

116TH CONGRESS
1ST SESSION

H. R. 3660

To direct the Secretary of Homeland Security and the Secretary of Health and Human Services to notify Congress of each foreign national who dies in the custody of the Secretary, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 9, 2019

Mrs. TRAHAN (for herself and Ms. MUCARSEL-POWELL) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Rules, 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

A BILL

To direct the Secretary of Homeland Security and the Secretary of Health and Human Services to notify Congress of each foreign national who dies in the custody of the Secretary, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Accountability for Mi-
5 grant Deaths Act of 2019”.

1 **SEC. 2. CONGRESSIONAL NOTIFICATION OF FOREIGN NA-**
2 **TIONAL DEATHS IN CUSTODY.**

3 Not later than 24 hours after a foreign national dies
4 while in the custody of the Secretary of Homeland Secu-
5 rity or the Secretary of Health and Human Services, the
6 appropriate Secretary shall notify Congress of such death,
7 which notification shall include a description of the cir-
8 cumstances of such death.

9 **SEC. 3. LIMITATION ON THE ASSERTION OF EXECUTIVE**
10 **PRIVILEGE.**

11 The Secretary of Homeland Security and the Sec-
12 retary of Health and Human Services may not assert Ex-
13 ecutive privilege with respect to testimony before a com-
14 mittee of the House of Representatives or of the Senate
15 related to a death described in section 2.

16 **SEC. 4. COMMITTEE HEARINGS ON FOREIGN NATIONAL**
17 **DEATHS IN CUSTODY REQUIRED IN THE**
18 **HOUSE.**

19 (a) AMENDMENT TO THE RULES OF THE HOUSE OF
20 REPRESENTATIVES.—Rule XI of the Rules of the House
21 of Representatives is amended by adding at the end the
22 following new clause:

23 **“Committee hearings on foreign national deaths in**
24 **custody required**

25 “(7) Not later than one week after receiving a notifi-
26 cation under section 1 of the Accountability for Migrant

1 Deaths Act of 2019 that a foreign national died while in
2 the custody of the Secretary of Homeland Security or the
3 Secretary of Health and Human Services, the chair of the
4 Committee on Oversight and Reform or another standing
5 committee of jurisdiction shall convene a hearing to re-
6 ceive testimony from appropriate agency officials related
7 to the death.”.

8 (b) EXERCISE OF RULEMAKING POWER.—The provi-
9 sions of this section are enacted by the Congress—

10 (1) as an exercise of the rulemaking power of
11 the House of Representatives, and as such they shall
12 be considered as part of the rules of the House, and
13 such rules shall supersede other rules only to the ex-
14 tent that they are inconsistent therewith; and

15 (2) with full recognition of the constitutional
16 right of the House of Representatives to change
17 such rules at any time, in the same manner, and to
18 the same extent as in the case of any other rule of
19 the House.

20 **SEC. 5. FOREIGN NATIONAL.**

21 In determining the meaning of any Act of Congress,
22 or of any ruling, regulation, or interpretation of various
23 administrative bureaus and agencies of the United States,
24 the term “foreign national” means any individual other
25 than an individual—

- 1 (1) who is a citizen of the United States; or
- 2 (2) though not a citizen of the United States,
- 3 who owes permanent allegiance to the United States.

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