

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 399
OFFERED BY MS. LORETTA SANCHEZ OF
CALIFORNIA**

Redesignate sections 20 and 21 as sections 21 and 22, respectively.

Insert after section 19 the following:

1 SEC. 20. SHORT TERM DETENTION STANDARDS.

2 (a) ACCESS TO FOOD AND WATER.—The Commis-
3 sioner of U.S. Customs and Border Protection shall make
4 every effort to ensure that adequate access to food and
5 water is provided to an individual apprehended and de-
6 tained by a Border Patrol agent between a United States
7 port of entry as soon as practicable following the time of
8 such apprehension or during subsequent short term deten-
9 tion.

10 (b) ACCESS TO INFORMATION ON DETAINEE RIGHTS
11 AT BORDER PATROL PROCESSING CENTERS.—

12 (1) IN GENERAL.—The Commissioner of U.S.
13 Customs and Border Protection shall ensure that an
14 individual apprehended by a Border Patrol agent is
15 provided with information concerning such individ-

1 ual’s rights, including the right to contact a rep-
2 resentative of such individual’s government for pur-
3 poses of United States treaty obligations.

4 (2) FORM.—The information referred to in
5 paragraph (1) may be provided either verbally or in
6 writing, and shall be posted in the detention holding
7 cell in which such individual is being held. The infor-
8 mation shall be provided in a language understand-
9 able to such individual.

10 (c) DAYTIME REPATRIATION.—Repatriations shall be
11 limited to daylight hours and avoid locations that are de-
12 termined to have high indices of crime and violence.

13 (d) SHORT TERM DETENTION DEFINED.—In this
14 section, the term “short term detention” means detention
15 in a Border Patrol processing center for 72 hours or less,
16 before repatriation to a country of nationality or last ha-
17 bitual residence.

18 (e) REPORT ON PROCUREMENT PROCESS AND
19 STANDARDS.—Not later than 180 days after the date of
20 the enactment of this Act, the Comptroller General of the
21 United States shall submit to the appropriate congres-
22 sional committees a report on the procurement process
23 and standards of entities with which U.S. Customs and
24 Border Protection has contracts for the transportation
25 and detention of individuals apprehended by agents or of-

1 ficers of U.S. Customs and Border Protection. Such report
2 should also consider the operational efficiency of con-
3 tracting the transportation and detention of such individ-
4 uals.

5 (f) REPORT ON INSPECTIONS OF SHORT TERM CUS-
6 TODY FACILITIES.—The Commissioner of U.S. Customs
7 and Border Protection shall—

8 (1) annually inspect all facilities utilized for
9 short term detention; and

10 (2) make publically available information col-
11 lected pursuant to such inspections, including infor-
12 mation regarding the requirements under sub-
13 sections (a) and (b) and, where appropriate, issue
14 recommendations to improve the conditions of such
15 facilities.

16 (g) DOCUMENTATION CONCERNING REPATRIATED
17 INDIVIDUALS.—The Commissioner of U.S. Customs and
18 Border Protection shall establish and maintain a database
19 containing the following information relating to individ-
20 uals unlawfully present in the United States who are ap-
21 prehended and detained by Border Patrol agents:

22 (1) Information on the location of apprehen-
23 sion.

1 (2) Information on family members separated
2 by the Border Patrol during apprehension or deten-
3 tion.

4 (3) Information on the medical conditions of
5 apprehended and detained individuals during short
6 term detention.

7 (4) Information on any personal property that
8 was returned to the individual upon repatriation.

