

AMENDMENT TO H.R. 3401
OFFERED BY MRS. LOWEY OF NEW YORK

At the end of title II, insert the following:

1 SEC. 208. Not later than 30 days after the date of
2 enactment of this Act, the Secretary of Homeland Security
3 shall establish final plans, standards, and protocols to pro-
4 tect the health and safety of individuals in the custody
5 of U.S. Customs and Border Protection, which shall in-
6 clude—

7 (1) standards and response protocols for med-
8 ical assessments and medical emergencies;

9 (2) requirements for ensuring the provision of
10 water, appropriate nutrition, hygiene, and sanitation
11 needs;

12 (3) standards for temporary holding facilities
13 that adhere to best practices for the care of children,
14 which shall be in compliance with the relevant rec-
15 ommendations in the Policy Statement of the Amer-
16 ican Academy of Pediatrics entitled, “Detention of
17 Immigrant Children”;

18 (4) protocols for responding to surges of mi-
19 grants crossing the southern border or arriving at
20 land ports of entry; and

1 (5) required training for all Federal and con-
2 tract personnel who interact with migrants on the
3 care and treatment of individuals in civil detention.
4 SEC. 209. Not later than 120 days after the date of
5 enactment of this Act, the Secretary of Homeland Security
6 shall submit to the House of Representatives and the Sen-
7 ate a plan for ensuring access to appropriate translation
8 services for all individuals encountered by U.S. Customs
9 and Border Protection, U.S. Immigration and Customs
10 Enforcement, and U.S. Citizenship and Immigration Serv-
11 ices, including an estimate of related resource require-
12 ments and the feasibility and potential benefit of these
13 components jointly procuring such services.

Page 18, line 10, before the semicolon at the end,
insert the following: “and the report specifies each re-
quirement referenced in paragraph (1) that is being
waived for 60 days”.

At the end of title III, insert the following:

14 SEC. 313. (a) The Secretary of Health and Human
15 Services shall ensure that no unaccompanied alien child
16 (as defined in section 462(g)(2) of the Homeland Security
17 Act of 2002 (6 U.S.C. 279(g)(2))) spends more than 90
18 days, in the aggregate, at an unlicensed facility.

1 (b) Not later than 45 days after the date of enact-
2 ment of this Act, the Secretary shall ensure transfer to
3 a State-licensed facility for any unaccompanied alien child
4 who has been at an unlicensed facility for longer than 90
5 days.

6 (c) Subsections (a) and (b) shall not apply to an un-
7 accompanied alien child when the Secretary determines
8 that a potential sponsor had been identified and the unac-
9 companied alien child is expected to be placed with the
10 sponsor within 30 days.

11 (d) Notwithstanding subsections (a) and (b), if the
12 Secretary determines there is insufficient space available
13 at State-licensed facilities to transfer an unaccompanied
14 alien child who has been at an unlicensed facility for
15 longer than 90 days, the Secretary shall submit a written
16 justification to the Committees on Appropriations of the
17 House of Representatives and the Senate, and shall sub-
18 mit a summary every two weeks, disaggregated by influx
19 facility, on the number of unaccompanied alien children
20 at each influx facility longer than 90 days, with a sum-
21 mary of both the status of placement and the transfer ef-
22 forts for all children who have been in care for longer than
23 90 days.

