistant Director of Regional Processing. The  
15 Assistant Director shall provide an alternative  
16 procedure for applicants who are unable to pro-  
17 vide all required biometric data due to a phys-  
18 ical or mental impairment.

19 (B) BACKGROUND CHECKS.—The Assist-  
20 ant Director of Regional Processing shall utilize  
21 biometric, biographic, and other appropriate  
22 data to conduct security and law enforcement  
23 background checks of petitioners to determine  
24 whether there is any criminal, national security,  
25 or other ground that would render the applicant

1 ineligible for special immigrant status under  
2 this section.

3 (C) COMPLETION OF BACKGROUND  
4 CHECKS.—The security and law enforcement  
5 background checks required under subpara-  
6 graph (B) shall be completed, to the satisfac-  
7 tion of the Assistant Director of Regional Proc-  
8 essing, before the date on which a petition for  
9 special immigrant status under this section may  
10 be approved.

11 **SEC. 305. CENTRAL AMERICAN FAMILY REUNIFICATION PA-**  
12 **ROLE PROGRAM.**

13 (a) IN GENERAL.—If it is determined as a result of  
14 the assessment under section 302(b) that an alien is eligi-  
15 ble for parole in accordance with this subsection, the Des-  
16 ignated Processing Center shall accept a completed appli-  
17 cation for parole filed by the alien, or on behalf of the  
18 alien by a parent or legal guardian, and the Secretary of  
19 Homeland Security shall grant parole, as provided under  
20 section 212(d)(5), to that alien. An alien shall be eligible  
21 under this subsection if the alien—

22 (1) is a national of El Salvador, Guatemala, or  
23 Honduras;

1           (2) is the beneficiary of an approved immigrant  
2       visa petition under section 203(a) of the Immigra-  
3       tion and Nationality Act; and

4           (3) does not have an immigrant visa that is im-  
5       mediately available but the visa is expected to be  
6       available within 5 years of the date the alien reg-  
7       isters with a Designated Processing Center.

8       (b) APPLICATION AND ADJUDICATION.—

9           (1) IN GENERAL.—Absent exceptional cir-  
10      cumstances, an eligible alien shall be permitted to  
11      submit an application for parole under this section  
12      up to 90 days after the date the alien is determined  
13      to be eligible for parole.

14          (2) ADJUDICATION DEADLINES.—Absent excep-  
15      tional circumstances, applications submitted under  
16      this section shall be adjudicated not later than 180  
17      days after submission.

18          (3) BIOMETRICS AND BACKGROUND CHECKS.—

19            (A) SUBMISSION OF BIOMETRIC AND BIO-  
20      GRAPHIC DATA.—Applicants for parole under  
21      this section shall be required to submit biomet-  
22      ric and biographic data in accordance with pro-  
23      cedures established by the Assistant Director of  
24      Regional Processing. The Assistant Director  
25      shall provide an alternative procedure for appli-

1           cants who are unable to provide all required bi-  
2           ometric data due to a physical or mental im-  
3           pairment.

4           (B) BACKGROUND CHECKS.—The Assist-  
5           ant Director of Regional Processing shall utilize  
6           biometric, biographic, and other appropriate  
7           data to conduct security and law enforcement  
8           background checks of applicants to determine  
9           whether there is any criminal, national security,  
10          or other ground that would render the applicant  
11          ineligible for parole under this section.

12          (C) COMPLETION OF BACKGROUND  
13          CHECKS.—The security and law enforcement  
14          background checks required under subpara-  
15          graph (B) shall be completed to the satisfaction  
16          of the Assistant Director of Regional Proc-  
17          essing before the date on which an application  
18          for parole may be approved.

19          (4) APPROVAL.—Designated Processing Centers  
20          shall issue appropriate travel documentation to  
21          aliens granted parole. Such documentation must be  
22          presented to U.S. Customs and Border Protection at  
23          a port of entry for parole into the United States  
24          within 120 days of issuance.

1 **SEC. 306. CENTRAL AMERICAN WORKER REFERRAL PRO-**  
2 **GRAM.**

3 (a) IN GENERAL.—An alien who registers with a  
4 Designated Processing Center shall be screened for refer-  
5 ral for suitable temporary worker programs as provided  
6 in this section.

7 (b) QUALIFYING TEMPORARY WORKER PRO-  
8 GRAMS.—In accordance with the standard operating pro-  
9 cedures described in section 301(b)(2)(B) of this title, and  
10 using tools and resources developed by the Secretary of  
11 Homeland Security in consultation with the Secretary of  
12 Labor, Designated Processing Centers shall—

13 (1) connect prospective workers to U.S. employ-  
14 ers or recruiters seeking temporary workers to per-  
15 form agricultural labor or services as described in  
16 section 101(a)(15)(H)(ii)(a) of the Immigration and  
17 Nationality Act, or other temporary or seasonal  
18 work as described in section 101(a)(15)(H)(ii)(b) of  
19 the Immigration and Nationality Act; and

20 (2) connect prospective workers to an organiza-  
21 tion, approved by the Department of State to spon-  
22 sor exchange visitors as described under section  
23 101(a)(15)(J) of the Immigration and Nationality  
24 Act, for placement as an au pair with a qualified  
25 host family in the United States.

1       (c) OTHER TEMPORARY WORK PROGRAMS.—The  
2 Secretary of Homeland Security, in consultation with the  
3 Secretary of Labor, may, as a matter of discretion, develop  
4 tools and resources and establish procedures to allow Des-  
5 ignated Processing Centers to connect prospective workers  
6 to other temporary employment, training, or exchange vis-  
7 itor opportunities in the United States that require non-  
8 immigrant visa sponsorship.

9       (d) ELIGIBILITY.—Eligibility for referral under this  
10 section shall be limited to nationals of El Salvador, Guate-  
11 mala, or Honduras who—

12           (1) have registered with a Designated Proc-  
13 essing Center; and

14           (2) have agreed in writing to participate in the  
15 referral program.

16 Eligible individuals shall only be referred to prospective  
17 employers or designated organizations for possible visa  
18 sponsorship and employment in an area or areas in which  
19 the individual has indicated a willingness and desire to  
20 work.

21       (e) LIMITATIONS.—Nothing in this section shall be  
22 construed—

23           (1) to limit the obligations of an employer, re-  
24 cruiter, designated organization, or other entity to  
25 fulfill all requirements for nonimmigrant visa spon-

1 sorship as required under the relevant provisions of  
2 the Immigration and Nationality Act and regulations  
3 issued by the Secretary of Homeland Security or the  
4 Attorney General;

5 (2) to guarantee employment or visa sponsor-  
6 ship for any prospective worker who registers with  
7 a Designated Processing Center; or

8 (3) to allow a Designated Processing Center,  
9 employer, recruiter, or designated organization to  
10 charge or collect any placement or referral fee for  
11 services rendered under this section.

12 **SEC. 307. INFORMATIONAL CAMPAIGN; CASE STATUS HOT-**  
13 **LINE.**

14 (a) INFORMATIONAL CAMPAIGN.—The Secretary of  
15 Homeland Security shall implement an informational cam-  
16 paign, in English and Spanish, in the United States, El  
17 Salvador, Guatemala, and Honduras to increase aware-  
18 ness of the provisions of this title.

19 (b) CASE STATUS HOTLINE.—Not later than 90 days  
20 after the date of the enactment of this Act, the Secretary  
21 of Homeland Security shall establish a case status hotline  
22 providing confidential processing information on pending  
23 cases.



1 **TITLE IV—IMPROVING BORDER**  
2 **INFRASTRUCTURE FOR FAMI-**  
3 **LIES AND CHILDREN; CRACK-**  
4 **ING DOWN ON CRIMINAL OR-**  
5 **GANIZATIONS.**

6 **SEC. 401. ADDITIONAL U.S. CUSTOMS AND BORDER PRO-**  
7 **TECTION PERSONNEL.**

8 (a) OFFICERS.—The Commissioner of U.S. Customs  
9 and Border Protection shall, every fiscal year, hire, train,  
10 and assign not fewer than 200 new officers above the level  
11 as of September 30 of the immediately preceding fiscal  
12 year until the total number of officers equals the require-  
13 ments identified each year in the Workload Staffing Model  
14 issued by the Commissioner pursuant to the Department  
15 of Homeland Security Appropriations Act, 2012 (herein-  
16 after in this title referred to as the “Workload Staffing  
17 Model”).

18 (b) PROTECTION OF HUMAN RIGHTS AND CHILD  
19 WELFARE.—

20 (1) HUMANITARIAN SPECIALISTS AND CHILD  
21 WELFARE PROFESSIONALS.—Not later than the last  
22 day of the first fiscal year after the date of enact-  
23 ment of this Act, the Commissioner of U.S. Customs  
24 and Border Protection shall hire, train, and assign  
25 not fewer than 100 new humanitarian specialists

1 and not fewer than 100 new child welfare profes-  
2 sionals. The Commissioner shall thereafter annually  
3 hire, train, and assign an additional 100 specialists  
4 and 100 professionals under this section until the  
5 Commissioner determines that a sufficient number  
6 of such specialists and professionals are available to  
7 adequately provide for the protection of the health  
8 and welfare of aliens arriving at the border or in the  
9 custody of the Commissioner, including the require-  
10 ments of sections 404 and 405. The total number of  
11 such specialists and professionals may not be less  
12 than the requirements identified in the Workload  
13 Staffing Model. The Commissioner is authorized to  
14 enter into such contracts as may be necessary to  
15 carry out this subsection, including with independent  
16 child welfare professionals.

17 (2) QUALIFIED EXPERTS IN PEDIATRIC MEDI-  
18 CINE.—The Commissioner of U.S. Customs and  
19 Border Protection shall, every fiscal year, hire, train,  
20 and assign qualified experts in pediatric medicine in  
21 such numbers as the Commissioner determines ap-  
22 propriate to adequately provide for the health needs  
23 of children arriving at the border or in the custody  
24 of the Commissioner, including the requirements of  
25 sections 404 and 405.

1       (c) AGRICULTURAL SPECIALISTS.—The Commis-  
2 sioner of U.S. Customs and Border Protection shall, every  
3 fiscal year, hire, train, and assign not fewer than 100 new  
4 agricultural specialists above the level as of September 30  
5 of the immediately preceding fiscal year until the total  
6 number of such specialists equals the requirements identi-  
7 fied each year in the Agriculture Resource Allocation  
8 Model developed by the Commissioner. The Commissioner  
9 is authorized to enter into such contracts as may be nec-  
10 essary to carry out this subsection.

11       (d) SUPPORT STAFF.—The Commissioner of U.S.  
12 Customs and Border Protection is authorized to hire,  
13 train, and assign support staff, including technicians and  
14 interpreters, to perform non-law enforcement administra-  
15 tive functions to support all personnel of U.S. Customs  
16 and Border Protection. The Commissioner is authorized  
17 to enter into such contracts as may be necessary to carry  
18 out this subsection.

19       (e) OFFICE OF PROFESSIONAL RESPONSIBILITY.—  
20 The Commissioner of U.S. Customs and Border Protec-  
21 tion shall hire, train, and assign sufficient Office of Pro-  
22 fessional Responsibility special agents to ensure that there  
23 is one such special agent for every 30 officers to inves-  
24 tigate criminal and administrative matters and misconduct  
25 by officers and other employees of U.S. Customs and Bor-

1 der Protection. The Commissioner is authorized to enter  
2 into such contracts as may be necessary to carry out this  
3 subsection.

4 (f) TRAFFIC FORECASTS.—In calculating the number  
5 of U.S. Customs and Border Protection officers needed  
6 at each land, air, and maritime port of entry through the  
7 Workload Staffing Model, the Office of Field Operations  
8 of U.S. Customs and Border Protection shall—

9 (1) rely on data collected regarding the inspec-  
10 tions and other activities conducted at each such  
11 port of entry; and

12 (2) consider volume due to regional humani-  
13 tarian conditions, seasonal increases, other projected  
14 changes in commercial and passenger volumes, the  
15 most current commercial forecasts, and other rel-  
16 evant information.

17 (g) STAFFING UPDATES.—Not later than 90 days  
18 after the date of enactment of this Act, the Commissioner  
19 of U.S. Customs and Border Protection shall report to  
20 Congress on the status of efforts to implement subsections  
21 (a) through (e).

22 (h) AMENDMENT.—Subparagraph (A) of section  
23 411(g)(5) of the Homeland Security Act of 2002 (6  
24 U.S.C. 211(g)(5)) is amended—

1           (1) by striking “model” and inserting “mod-  
2       els”;

3           (2) by inserting “humanitarian and agricultural  
4       specialists, child welfare professionals,” before “and  
5       support personnel”; and

6           (3) by inserting before the period at the end the  
7       following: “, and shall also provide information con-  
8       cerning the progress made toward meeting officer,  
9       humanitarian and agriculture specialists, child wel-  
10      fare professionals, and support staff hiring targets,  
11      while accounting for attrition”.

12       (i) GAO REPORT.—If by March 31, 2020, the Com-  
13      missioner of U.S. Customs and Border Protection has not  
14      hired at least 100 additional humanitarian specialists and  
15      100 child welfare professionals in accordance with sub-  
16      section (b) or at least 200 additional U.S. Customs and  
17      Border Protection officers in accordance with subsection  
18      (a), and in any subsequent fiscal year in which the staffing  
19      levels specified in the applicable Workload Staffing Model  
20      have not been achieved, the Comptroller General of the  
21      United States shall—

22           (1) conduct a review of U.S. Customs and Bor-  
23      der Protection hiring policies and processes to iden-  
24      tify factors contributing to such levels not being

1       achieved and any other issues related to hiring by  
2       U.S. Customs and Border Protection;

3           (2) consider attrition levels within the Office of  
4       Field Operations to identify associated factors con-  
5       tributing to attrition within the workforce of such  
6       Office; and

7           (3) submit to the Committee on Homeland Se-  
8       curity of the House of Representatives and the Com-  
9       mittee on Homeland Security and Governmental Af-  
10      fairs of the Senate a report that describes the re-  
11      sults of the review and consideration under para-  
12      graphs (1) and (2), respectively, and that contains  
13      recommendations to enhance the likelihood of achiev-  
14      ing such staffing levels.

15 **SEC. 402. PORTS OF ENTRY INFRASTRUCTURE ENHANCE-**  
16 **MENT REPORT.**

17       Not later than 90 days after the date of the enact-  
18      ment of this Act, the Commissioner of U.S. Customs and  
19      Border Protection shall submit to the Committee on  
20      Homeland Security of the House of Representatives and  
21      the Committee on Homeland Security and Governmental  
22      Affairs of the Senate a report that identifies—

23           (1) infrastructure improvements at ports of  
24      entry that would enhance the ability of U.S. Cus-  
25      toms and Border Protection officers to process and

1 protect refugees and asylum seekers, facilitate daily  
2 pedestrian and vehicular trade and traffic, and de-  
3 tect, interdict, disrupt, and prevent fentanyl, other  
4 synthetic opioids, and other narcotics and  
5 psychoactive substances and associated contraband  
6 from entering the United States, including a descrip-  
7 tion of circumstances in which effective technology  
8 in use at certain ports of entry cannot be imple-  
9 mented at other ports of entry;

10 (2) detection equipment that would improve the  
11 ability of such officers to identify such drugs and  
12 other dangers that are being illegally transported  
13 into the United States; and

14 (3) safety equipment that would protect such  
15 officers from accidental exposure to such drugs or  
16 other dangers associated with the inspection of po-  
17 tential drug traffickers.

18 **SEC. 403. GENERAL SHORT-TERM CUSTODY STANDARDS IN**  
19 **CUSTOMS AND BORDER PROTECTION FACILI-**  
20 **TIES.**

21 (a) IN GENERAL.—Not later than 180 days after the  
22 date of the enactment of this Act, the Secretary of Home-  
23 land Security, acting through the head of the Office of  
24 Civil Rights and Civil Liberties of the Department of  
25 Homeland Security, in consultation with the Commis-

1 sioner of U.S. Customs and Border Protection, shall es-  
2 tablish short-term custody standards providing for basic  
3 minimum standards of care, intake procedures, and capac-  
4 ity guidelines at all U.S. Customs and Border Protection  
5 facilities holding individuals in the agency's custody, in-  
6 cluding the following:

7 (1) U.S. Border Patrol stations.

8 (2) Ports of entry.

9 (3) Checkpoints.

10 (4) Forward operating bases.

11 (5) Secondary inspection areas.

12 (6) Short-term custody facilities.

13 (b) REQUIREMENTS.—All U.S. Customs and Border  
14 Protection and subcontracted or cooperating entity per-  
15 sonnel shall undergo mandatory training on all standards  
16 established in accordance with subsection (a), shall ensure  
17 that detention space capacity will not be exceeded except  
18 in emergency circumstances, and shall ensure that all indi-  
19 viduals in agency custody receive the following:

20 (1) Potable water and a snack, and, if detained  
21 for more than five hours, a nutritious meal with reg-  
22 ular meals and snacks, thereafter.

23 (2) Medically appropriate meals and snacks for  
24 pregnant women and individuals with identifiable  
25 medical needs.



1           (3) Adequate bathroom and shower facilities, as  
2           well as basic toiletries and hygiene items, including  
3           soap, a toothbrush, toilet paper, and other items ap-  
4           propriate for the age and gender identification of  
5           such individuals, including diapers and feminine hy-  
6           giene products.

7           (4) A cot, clean linens, and blankets, if detained  
8           for more than five hours.

9           (5) Adequate lighting and climate control that  
10          achieves a reasonable indoor temperature.

11          (6) Adequate protection from the elements, in-  
12          cluding sun shades, for outside holding areas.

13          (7) A physical and mental health screening con-  
14          ducted promptly upon arrival in a manner that com-  
15          plies with the requirements for such screenings spec-  
16          ified in the National Commission for Correctional  
17          Health Care Jails Standards, as well as information  
18          about the availability of, and access to, health care  
19          services that is communicated in a form and lan-  
20          guage such individuals are known to understand.

21          (8) Immediate physical and mental health needs  
22          addressed by a qualified health care professional as  
23          soon as possible.

24          (9) Prompt notice of the ability to make tele-  
25          phone calls and the procedures therefore.

1           (10) Prompt notice of phone numbers to file a  
2           complaint with the Office of the Inspector General  
3           of the Department and the Office for Civil Rights  
4           and Civil Liberties of the Department.

5           (11) A reasonable accommodation for religious  
6           practices.

7           (12) Applicable protections under the Prison  
8           Rape Elimination Act of 2003 (42 U.S.C. 15601 et  
9           seq.; Public Law 108–79).

10          (13) Safe transport, including prevention of  
11          sexual assault during transfer, including in subcon-  
12          tracted transportation services, while such individ-  
13          uals are transported from a U.S. Customs and Bor-  
14          der Protection facility.

15          (c) FURTHER PROVISIONS.—The Commissioner of  
16          U.S. Customs and Border Protection shall ensure that all  
17          individuals in agency custody—

18               (1) have regular access to consular officials and  
19               legal service providers through confidential in-person  
20               visits or telephonic communications;

21               (2) receive copies of all signed documents; and

22               (3) are transferred, together with records, in-  
23               cluding medical screening records, to an appropriate  
24               U.S. Immigration and Customs Enforcement or De-  
25               partment of Health and Human Services Office of

1       Refugee Resettlement facility or are safely released  
2       from short-term custody within 72 hours of appre-  
3       hension.

4       (d) SURVEILLANCE OF CERTAIN INDIVIDUALS IN  
5       CBP CUSTODY.—The Commissioner of U.S. Customs and  
6       Border Protection shall ensure constant surveillance of an  
7       individual in agency custody who exhibits signs of hos-  
8       tility, depression, or similar behaviors, or who is reason-  
9       ably known to pose an elevated suicide risk.

10      (e) PHYSICAL AND MENTAL HEALTH ASSESS-  
11      MENT.—The Commissioner of U.S. Customs and Border  
12      Protection shall ensure that individuals in agency custody  
13      for more than 24 hours receive, in addition to the physical  
14      and mental health screening specified in subsection (b)(7),  
15      a physical and mental health assessment by a qualified  
16      healthcare professional. To the extent practicable, such in-  
17      dividuals with known or readily apparent disabilities, in-  
18      cluding temporary disabilities, shall be housed in a manner  
19      that accommodates their mental or physical condition, or  
20      both, and provides for the safety, comfort, and security  
21      of such individuals.

22      (f) RETURN OF CERTAIN BELONGINGS.—Any lawful,  
23      nonperishable belongings of an individual in U.S. Customs  
24      and Border Protection custody that are confiscated by  
25      personnel operating under Federal authority shall be re-

1 turned to such individual prior to the release or repatri-  
2 ation of such individual.

3 (g) INSPECTION OF SHORT-TERM CUSTODY FACILI-  
4 TIES.—Short-term custody facilities shall be inspected at  
5 least once every year by the Office of the Inspector Gen-  
6 eral of the Department of Homeland Security, with the  
7 results made public without the need to submit a request  
8 under section 552 of title 5, United States Code.

9 (h) CONSULTATION.—The Secretary of Homeland  
10 Security shall seek input from nongovernmental organiza-  
11 tions regarding their independent opinion of specific U.S.  
12 Customs and Border Protection facilities and permit reg-  
13 ular access to such facilities by nongovernmental organiza-  
14 tions for human rights monitoring.

15 (i) REGULATIONS.—Not later than 180 days after the  
16 date of the enactment of this Act, the Secretary of Home-  
17 land Security shall promulgate regulations to—

18 (1) establish a publicly accessible online system  
19 allowing any person with the alien number of an in-  
20 dividual to track the location of that individual in  
21 U.S. Customs and Border Protection custody held in  
22 short-term custody, and provide an online list of all  
23 locations with phone numbers routinely used to hold  
24 individuals in short-term custody;

1           (2) improve the education of individuals in U.S.  
2       Customs and Border Protection custody regarding  
3       administrative procedures and legal rights under  
4       United States immigration law, in consultation with  
5       the Executive Office for Immigration Review; and

6           (3) ensure notification to Congress and the Of-  
7       fice of the Inspector General and the Office for Civil  
8       Rights and Civil Liberties of the Department of  
9       Homeland Security within 48 hours of each instance  
10      in which—

11           (A) an individual in U.S. Customs and  
12       Border Protection custody has died, including  
13       during transfer to another facility or while  
14       being released; or

15           (B) an individual has died as the result of  
16       an encounter with U.S. Customs and Border  
17       Protection.

18       (j) ANNUAL REPORTS.—Not later than 180 days  
19   after the date of the enactment of this Act and annually  
20   thereafter, the Secretary of Homeland Security shall sub-  
21   mit to Congress a report that details all instances in which  
22   an individual in U.S. Customs and Border Protection cus-  
23   tody has died in the prior fiscal year, including during  
24   transfer to another facility or while being released, as well  
25   as all instances in which an individual has died as the re-

1 sult of an encounter with U.S. Customs and Border Pro-  
2 tection, and the result of any subsequent investigation.  
3 Such reports shall also detail all instances in which an  
4 individual, including an individual in the custody of U.S.  
5 Customs and Border Protection, has suffered serious inju-  
6 ries requiring hospitalization as a result of the use of force  
7 by U.S. Customs and Border Protection.

8 **SEC. 404. STANDARDS FOR CHILDREN IN THE SHORT-TERM**  
9 **CUSTODY OF CUSTOMS AND BORDER PRO-**  
10 **TECTION.**

11 (a) IN GENERAL.—Not later than 180 days after the  
12 date of the enactment of this Act, the Secretary of Home-  
13 land Security, acting through the head of the Office for  
14 Civil Rights and Civil Liberties of the Department of  
15 Homeland Security, in consultation with the Commis-  
16 sioner of U.S. Customs and Border Protection, shall es-  
17 tablish basic standards of care for the short-term custody  
18 of children by the Commissioner of U.S. Customs and  
19 Border Protection.

20 (b) REQUIREMENTS.—The standards required pursu-  
21 ant to subsection (a) shall include and apply the general  
22 short term custody standards described in section 403, as  
23 well as ensure that all children in the custody of the Com-  
24 missioner of U.S. Customs and Border Protection are

1 placed in a safe and sanitary location, and while in such  
2 custody—

3 (1) have available to them at all times diapers,  
4 diapering supplies, infant formula, and infant feed-  
5 ing supplies, as necessary;

6 (2) in the case of any child in such custody for  
7 more than 24 hours, have access to—

8 (A) a parent or other member of the fam-  
9 ily group, including siblings, grandparents,  
10 aunts, and uncles in U.S. Customs and Border  
11 Protection custody; and

12 (B) daily recreational programs and activi-  
13 ties, including recreational time outdoors; and

14 (3) are permitted to make supervised video con-  
15 ference calls, if available, and telephone calls to fam-  
16 ily members (or legal guardians).

17 (c) ENSURING CHILDREN HAVE ACCESS TO LEGAL  
18 RIGHTS.—The Secretary of Homeland Security shall en-  
19 sure that on apprehension each child is provided—

20 (1) an interview and screening with a child wel-  
21 fare professional; and

22 (2) a video orientation and oral and written no-  
23 tice, in a language understood by the child, of the  
24 rights of the child under the immigration laws (as

1 such term is defined in section 101 of the Immigra-  
2 tion and Nationality Act), including—

3 (A) communication with counsel pursuant  
4 to section 292 of such Act (8 U.S.C. 1362); and

5 (B) an applicable complaint mechanism to  
6 report any abuse, mistreatment, or misconduct.

7 **SEC. 405. CHILD WELFARE AT THE BORDER.**

8 (a) GUIDELINES.—Not later than 180 days after the  
9 date of enactment of this Act, the Secretary of Homeland  
10 Security, in consultation with the Secretary of Health and  
11 Human Services, experts in child development, child wel-  
12 fare, and pediatric medicine, and other relevant experts  
13 as appropriate, shall, by rule, develop and establish guide-  
14 lines for the intake and treatment of children and families  
15 in the custody of the Commissioner of U.S. Customs and  
16 Border Protection.

17 (b) MANDATORY TRAINING.—The Secretary of  
18 Homeland Security shall—

19 (1) require all U.S. Customs and Border Pro-  
20 tection and subcontracted or cooperating entity per-  
21 sonnel, who may have contact with a child at a port  
22 of entry or U.S. Border Patrol station to undergo  
23 appropriate training, which shall include in-person  
24 training, on—



1 (A) the applicable legal authorities, poli-  
2 cies, practices, and procedures relating to chil-  
3 dren in the custody of U.S. Customs and Bor-  
4 der Protection; and

5 (B) child development, trauma, and the  
6 manner in which trauma affects the health and  
7 behavior of children; and

8 (2) require U.S. Customs and Border Protec-  
9 tion personnel to annually undertake continuing  
10 training on—

11 (A) identifying and responding to common  
12 signs and symptoms of medical distress in chil-  
13 dren;

14 (B) best practices with respect to the  
15 guidelines developed in accordance with sub-  
16 section (a); and

17 (C) changes in the legal authorities, poli-  
18 cies, and procedures described in paragraph  
19 (1)(A).

20 (c) SUFFICIENT STAFFING.—The Commissioner of  
21 U.S. Customs and Border Protection shall ensure that  
22 sufficient qualified child welfare professionals and quali-  
23 fied experts in pediatric medicine are stationed at each  
24 port of entry and each U.S. Border Patrol station with  
25 a high volume of arriving children to accomplish the duties

1 described in this section without creating an undue delay  
2 in the length of time children and apprehended parents  
3 and legal guardians remain in the custody of the Commis-  
4 sioner of U.S. Customs and Border Protection.

5 (d) FAMILY UNIT TRACKING NUMBER.—

6 (1) IN GENERAL.—Not later than 90 days after  
7 the date of the enactment of this Act, the Secretary  
8 of Homeland Security shall submit to Congress noti-  
9 fication that the Secretary has established a system  
10 for use by U.S. Customs and Border Protection to  
11 assign a family unit tracking number to each mem-  
12 ber of a family unit that is apprehended, including  
13 each of the following:

14 (A) An apprehended spouse.

15 (B) An apprehended parent or legal guard-  
16 ian.

17 (C) A child accompanying an apprehended  
18 parent or legal guardian.

19 (D) Each accompanying member of the  
20 family group, including siblings, grandparents,  
21 aunts, and uncles.

22 (2) REQUIREMENTS.—The Secretary of Home-  
23 land Security shall ensure that a family unit track-  
24 ing number under paragraph (1)—

1 (A) may be shared among the data sys-  
2 tems of—

3 (i) U.S. Customs and Border Protec-  
4 tion;

5 (ii) U.S. Immigration and Customs  
6 Enforcement; and

7 (iii) the Office of Refugee Resettle-  
8 ment of the Department of Health and  
9 Human Services;

10 (B) is included on any document per-  
11 taining to any member of an apprehended fam-  
12 ily unit; and

13 (C) is not deleted or altered, except in the  
14 case of an error.

15 (e) DEFINITIONS.—In this section:

16 (1) CHILD.—The term “child” has the meaning  
17 given such term in section 101(b)(1) of the Immi-  
18 gration and Nationality Act (8 U.S.C. 1101(b)(1)).

19 (2) CHILD WELFARE PROFESSIONAL.—The  
20 term “child welfare professional” means an indi-  
21 vidual who—

22 (A) is licensed in social work by the rel-  
23 evant State welfare agency, and, if applicable,  
24 county welfare agency, of a State and county in

1           which the port of entry or U.S. Border Patrol  
2           station is located;

3           (B) has direct experience working with  
4           children; and

5           (C) is proficient in one or more of the most  
6           common languages spoken by children appre-  
7           hended at the applicable port of entry or U.S.  
8           Border Patrol station.

9           (3) COOPERATING ENTITY.—The term “cooper-  
10          ating entity” means a State or local entity acting  
11          pursuant to an agreement with the Secretary.

12 **SEC. 406. ENHANCED INVESTIGATION AND PROSECUTION**  
13 **OF HUMAN SMUGGLING NETWORKS AND**  
14 **TRAFFICKING ORGANIZATIONS.**

15          The Attorney General and the Secretary of Homeland  
16 Security shall expand collaboration on the investigation  
17 and prosecution of human smuggling networks and traf-  
18 ficking organizations targeting Central American families  
19 and unaccompanied children and operating at the south-  
20 western border of the United States, including the con-  
21 tinuation and expansion of anti-trafficking coordination  
22 teams.

1 **SEC. 407. ENHANCED PENALTIES FOR ORGANIZED SMUG-**  
2 **GLING SCHEMES.**

3 (a) IN GENERAL.—Section 274(a)(1)(B) of the Im-  
4 migration and Nationality Act (8 U.S.C. 1324(a)(1)(B))  
5 is amended—

6 (1) by redesignating clauses (iii) and (iv) as  
7 clauses (iv) and (v), respectively;

8 (2) by inserting after clause (ii) the following:

9 “(iii) in the case of a violation of sub-  
10 paragraph (A)(i) during and in relation to  
11 which the person, while acting for profit or  
12 other financial gain, knowingly directs or  
13 participates in a scheme to cause 10 or  
14 more persons (other than a parent, spouse,  
15 sibling, child, grandparent, or grandchild  
16 of the offender) to enter or to attempt to  
17 enter the United States at the same time  
18 at a place other than a designated port of  
19 entry or place other than designated by the  
20 Secretary, be fined under title 18, United  
21 States Code, imprisoned not more than 15  
22 years, or both;” and

23 (3) in clause (iv), as redesignated, by inserting  
24 “commits or attempts to commit sexual assault of,”  
25 after “section 1365 of title 18, United States Code)  
26 to,”.

1 (b) BULK CASH SMUGGLING.—Section 5332(b)(1) of  
 2 title 31, United States Code, is amended—

3 (1) in the paragraph heading, by striking  
 4 “TERM OF IMPRISONMENT” and inserting “IN GEN-  
 5 ERAL”; and

6 (2) by inserting “, fined under title 18, or  
 7 both” after “5 years”.

8 **SEC. 408. EXPANDING FINANCIAL SANCTIONS ON NAR-**  
 9 **COTICS TRAFFICKING AND MONEY LAUN-**  
 10 **DERING.**

11 (a) FINANCIAL SANCTIONS EXPANSION.—The Sec-  
 12 retary of the Treasury, the Attorney General, the Sec-  
 13 retary of State, the Secretary of Defense, and the Director  
 14 of Central Intelligence shall expand investigations, intel-  
 15 ligence collection, and analysis pursuant to the Foreign  
 16 Narcotics Kingpin Designation Act to increase the identi-  
 17 fication and application of sanctions against—

18 (1) significant foreign narcotics traffickers,  
 19 their organizations, and networks; and

20 (2) foreign persons who provide material, finan-  
 21 cial, or technological support to such traffickers, or-  
 22 ganizations, and networks.

23 (b) TARGETS.—The activities described in subsection  
 24 (a) shall specifically target foreign narcotics traffickers,  
 25 their organizations and networks, and the foreign persons

1 who provide material, financial, or technological support  
2 to such traffickers, organizations, and networks that are  
3 present and operating in Central America.

4 **SEC. 409. SUPPORT FOR FBI TRANSNATIONAL ANTI-GANG**  
5 **TASK FORCES FOR COUNTERING CRIMINAL**  
6 **GANGS.**

7 The Director of the Federal Bureau of Investigation,  
8 in coordination with the Secretary of State, shall expand  
9 the efforts of the Transnational Anti-Gang Task Forces  
10 in El Salvador, Guatemala, and Honduras, including by—

11 (1) expanding transnational criminal investiga-  
12 tions focused on criminal gangs in El Salvador, Gua-  
13 temala, and Honduras, such as the MS-13 and 18th  
14 Street organizations;

15 (2) expanding training and partnership efforts  
16 with Salvadoran, Guatemalan, and Honduran law  
17 enforcement entities to disrupt and dismantle crimi-  
18 nal gangs, both internationally and in their respec-  
19 tive countries;

20 (3) establishing or expanding gang-related in-  
21 vestigative units;

22 (4) collecting and disseminating intelligence to  
23 support related United States-based investigations;  
24 and

1           (5) expanding programming related to gang  
2           intervention and prevention for at-risk youth.

3   **SEC. 410. HINDERING IMMIGRATION, BORDER, AND CUS-**  
4           **TOMS CONTROLS.**

5           (a) IMMIGRATION AND NATIONALITY ACT.—The Im-  
6           migration and Nationality Act (8 U.S.C. 1101 et seq.) is  
7           amended by inserting after section 274D the following:

8   **“SEC. 274E. HINDERING IMMIGRATION, BORDER, AND CUS-**  
9           **TOMS CONTROLS.**

10          “(a) ILLICIT SPOTTING.—

11               “(1) IN GENERAL.—It shall be unlawful to  
12               knowingly surveil, track, monitor, or transmit the lo-  
13               cation, movement, or activities of any officer or em-  
14               ployee of a Federal, State, or tribal law enforcement  
15               agency with the intent to—

16                       “(A) gain financially; and

17                       “(B) violate the immigration laws, the cus-  
18               toms and trade laws of the United States (as  
19               defined in section 2 of the Trade Facilitation  
20               and Trade Enforcement Act of 2015 (Public  
21               Law 114–125)), any other Federal law relating  
22               to transporting controlled substances, agri-  
23               culture, or monetary instruments into the  
24               United States, or any Federal law relating to  
25               border controls measures of the United States.



1           “(2) PENALTY.—Any person who violates para-  
2       graph (1) shall be fined under title 18, United  
3       States Code, imprisoned for not more than 5 years,  
4       or both.

5       “(b) DESTRUCTION OF UNITED STATES BORDER  
6       CONTROLS.—

7           “(1) IN GENERAL.—It shall be unlawful to  
8       knowingly and without lawful authorization—

9           “(A) destroy or significantly damage any  
10       fence, barrier, sensor, camera, or other physical  
11       or electronic device deployed by the Federal  
12       Government to control an international border  
13       of, or a port of entry to, the United States; or

14          “(B) otherwise construct, excavate, or  
15       make any structure intended to defeat, cir-  
16       cumvent or evade such a fence, barrier, sensor  
17       camera, or other physical or electronic device  
18       deployed by the Federal Government to control  
19       an international border of, or a port of entry to,  
20       the United States.

21          “(2) PENALTY.—Any person who violates para-  
22       graph (1) shall be fined under title 18, United  
23       States Code, imprisoned for not more than 5 years,  
24       or both.”.

1 (b) CLERICAL AMENDMENT.—The table of contents  
2 of such Act (8 U.S.C. 1101 et seq.) is amended by insert-  
3 ing after the item relating to section 274D the following:

“Sec. 274E. Hindering immigration, border, and customs controls.”.

4 **SEC. 411. OFFICE OF INSPECTOR GENERAL OVERSIGHT.**

5 Not later than six months after enactment of this Act  
6 and every six months thereafter, the Inspector General of  
7 the Department of Homeland Security shall report to Con-  
8 gress on the status of efforts to implement sections 403,  
9 404, and 405 of this Act and findings made after an-  
10 nounced and unannounced inspections to U.S. Customs  
11 and Border Protection facilities.

12 **SEC. 412. FATALITY REPORTING.**

13 (a) QUARTERLY REPORTING.—The Secretary of  
14 Homeland Security shall publish information on a quar-  
15 terly basis regarding each death of a person in the custody  
16 of the Commissioner of U.S. Customs and Border Protec-  
17 tion or the Director of Immigration and Customs Enforce-  
18 ment.

19 (b) ANNUAL REPORTS.—Not later than 180 days  
20 after the date of the enactment of this Act and annually  
21 thereafter, the Secretary of Homeland Security shall sub-  
22 mit to Congress a report that details all instances in which  
23 an individual in U.S. Customs and Border Protection cus-  
24 tody has died in the prior fiscal year, including during  
25 transfer to another facility or while being released, as well

1 as all instances in which an individual has died as the re-  
2 sult of an encounter with U.S. Customs and Border Pro-  
3 tection, and the result of any subsequent investigation.  
4 Such reports shall also detail all instances in which an  
5 individual, including an individual in the custody of U.S.  
6 Customs and Border Protection, has suffered serious inju-  
7 ries requiring hospitalization as a result of the use of force  
8 by U.S. Customs and Border Protection.

9 **SEC. 413. ESTABLISHMENT OF THE OFFICE OF OMBUDS-**  
10 **MAN FOR BORDER AND IMMIGRATION RE-**  
11 **LATED CONCERNS.**

12 (a) IN GENERAL.—The Secretary of Homeland Secu-  
13 rity shall appoint an Ombudsman for Border and Immi-  
14 gration Related Concerns (hereinafter referred to as the  
15 “Ombudsman”) who will be independent of Department  
16 agencies and officers, and report directly to the Secretary.  
17 The Ombudsman shall have a background in immigration,  
18 civil rights, and law enforcement.

19 (b) FUNCTIONS.—The functions of the Ombudsman  
20 shall be to—

21 (1) establish an independent, neutral, and con-  
22 fidential process to receive, investigate, resolve, and  
23 provide redress, including referral for investigation  
24 to the Office of the Inspector General, referral to  
25 U.S. Citizenship and Immigration Services for immi-

1       gration relief, or any other action determined appro-  
2       priate, in cases in which Department officers or em-  
3       ployees, or subcontracted or cooperating entity per-  
4       sonnel, are alleged to have engaged in misconduct or  
5       violated the rights of individuals, associations, or  
6       employers;

7           (2) establish an accessible and standardized  
8       complaint process regarding complaints against any  
9       officer or employee of U.S. Customs and Border  
10      Protection or U.S. Immigration and Customs En-  
11      forcement, or any subcontracted or cooperating enti-  
12      ty personnel, for violations of law or violations of  
13      standards of professional conduct pertaining to  
14      interaction with an alien in course of carrying out  
15      any duty under law; and

16           (3) identify and thereafter review, examine, and  
17      make recommendations to address chronic concerns  
18      in border security and enforcement activities of U.S.  
19      Customs and Border Protection and U.S. Immigra-  
20      tion and Customs Enforcement.

21      (c) REPORT ON THE IMPACT OF BORDER ENFORCE-  
22      MENT TECHNOLOGIES AND OPERATIONS ON BORDER  
23      COMMUNITIES.—Not later than 180 days after the date  
24      of the enactment of this subsection, the Secretary shall  
25      submit to the Committee on Homeland Security and the

1 Committee on the Judiciary of the House of Representa-  
2 tives and the Committee on Homeland Security and Gov-  
3 ernmental Affairs and the Committee on the Judiciary of  
4 the Senate a report prepared by the Ombudsman that as-  
5 sesses current technologies used at United States borders,  
6 and the impact on border communities of such tech-  
7 nologies on civil rights, property rights, privacy rights, and  
8 civil liberties.

9 **TITLE V—PROMOTING EFFI-**  
10 **CIENT PROCESSING OF ASY-**  
11 **LUM SEEKERS; ADDRESSING**  
12 **IMMIGRATION COURT BACK-**  
13 **LOGS; EFFICIENT REPATRI-**  
14 **ATION OF MIGRANTS OR-**  
15 **DERED REMOVED.**

16 **SEC. 501. JOINT TASK FORCE TO ADDRESS RISE IN MI-**  
17 **GRANTS.**

18 Pursuant to section 708 of the Homeland Security  
19 Act of 2002 (6 U.S.C. 348), not later than 60 days after  
20 the date of the enactment of this Act, the Secretary of  
21 Homeland Security shall establish and operate a depart-  
22 mental Joint Task Force to coordinate border security op-  
23 erations on the southern border of the United States to  
24 address the rise in asylum seekers and migrants, including  
25 unaccompanied children, seeking asylum pursuant to sec-

tion 208 of the Immigration and Nationality Act (8 U.S.C. 1158) or other forms of humanitarian protection.

**SEC. 502. INCENTIVIZING APPLICATIONS AT PORTS OF ENTRY.**

(a) ACCESS TO PORTS OF ENTRY.—The Commissioner of U.S. Customs and Border Protection shall ensure that individuals seeking to apply for asylum or other forms of relief under the immigration laws are able to make such applications at designated ports of arrival along the United States border. The Commissioner of U.S. Customs and Border Protection may not engage in any practice to deny or restrict access to such ports of arrival by such individuals.

(b) MIGRANT PROTECTION PROTOCOLS.—An alien in proceedings under section 240 of the Immigration and Nationality Act may not be removed, returned, or otherwise physically moved outside the United States until the conclusion of those proceedings.

**SEC. 503. STREAMLINING INTAKE OF ASYLUM SEEKERS.**

Not later than six months after the date of enactment of this Act, the Commissioner of U.S. Customs and Border Protection shall implement a plan to improve the efficiency and accuracy of initial intake processes for all individuals in the custody of U.S. Customs and Border Protection to ensure that those individuals are transferred to the appro-

1 priate agency, or released with complete and accurate doc-  
2 uments, within 72 hours of apprehension.

3 **SEC. 504. PRIORITIZING PROSECUTION RESOURCES FOR IL-**  
4 **LEGAL ENTRY.**

5 (a) IN GENERAL.—An individual who has expressed  
6 a credible or reasonable fear of persecution filed an appli-  
7 cation for asylum, withholding of removal, or protection  
8 under the Convention Against Torture, or expressed an  
9 intent to file such an application, may not be prosecuted  
10 under section 275(a) or 276(a) of the Immigration and  
11 Nationality Act (8 U.S.C. 1325(a), 1326(a)) until the ear-  
12 lier of—

13 (1) the date on which any such application has  
14 been finally adjudicated and denied, including any  
15 appeals thereto; or

16 (2) in the case of an alien who expresses an in-  
17 tent to file such an application, the date on which  
18 any applicable time limitation for the filing of such  
19 an application under section 208 of such Act has  
20 ended and no application has been filed.

21 (b) AFFIRMATIVE DEFENSE.—In a case in which an  
22 individual is prosecuted under section 275(a) or 276(a)  
23 of the Immigration and Nationality Act (8 U.S.C.  
24 1325(a), 1326(a)) in violation of subsection (a), it shall  
25 be a defense that the alien has expressed a credible or

1 reasonable fear of persecution, filed an application for asy-  
2 lum or another form of protection as described in sub-  
3 section (a), or expressed an intent to file such an applica-  
4 tion, and that such application has not been finally adju-  
5 dicated and denied, including any appeals thereto.

6 **SEC. 505. EXPANDING ALTERNATIVES TO DETENTION.**

7 (a) FAMILY CASE MANAGEMENT PROGRAM.—The  
8 Secretary of Homeland Security shall expand use of the  
9 Family Case Management Program (described in section  
10 226 of Public Law 116–6) for apprehended aliens who are  
11 members of family units arriving in the United States, and  
12 develop additional community-based programs to increase  
13 the number of enrollees in the Alternatives to Detention  
14 program.

15 (b) NONPROFIT ENTITY CONTRACTING PARTNER.—  
16 The Secretary of Homeland Security shall contract with  
17 qualified nonprofit entities for the operation of the Alter-  
18 natives to Detention program, including the Family Case  
19 Management Program and other community-based pro-  
20 grams described in subsection (a).

21 (c) LEGAL ORIENTATION.—The Secretary of Home-  
22 land Security shall ensure that enrollees in the Alter-  
23 natives to Detention program, including the Family Case  
24 Management Program and other community-based pro-  
25 grams described in subsection (a), are provided a legal ori-



1 entation consistent with program elements described in  
2 section 604(a)(2).

3 **SEC. 506. ELIMINATING IMMIGRATION COURT BACKLOGS.**

4 (a) ADDRESSING IMMIGRATION JUDGE SHORT-  
5 AGES.—The Attorney General shall increase the total  
6 number of immigration judges by at least 55 judges per  
7 year for each of fiscal years 2020, 2021, 2022, 2023, and  
8 2024.

9 (b) QUALIFICATION; SELECTION.—The Attorney  
10 General—

11 (1) shall ensure that all newly hired immigra-  
12 tion judges and Board of Immigration Appeals mem-  
13 bers are highly qualified experts on immigration law  
14 and who are trained to conduct fair, impartial adju-  
15 dications in accordance with applicable due process  
16 requirements; and

17 (2) may not give any preference, in selecting  
18 immigration judges, to candidates with prior govern-  
19 ment experience compared to equivalent subject-mat-  
20 ter expertise resulting from nonprofit, private bar, or  
21 academic experience.

22 (c) ADDRESSING SUPPORT STAFF SHORTAGES.—  
23 Subject to the availability of amounts made available in  
24 advance appropriation Acts, the Attorney General shall  
25 ensure that each immigration judge has sufficient support

1 staff, adequate technological and security resources, and  
2 appropriate courtroom facilities.

3 (d) ADDITIONAL BOARD OF IMMIGRATION APPEALS  
4 PERSONNEL.—The Attorney General shall increase the  
5 number of Board of Immigration Appeals staff attorneys  
6 (including necessary additional support staff) to efficiently  
7 process cases by at least 23 attorneys per year for each  
8 of fiscal years 2020, 2021, and 2022.

9 (e) GAO REPORT.—The Comptroller General of the  
10 United States shall—

11 (1) conduct a study of the impediments to effi-  
12 cient hiring of immigration court judges within the  
13 Department of Justice; and

14 (2) propose solutions to Congress for improving  
15 the efficiency of the hiring process.

16 **SEC. 507. IMPROVED TRAINING FOR IMMIGRATION JUDGES**  
17 **AND MEMBERS OF THE BOARD OF IMMIGRA-**  
18 **TION APPEALS.**

19 (a) IN GENERAL.—To ensure efficient and fair pro-  
20 ceedings, the Director of the Executive Office for Immi-  
21 gration Review shall establish or expand (as appropriate)  
22 training programs for immigration judges and members  
23 of the Board of Immigration Appeals.

24 (b) MANDATORY TRAINING.—Training referred to  
25 under subsection (a) shall include—

1           (1) expansion of the training program for new  
2           immigration judges and Board members to include  
3           age-, gender-, and trauma-sensitivity;

4           (2) continuing education regarding current de-  
5           velopments in immigration law, including through  
6           regularly available training resources and an annual  
7           conference; and

8           (3) training on properly crafting and dictating  
9           decisions and standards of review, including im-  
10          proved on-bench reference materials and decision  
11          templates.

12 **SEC. 508. NEW TECHNOLOGY TO IMPROVE COURT EFFI-**  
13 **CIENCY.**

14          The Director of the Executive Office for Immigration  
15          Review shall modernize its case management, video-tele-  
16          conferencing, digital audio recording, and related elec-  
17          tronic and computer-based systems, including by allowing  
18          for electronic filing, to improve efficiency in the processing  
19          of immigration proceedings.

20 **SEC. 509. COURT APPEARANCE COMPLIANCE AND LEGAL**  
21 **ORIENTATION.**

22          (a) ACCESS TO LEGAL ORIENTATION PROGRAMS TO  
23          ENSURE COURT APPEARANCE COMPLIANCE.—

24                (1) IN GENERAL.—The Secretary of Homeland  
25          Security, in consultation with the Attorney General,

1 shall establish procedures to ensure that legal ori-  
2 entation programs are available for all aliens de-  
3 tained by the Department of Homeland Security.

4 (2) PROGRAM ELEMENTS.—Programs under  
5 paragraph (1) shall provide information to aliens re-  
6 garding—

7 (A) the basic procedures of immigration  
8 hearings;

9 (B) the rights and obligations of aliens re-  
10 lating to immigration hearings, including the  
11 consequences of filing frivolous legal claims and  
12 of failing to appear for proceedings;

13 (C) legal protections available to aliens,  
14 and the procedures for requesting such protec-  
15 tions;

16 (D) legal resources available to aliens, and  
17 lists of potential legal providers; and

18 (E) other subjects determined to be appro-  
19 priate and necessary by the Attorney General.

20 (3) ELIGIBILITY.—An alien shall be given ac-  
21 cess to legal orientation programs under this sub-  
22 section regardless of the alien's current immigration  
23 status, prior immigration history, or potential for  
24 immigration relief.

1 (b) EXPANSION OF THE INFORMATION HELP DESK  
 2 PROGRAM FOR NON-DETAINED ALIENS IN REMOVAL  
 3 PROCEEDINGS.—The Attorney General shall expand the  
 4 information help desk program to all immigration courts  
 5 to provide aliens who are not detained and who have pend-  
 6 ing asylum claims access to information related to that  
 7 alien’s immigration status.

8 **SEC. 510. IMPROVING COURT EFFICIENCY AND REDUCING**  
 9 **COSTS BY INCREASING ACCESS TO LEGAL IN-**  
 10 **FORMATION.**

11 (a) APPOINTMENT OF COUNSEL IN CERTAIN CASES;  
 12 RIGHT TO REVIEW CERTAIN DOCUMENTS IN REMOVAL  
 13 PROCEEDINGS.—Section 240(b) of the Immigration and  
 14 Nationality Act (8 U.S.C. 1229a(b)) is amended—

15 (1) in paragraph (4)—

16 (A) in subparagraph (A)—

17 (i) by striking “, at no expense to the  
 18 Government,”; and

19 (ii) by striking the comma at the end  
 20 and inserting a semicolon;

21 (B) by redesignating subparagraphs (B)  
 22 and (C) as subparagraphs (D) and (E), respec-  
 23 tively;

24 (C) by inserting after subparagraph (A)  
 25 the following:

1           “(B) the Attorney General may appoint or  
2           provide counsel, at Government expense, to  
3           aliens in immigration proceedings;

4           “(C) the alien shall, at the beginning of  
5           the proceedings or as expeditiously as possible  
6           thereafter, receive a complete copy of all rel-  
7           evant documents in the possession of the De-  
8           partment of Homeland Security, including all  
9           documents (other than documents protected  
10          from disclosure by privilege, including national  
11          security information referred to in subpara-  
12          graph (D), law enforcement sensitive informa-  
13          tion, and information prohibited from disclosure  
14          pursuant to any other provision of law) con-  
15          tained in the file maintained by the Government  
16          that includes information with respect to all  
17          transactions involving the alien during the im-  
18          migration process (commonly referred to as an  
19          ‘A-file’), and all documents pertaining to the  
20          alien that the Department of Homeland Secu-  
21          rity has obtained or received from other govern-  
22          ment agencies, unless the alien waives the right  
23          to receive such documents by executing a know-  
24          ing and voluntary written waiver in a language  
25          that he or she understands;”;

1 (D) in subparagraph (D), as redesignated,  
2 by striking “, and” and inserting “; and”; and  
3 (2) by adding at the end the following:

4 “(8) FAILURE TO PROVIDE ALIEN REQUIRED  
5 DOCUMENTS.—In the absence of a written waiver  
6 under paragraph (4)(C), a removal proceeding may  
7 not proceed until the alien—

8 “(A) has received the documents as re-  
9 quired under such paragraph; and

10 “(B) has been provided meaningful time to  
11 review and assess such documents.”.

12 (b) CLARIFICATION REGARDING THE AUTHORITY OF  
13 THE ATTORNEY GENERAL TO APPOINT COUNSEL TO  
14 ALIENS IN IMMIGRATION PROCEEDINGS.—Section 292 of  
15 the Immigration and Nationality Act (8 U.S.C. 1362) is  
16 amended—

17 (1) by striking “In any” and inserting the fol-  
18 lowing:

19 “(a) IN GENERAL.—In any proceeding conducted  
20 under section 235, 236, 238, 240, 241, or any other sec-  
21 tion of this Act, in any”;

22 (2) in subsection (a), as redesignated—

23 (A) by striking “(at no expense to the Gov-  
24 ernment)”;

1 (B) by striking “he shall” and inserting  
2 “the person shall”; and

3 (3) by adding at the end the following:

4 “(b) ACCESS TO COUNSEL.—The Attorney General  
5 may appoint or provide counsel to aliens in any proceeding  
6 conducted under section 235, 236, 238, 240, or 241 or  
7 any other section of this Act. The Secretary of Homeland  
8 Security shall ensure that aliens have access to counsel  
9 inside all immigration detention and border facilities.”.

10 (c) APPOINTMENT OF COUNSEL FOR CHILDREN AND  
11 VULNERABLE ALIENS.—

12 (1) IN GENERAL.—Section 292 of the Immigra-  
13 tion and Nationality Act (8 U.S.C. 1362), as amend-  
14 ed by paragraph (2), is further amended by adding  
15 at the end the following:

16 “(c) CHILDREN AND VULNERABLE INDIVIDUALS.—  
17 Notwithstanding subsection (b), the Attorney General  
18 shall appoint counsel at the expense of the Government  
19 to any person financially unable to obtain adequate rep-  
20 resentation at the beginning of the proceedings or as expe-  
21 ditiously as possible, to represent in such proceedings any  
22 alien who has been determined by the Secretary of Home-  
23 land Security or the Attorney General to be—

24 “(1) a child (as defined in section 101(b)(1) of  
25 this Act);



1           “(2) a particularly vulnerable individual, includ-  
2       ing—

3                   “(A) a person with a disability;

4                   “(B) a victim of abuse, torture, or violence;

5                   or

6                   “(C) a pregnant or lactating woman; or

7           “(3) the parent of a United States citizen  
8       minor.

9       “(d) EXTENSION TO CONSOLIDATED CASES.—If the  
10   Attorney General has consolidated the case of any alien  
11   for whom counsel was appointed under subsection (c) with  
12   that of any other alien, and that other alien does not have  
13   counsel, then the counsel appointed under subsection (c)  
14   shall be appointed to represent such other alien unless  
15   there is a demonstrated conflict of interest.”.

16           (2) RULEMAKING.—Not later than 180 days  
17   after the date of enactment of this title, the Attor-  
18   ney General shall promulgate regulations to imple-  
19   ment section 292(c) of the Immigration and Nation-  
20   ality Act, as added by paragraph (1).

21       (d) IN GENERAL.—Chapter 9 of the Immigration and  
22   Nationality Act is amended by adding at the end the fol-  
23   lowing:

1   **“SEC. 295. SUPPLEMENTARY SURCHARGE.**

2           “(a) IN GENERAL.—There is established in the gen-  
3 eral fund of the Treasury a separate account which shall  
4 be known as the ‘Immigration Counsel Account’. Notwith-  
5 standing any other section of this title, there shall be de-  
6 posited as offsetting receipts into the Immigration Counsel  
7 Account all fees collected under subsection (c) of this sec-  
8 tion, to remain available until expended for purposes of  
9 providing access to counsel when required or authorized  
10 under this Act.

11          “(b) REPORT.—At the end of each 2-year period, be-  
12 ginning with the creation of this account, the Secretary  
13 of Homeland Security, following a public rulemaking with  
14 opportunity for notice and comment, shall submit a report  
15 to the Congress concerning the status of the account, in-  
16 cluding any balances therein, and recommend any adjust-  
17 ment in the prescribed fee that may be required to ensure  
18 that the receipts collected from the fee charged for the  
19 succeeding two years equal, as closely as possible, the cost  
20 of providing access to counsel when required or authorized  
21 under this Act.

22          “(c) RECEIPTS.—In any case in which a fee is  
23 charged pursuant to this Act or any of the other immigra-  
24 tion laws, an additional surcharge of \$25 shall also be im-  
25 posed and collected.”.

1 (e) TABLE OF CONTENTS.—The table of contents for  
 2 such Act is amended by inserting after the item relating  
 3 to section 294 the following:

“Sec. 295. Supplementary surcharge.”.

4 (f) MOTIONS TO REOPEN.—Section 240(c)(7)(C) of  
 5 the Immigration and Nationality Act (8 U.S.C.  
 6 1229a(c)(7)(C)) is amended by adding at the end the fol-  
 7 lowing:

8 “(v) SPECIAL RULE FOR CHILDREN  
 9 AND OTHER VULNERABLE ALIENS.—If the  
 10 Attorney General fails to appoint counsel  
 11 for an alien in violation of section 292(c)—

12 “(I) no limitation under this  
 13 paragraph pertaining to the filing of  
 14 any motion under this paragraph by  
 15 such alien shall apply; and

16 “(II) the filing of such a motion  
 17 shall stay the removal of the alien.”.

18 **SEC. 511. FACILITATING SAFE AND EFFICIENT REPATRI-**  
 19 **ATION.**

20 (a) UNITED STATES SUPPORT FOR REINTEGRA-  
 21 TION.—The Secretary of State, in consultation with the  
 22 Secretary of Homeland Security and the Administrator of  
 23 the United States Agency for International Development,  
 24 shall coordinate with the governments of El Salvador,  
 25 Guatemala, and Honduras to develop and fund programs

1 for the successful reintegration of families, unaccompanied  
2 children, and other aliens repatriated to their countries of  
3 origin by—

4 (1) providing comprehensive reintegration serv-  
5 ices at the municipal level for repatriated aliens, in-  
6 cluding family reunification and access to medical  
7 and psychosocial services;

8 (2) supporting the establishment of educational  
9 and vocational centers for repatriated aliens that  
10 provide skills training relevant to national and local  
11 economic needs;

12 (3) promoting the hiring of repatriated aliens in  
13 the private sector, including strategic partnerships  
14 with specific industries and businesses;

15 (4) supporting the issuance of appropriate doc-  
16 uments to repatriated aliens, including identification  
17 documents, documents related to educational attain-  
18 ment, and documents certifying skill attainment; and

19 (5) monitoring repatriated unaccompanied chil-  
20 dren to ensure they have been adequately screened  
21 and processed in the United States.

22 (b) CONSULTATION WITH NONGOVERNMENTAL OR-  
23 GANIZATIONS.—In developing reintegration programs in  
24 countries of repatriation, the Secretary of State shall con-  
25 sult with nongovernmental organizations in such countries

1 and the United States with experience in integrating repa-  
2 triated individuals and families, protecting and ensuring  
3 the welfare of unaccompanied alien children, and pro-  
4 moting economic development and skills acquisition.

5 **TITLE VI—PROTECTING FAMILY**  
6 **VALUES AND MONITORING**  
7 **AND CARING FOR UNACCOM-**  
8 **PANIED ALIEN CHILDREN**  
9 **AFTER ARRIVAL.**

10 **SEC. 601. LIMITATION ON THE SEPARATION OF FAMILIES.**

11 (a) IN GENERAL.—An agent or officer of U.S. Cus-  
12 toms and Border Protection may not remove a child from  
13 his or her parent or legal guardian, at the port of entry  
14 or within 100 miles of a border of the United States, un-  
15 less one of the following has occurred:

16 (1) A State court, authorized under State law,  
17 terminates the rights of the parent or legal guard-  
18 ian, determines that it is in the best interests of the  
19 child to be removed from the parent or legal guard-  
20 ian, in accordance with the Adoption and Safe Fam-  
21 ilies Act of 1997 (Public Law 105–89), or makes  
22 any similar determination that is legally authorized  
23 under State law.

24 (2) An official from a State or county child wel-  
25 fare agency with expertise in child trauma and devel-

1        opment makes a best interests determination that  
2        the child be removed from the parent or legal guard-  
3        ian because the child is in danger of abuse or neglect  
4        at the hands of the parent or legal guardian, or is  
5        a danger to herself or others.

6            (3) The Chief Patrol Agent or the Area Port  
7        Director in their official and undelegated capacity,  
8        authorizes separation upon the recommendation by  
9        an agent or officer, based on a finding that—

10            (A) the child is a victim of trafficking or  
11            is at significant risk of becoming a victim of  
12            trafficking;

13            (B) there is a strong likelihood that the  
14            adult is not the parent or legal guardian of the  
15            child; or

16            (C) the child is in danger of abuse or ne-  
17            glect at the hands of the parent or legal guard-  
18            ian, or is a danger to themselves or others.

19        (b) EXCEPTION.—If a child is removed from his or  
20        her parent or legal guardian under this section, an inde-  
21        pendent child welfare expert licensed by the State or coun-  
22        ty in which the child was so removed, must authorize the  
23        separation not later than 48 hours after such removal, and  
24        if such expert does not authorize such separation, the child

1 shall be reunited with his or her parent or legal guardian  
2 not later than 48 hours after such determination.

3 (c) PROHIBITION ON SEPARATION.—

4 (1) IN GENERAL.—A designated agency may  
5 not remove a child from a parent or legal guardian  
6 solely for the policy goal of deterring individuals  
7 from migrating to the United States or for the pol-  
8 icy goal of promoting compliance with civil immigra-  
9 tion laws.

10 (2) PENALTY FOR FAMILY SEPARATION.—Any  
11 person who knowingly separates a child from his or  
12 her parent or legal guardian in violation of this sec-  
13 tion, shall be fined not more than \$10,000.

14 (d) DOCUMENTATION REQUIRED.—The Secretary  
15 shall ensure that a separation under subsection (a)(3) is  
16 documented in writing and includes, at a minimum, the  
17 reason for such separation, together with the stated evi-  
18 dence for such separation. The Secretary shall take such  
19 actions as may be feasible to acquire written documenta-  
20 tion pertaining to any separation under subsection (a)(1)  
21 or (a)(2).

22 **SEC. 602. FAMILY REUNIFICATION.**

23 (a) FAMILY REUNIFICATION.—The Secretary shall  
24 reallocate resources to expedite the immediate reunifica-  
25 tion of each child separated from a parent or legal guard-

1   ian at or near a port of entry or within 100 miles of the  
2   border, or otherwise removed from a parent or legal guard-  
3   ian by the Secretary of Health and Human Services, the  
4   Secretary of Homeland Security, the Attorney General,  
5   the Director of the Bureau of Prisons, or any agent or  
6   agency thereof, if the prior removal was not in conformity  
7   with section 601, regardless of when the separation took  
8   place.

9       (b) PARENTAL RIGHTS.—Consistent with the laws of  
10   the State in which the child is located, only an order from  
11   a court of competent jurisdiction may terminate the rights  
12   of a parent or legal guardian, including the rights of a  
13   parent or legal guardian separated from a child in the cus-  
14   tody of the Department of Homeland Security.

15   **SEC. 603. PROHIBITING USE OF CERTAIN INFORMATION.**

16       The Secretary of Homeland Security may not use in-  
17   formation initially obtained by the Secretary of Health  
18   and Human Services, including information used to make  
19   a suitability determination, a home study determination,  
20   or a secure facility determination, for the purpose of ap-  
21   prehending, detaining, or removing from the United  
22   States—

23           (1) an unaccompanied alien child;

24           (2) the proposed sponsor or current sponsor; or



1           (3) a resident of the home in which the pro-  
2       posed sponsor or current sponsor resides.

3   **SEC. 604. RESPONSIBILITY OF SPONSOR FOR IMMIGRATION**  
4                   **COURT COMPLIANCE AND CHILD WELL-**  
5                   **BEING.**

6       (a) IN GENERAL.—The Secretary of Health and  
7   Human Services, in consultation with the Attorney Gen-  
8   eral, shall establish procedures to ensure that a legal ori-  
9   entation program is provided to all sponsors of unaccom-  
10   panied alien children prior to the placement with a spon-  
11   sor.

12       (b) PROGRAM ELEMENTS.—Programs under sub-  
13   section (a) shall provide information to sponsors regard-  
14   ing—

15           (1) the basic procedures of immigration hear-  
16       ings;

17           (2) the rights and obligations of the unaccom-  
18       panied alien child relating to immigration hearings,  
19       including the consequences of filing frivolous legal  
20       claims and of failing to appear for proceedings;

21           (3) the obligation of the sponsor to ensure the  
22       unaccompanied alien child appears at immigration  
23       court proceedings, and notify the court of the child's  
24       change of address and other relevant information;

1           (4) legal protections available to unaccompanied  
2       alien children, and the procedures for requesting  
3       such protections;

4           (5) legal resources available to unaccompanied  
5       alien children, and lists of potential legal providers;

6           (6) the sponsor's obligation to address the  
7       needs of the unaccompanied alien child, including  
8       providing access to health care and enrolling the  
9       child in an educational institution;

10          (7) the importance of reporting potential child  
11       traffickers and other persons seeking to victimize or  
12       exploit unaccompanied alien children, or otherwise  
13       engage such children in criminal, harmful, or dan-  
14       gerous activity; and

15          (8) other subjects determined to be appropriate  
16       and necessary by the Secretary of Health and  
17       Human Services or the Attorney General.

18 **SEC. 605. MONITORING UNACCOMPANIED ALIEN CHIL-**  
19 **DREN.**

20       (a) RISK-BASED POST-PLACEMENT SERVICES.—

21           (1) IN GENERAL.—The Secretary of Health and  
22       Human Services shall, to assist an unaccompanied  
23       alien child in a placement with a sponsor—

1 (A) complete an individualized assessment  
2 of the need for services to be provided after  
3 placement;

4 (B) provide such post-placement services to  
5 the child during the pendency of removal pro-  
6 ceedings or until no longer necessary; and

7 (C) assess whether a child's separation  
8 from a detained parent is causing hardship  
9 such that the parent should be recommended  
10 for humanitarian parole in the best interests of  
11 the child.

12 (2) MINIMUM SERVICES.—For purposes of  
13 paragraph (1), the services shall, at a minimum, in-  
14 clude—

15 (A) for the unaccompanied alien child, at  
16 least one in-person post-placement case man-  
17 agement services visit within 30 days after  
18 placement with a sponsor, the referral of unac-  
19 companied alien children to service providers in  
20 the community, and support on enrollment in  
21 an educational institution; and

22 (B) for the family of the child's sponsor,  
23 orientation and other functional family support  
24 services, as determined to be necessary in the  
25 individualized assessment.

1           (3) IDENTIFYING NEW AREAS OF VULNER-  
2           ABILITY.—Within 90 days after the date of enact-  
3           ment of this Act, the Director of the Office for Ref-  
4           ugee Resettlement shall consult with family reunifi-  
5           cation service providers on the emergence of new or  
6           additional risk factors for children that would neces-  
7           sitate mandatory family reunification services.

8           (b) EFFECTIVE USE OF CHILD ADVOCATES FOR THE  
9           MOST VULNERABLE UNACCOMPANIED ALIEN CHIL-  
10          DREN.—

11           (1) The Secretary of Health and Human Serv-  
12           ices shall instruct the Director of the Office of Ref-  
13           ugee Resettlement to—

14                   (A) identify and track the referral rates of  
15                   unaccompanied alien children to child advocates  
16                   by care providers and investigate instances in  
17                   which such a rate is low;

18                   (B) ensure that the referral criteria estab-  
19                   lished by the Director are appropriately applied  
20                   when a care provider determines that a child is  
21                   eligible for referral to a child advocate;

22                   (C) provide technical assistance to care  
23                   providers to ensure compliance with such cri-  
24                   teria; and

1 (D) establish a process for stakeholders  
 2 and the public to refer unaccompanied alien  
 3 children, including those placed with a sponsor,  
 4 to the Office for Refugee Resettlement to deter-  
 5 mine if such child meets the referral criteria for  
 6 appointment of a child advocate; and

7 (2) ensure that each child advocate for an unac-  
 8 companied alien child is—

9 (A) provided access to materials necessary  
 10 to advocate effectively for the best interest of  
 11 the child, including direct access to significant  
 12 incident reports, home studies, and similar ma-  
 13 terials and information; and

14 (B) notified when new materials and infor-  
 15 mation described in subparagraph (A) relating  
 16 to the child are created or become available.

17 **SEC. 606. FUNDING TO SCHOOL DISTRICTS FOR UNACCOM-**  
 18 **PANIED ALIEN CHILDREN.**

19 (a) GRANTS AUTHORIZED.—The Secretary of Edu-  
 20 cation shall award grants, on a competitive basis, to eligi-  
 21 ble local educational agencies, or consortia of neighboring  
 22 local educational agencies, described in subsection (b) to  
 23 enable the local educational agencies or consortia to en-  
 24 hance opportunities for, and provide services to, immi-  
 25 grant children including unaccompanied alien children, in

1 the area served by the local educational agencies or con-  
2 sortia.

3 (b) ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—

4 (1) IN GENERAL.—A local educational agency,  
5 or a consortium of neighboring local educational  
6 agencies, is eligible for a grant under subsection (a)  
7 if, during the fiscal year for which a grant is award-  
8 ed under this section, there are 50 or more unac-  
9 companied alien children enrolled in the public  
10 schools served by the local educational agency or the  
11 consortium, respectively.

12 (2) DETERMINATIONS OF NUMBER OF UNAC-  
13 COMPANIED ALIEN CHILDREN.—The Secretary of  
14 Education shall determine the number of unaccom-  
15 panied alien children for purposes of paragraph (1)  
16 based on the most accurate data available that is  
17 provided to the Secretary of Education by the Direc-  
18 tor or the Department of Homeland Security.

19 (c) APPLICATIONS.—A local educational agency, or a  
20 consortia of neighboring local educational agencies, desir-  
21 ing a grant under this section shall submit an application  
22 to the Secretary of Education at such time, in such man-  
23 ner, and containing such information, as the Secretary of  
24 Education may require, including a description of how the  
25 grant will be used to enhance opportunities for, and pro-

1 vide services to, immigrant children and youth (including  
2 unaccompanied alien children) and their families.

3 **SEC. 607. SCHOOL ENROLLMENT.**

4 To be eligible for funding under the Elementary and  
5 Secondary Education Act of 1965 (20 U.S.C. 6301 et  
6 seq.), a local educational agency shall take measures to—

7 (1) ensure that an unaccompanied alien child in  
8 the area served by the local educational agency is  
9 enrolled in school within 7 days following a request  
10 for enrollment; and

11 (2) remove barriers to enrollment and full par-  
12 ticipation in educational programs and services of-  
13 fered by the local educational agency for unaccom-  
14 panied alien children (including barriers related to  
15 documentation, age, and language), which shall in-  
16 clude reviewing and revising policies that may have  
17 a negative effect on such children.

18 **SEC. 608. DEFINITIONS.**

19 (a) DEFINITIONS.—In this title:

20 (1) AGENT OR OFFICER.—The term “agent or  
21 officer” includes contractors of the Federal Govern-  
22 ment.

23 (2) CHILD.—The term “child” means an indi-  
24 vidual who—

25 (A) has not reached the age of 18; and

1 (B) has no permanent immigration status.

2 (3) DESIGNATED AGENCY.—The term “des-  
3 ignated agency” means—

4 (A) the Department of Homeland Security;

5 (B) the Department of Justice; and

6 (C) the Department of Health and Human  
7 Services.

8 (4) FINDING.—The term “finding” means an  
9 individualized written assessment or screening for-  
10 malized as required under subsection (d).

11 (5) IN DANGER OF ABUSE OR NEGLECT AT THE  
12 HAND OF THE PARENT OR LEGAL GUARDIAN.—The  
13 term “in danger of abuse or neglect at the hands of  
14 the parent or legal guardian” does not include mi-  
15 grating to or crossing of a border of the United  
16 States.

17 (6) LOCAL EDUCATIONAL AGENCY.—The term  
18 “local educational agency” has the meaning given  
19 the term in section 8101 of the Elementary and Sec-  
20 ondary Education Act of 1965 (20 U.S.C. 7801).

21 (7) RESIDENT ADULT.—The term “resident  
22 adult” means any individual who is at least 18 years  
23 of age and regularly lives, shares common areas, and  
24 sleeps in a sponsor or prospective sponsor’s home.



- 1           (8) SECRETARY.—The term “Secretary” means  
2       the Secretary of Homeland Security.

