AMENDMENT NO._____   Calendar No._____

Purpose: To require a migrant processing center pilot program.

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. MIGRANT PROCESSING CENTER PILOT PROGRAM.**

3   (a) DEFINITIONS.—In this section:

4   (1) FAMILY UNIT.—The term "family unit"

5   means—

6   (A) a child with a parent or legal guardian;

7   and

8   (B) a child with an adult family caretaker

9   other than a parent or legal guardian.

2

1   (2) PILOT PROGRAM.—The term "pilot pro-
2   gram" means the pilot program established under
3   subsection (b).

4   (3) SECRETARY.—The term "Secretary" means
5   the Secretary of Homeland Security, in coordination
6   with the Secretary of Health and Human Services.

7   (4) UNACCOMPANIED ALIEN CHILD.—The term
8   "unaccompanied alien child" has the meaning give
9   the term in section 462(g) of the Homeland Security
10   Act of 2002 (6 U.S.C. 279(g)).

11   (b) ESTABLISHMENT.—Not later than 180 days after
12 the date of the enactment of this Act, the Secretary shall
13 establish a migrant processing center pilot program for
14 family units and unaccompanied alien children.

15   (c) MIGRANT PROCESSING CENTER.—The migrant
16 processing center used in the pilot program shall—

17   (1) be operated by the Secretary; and

18   (2) meet or exceed—

19   (A) all applicable constitutional and legal
20   standards;

21   (B) the standards of U.S. Customs and
22   Border Protection entitled "National Standards
23   on Transport, Escort, Detention, and Search",
24   issued in October 2015; and

1   (C) the standards of U.S. Immigration and

2   Customs Enforcement entitled "Performance-

3   Based National Detention Standards 2011", re-

4   vised in December 2016.

5   (d) ACTIVITIES.—The pilot program shall include the

6 following:

7   (1) Ongoing assessments and treatment efforts

8   with respect to the physical or mental health condi-

9   tions of family units and unaccompanied alien chil-

10   dren, including development of a support plan and

11   services for each member of a vulnerable population.

12   (2) Assessments of the child protection and wel-

13   fare needs of unaccompanied alien children.

14   (3) Provision of food, shelter, hygiene services

15   and supplies, clothing, and activities appropriate for

16   civil detention of families.

17   (4) The hiring of personnel for the processing

18   center with appropriate training on caring for fami-

19   lies and vulnerable populations in a civil detention

20   environment, including personnel from nonprofit and

21   international organizations.

22   (5) Access to free telephonic communication

23   within 24 hours of arrival at the processing center,

24   including support for contacting family members.

1   (6) Direct access to legal orientation, legal rep-

2 resentation, and case management in private areas

3 of the processing center within 24 hours of arrival.

4   (7) Credible fear and reasonable fear interviews

5 in private areas of the processing center.

6   (8) Grants of asylum by U.S. Citizenship and

7 Immigration Services for manifestly well-founded or

8 clearly meritorious claims.

9   (9) In the case of a family unit that is not de-

10 termined to be removable before the date on which

11 the family unit departs from the processing center—

12   (A) release on the recognizance of the

13 adults in the family unit or placement in alter-

14 natives to detention with case management; and

15   (B) transportation to a respite shelter or

16 city of final destination.

17   (10) In the case of a family unit that is deter-

18 mined to be removable before the date on which the

19 family unit departs from the processing center, pro-

20 vision of safe return planning support by an immi-

21 gration case manager, including a consular visit to

22 assist with reintegration.

23   (11) Provision of onsite operational support by

24 nongovernmental and international organizations for

1   the identification and protection of vulnerable popu-

2   lations.

3   (e) NOTIFICATION OF CONGRESS.—The Secretary

4 shall provide a notification to the Committee on Appro-

5 priations of the Senate and the Committee on Appropria-

6 tions of the House of Representatives not later than 24

7 hours after placement in the pilot program of—

8   (1) an unaccompanied alien child the time in

9   Department of Homeland Security custody of whom

10   exceeds 72 hours; or

11   (2) a family unit the time in such custody of

12   which exceeds 9 days.

13   (f) IMPLEMENTATION PLAN.—Not later than 30 days

14 after the date of the enactment of this Act, the Secretary

15 shall submit to the Committee on Appropriations of the

16 Senate and the Committee on Appropriations of the House

17 of Representatives an implementation plan for the pilot

18 program, which shall include a definition of the term vul-

19 nerable population.

20   (g) AUTHORIZATION OF APPROPRIATIONS.—There is

21 authorized to be appropriated to carry out the pilot pro-

22 gram $200,000,000.