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(Original Signature of Member)

115TH CONGRESS
2D SESSION

H. R. _____

To temporarily restrict the removal of alien parents separated from their children, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. CAPUANO introduced the following bill; which was referred to the Committee on _____

A BILL

To temporarily restrict the removal of alien parents separated from their children, 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 “Reunite Separated
5 Families Act of 2018”.

6 **SEC. 2. RESTRICTION ON DEPORTING SEPARATED ALIEN**
7 **PARENTS.**

8 (a) IN GENERAL.—Notwithstanding any other provi-
9 sion of law or judicial order, no covered alien may be re-

1 moved from the United States during the period beginning
2 on the date of the enactment of this Act, and ending on
3 the date on which a Federal law is enacted preventing the
4 separation of aliens entering the United States with a
5 child who has not attained 18 years of age from such child.

6 (b) COVERED ALIEN.—The term “covered alien”
7 means an alien who—

8 (1) entered the United States on or after April
9 6, 2018 with the alien’s child who had not attained
10 18 years of age;

11 (2) was separated from such child; and

12 (3) was charged only with a misdemeanor of-
13 fense under section 275(a) of the Immigration and
14 Nationality Act (8 U.S.C. 1325(a)).

15 **SEC. 3. REUNITING FAMILIES.**

16 (a) IN GENERAL.—Not later than 30 days after the
17 date of the enactment of this Act, the Secretary of Home-
18 land Security, in consultation with the Secretary of Health
19 and Human Services and the Attorney General, shall re-
20 unite each covered alien with the covered alien’s child, if
21 both the alien and child are physically present in the
22 United States.

23 (b) EXPEDITED BACKGROUND CHECKS.—Notwith-
24 standing any other provision of law, the Secretary of
25 Homeland Security, in consultation with the Secretary of

1 Health and Human Services, and the Attorney General,
2 shall expedite any background check on a covered alien
3 that is otherwise required to reunited the covered alien
4 with the covered alien's child.

5 **SEC. 4. ADDRESSING THE NEEDS OF CHILDREN AND FAMI-**
6 **LIES.**

7 (a) COMMUNICATION.—The Secretary of Homeland
8 Security, in consultation with the Secretary of Health and
9 Human Services and the Attorney General, shall ensure
10 that covered aliens and their children from whom they
11 have been separated, are able to communicate while de-
12 tained in the United States.

13 (b) PSYCHO-SOCIAL NEEDS OF CHILDREN.—The
14 Secretary of Health and Human Services, in consultation
15 with the Secretary of Homeland Security, in consultation
16 with the American Academy of Pediatrics and other ap-
17 propriate groups, shall take measures to address the psy-
18 cho-social needs of children separated from their covered
19 alien parent.

20 **SEC. 5. REPORT TO CONGRESS.**

21 Not later than 60 days after the date of the enact-
22 ment of this Act, the Secretary of Homeland Security, in
23 consultation with the Secretary of Health and Human
24 Services and the Attorney General, shall submit to Con-
25 gress a report on—

1 (1) the progress made in carrying out the re-
2 quirement under section 3, including the actions
3 taken to carry out such requirement;

4 (2) the conditions of the detention facilities at
5 which covered aliens and their children are housed;
6 and

7 (3) the actions taken to carry out the require-
8 ments under section 4.

9 **SEC. 6. DETENTION OF ALIEN FAMILIES.**

10 A covered alien who is reunited with the alien's child
11 pursuant to section 3, who remains in detention after
12 being so reunited, shall be detained with the alien's child
13 for a period not exceeding 20 days. At the conclusion of
14 the 20-day period, the covered alien and the alien's child
15 shall be released. Such release may include conditions to
16 ensure the appearance of the covered alien at any subse-
17 quent required immigration reporting and court pro-
18 ceedings, at which the alien shall be provided access to
19 counsel.