

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide detention standards for U.S. Customs and Border Protection facilities.

IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.

S. 1494

To amend the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to protect alien minors and to amend the Immigration and Nationality Act to end abuse of the asylum system and establish refugee application and processing centers outside the United States, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by _____

Viz:

1 At the end, add the following:

2 **SEC. 7. DETENTION STANDARDS FOR U.S. CUSTOMS AND**
3 **BORDER PROTECTION FACILITIES.**

4 With respect to any U.S. Customs and Border Pro-
5 tection facility, the Secretary of Homeland Security shall
6 ensure that—

7 (1) the facility—

8 (A) complies with the standards of the
9 U.S. Customs and Border Protection entitled

1 “National Standards on Transport, Escort, De-
2 tention, and Search” issued in October 2015;

3 (B) remains at an appropriate tempera-
4 ture;

5 (C) is properly ventilated;

6 (D) has adequate supervision and other
7 safeguards to protect detained children from
8 other detained individuals; and

9 (E) has a child welfare specialist on staff,
10 or has prompt access to a child welfare spe-
11 cialist, for purposes of making a finding under
12 section 3(a)(1)(C);

13 (2) each detained individual is provided—

14 (A) not fewer than three healthy and nu-
15 tritious meals daily, in accordance with the
16 most recent dietary guidelines of the Depart-
17 ment of Agriculture, that—

18 (i) in the case of an adult who is not
19 pregnant or breastfeeding, provide a total
20 of not fewer than 2,000 calories; or

21 (ii) in the case of a detained child or
22 an individual who is pregnant or
23 breastfeeding, meet, as applicable—

24 (I) the nutrition standards for
25 the school lunch program authorized

1 under the Richard B. Russell National
2 School Lunch Act (42 U.S.C. 1751 et
3 seq.) and the school breakfast pro-
4 gram established by section 4 of the
5 Child Nutrition Act of 1966 (42
6 U.S.C. 1773); or

7 (II) the nutrition standards es-
8 tablished under the special supple-
9 mental nutrition program for women,
10 infants, and children established by
11 section 17 of the Child Nutrition Act
12 of 1966 (42 U.S.C. 1786);

13 (B) not less than 1 gallon of clean drink-
14 ing water daily, including age-appropriate liq-
15 uids;

16 (C) regular access to hygiene products, in-
17 cluding—

18 (i) soap;

19 (ii) a toothbrush and toothpaste;

20 (iii) not fewer than one full change of
21 clothing;

22 (iv) a towel;

23 (v) toilet paper;

24 (vi) feminine hygiene products, as ap-
25 plicable;

1 (vii) prenatal vitamins, as applicable;

2 and

3 (viii) diaper changing materials, as

4 applicable, including—

5 (I) a clean diaper changing sta-
6 tion;

7 (II) diapers in the appropriate
8 size;

9 (III) diaper rash ointment;

10 (IV) baby wipes; and

11 (V) diaper disposal receptacles;

12 (D) regular access to showers, sinks, and
13 toilets; and

14 (E) an opportunity to contact any family
15 member with whom the detained individual was
16 apprehended; and

17 (3) in the case of a detained individual the pre-
18 scription medication of whom is confiscated on ap-
19 prehension, not later than six hours after the time
20 at which the detained individual arrives at a U.S.
21 Customs and Border Protection facility, a medical
22 professional, or in the case of a child, a medical pro-
23 fessional with pediatric training reviews such confis-
24 cation and makes a determination whether the medi-
25 cation shall be—

1 (A) kept by the detained individual in his
2 or her possession for regular use during deten-
3 tion;

4 (B) properly stored by U.S. Customs and
5 Border Protection officials, with appropriate ac-
6 cess for regular use by the detained individual
7 during detention; or

8 (C) stored with the personal property of
9 the detained individual.