

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5261

To establish a North and Central American and Caribbean border security cooperation initiative, enhance the security of Mexico's southern border, improve United States short term detention standards, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2014

Ms. LORETTA SANCHEZ of California introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Homeland Security and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish a North and Central American and Caribbean border security cooperation initiative, enhance the security of Mexico's southern border, improve United States short term detention standards, 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 "Central American and  
5 USA Initiatives Act" or the "CAUSA Initiatives Act".

1 **SEC. 2. NORTH AND CENTRAL AMERICAN BORDER SECUR-**  
2 **RITY COOPERATION INITIATIVE.**

3 (a) BORDER SECURITY COOPERATION INITIATIVE.—

4 (1) IN GENERAL.—The Secretary of Homeland  
5 Security, in coordination with the Secretary of State  
6 and other appropriate United States officials, shall  
7 work with the appropriate officials of the Govern-  
8 ment of Canada and the Government of Mexico, in  
9 conjunction with representatives from the govern-  
10 ments of Central American countries, to establish a  
11 program to—

12 (A) assess the specific needs of Central  
13 American countries to maintain the security of  
14 the international borders of such countries;

15 (B) determine the support needed by such  
16 countries from the United States, Canada, and  
17 Mexico, to meet such needs; and

18 (C) assess the current structure for han-  
19 dling displaced minors and other vulnerable in-  
20 dividuals in Central American countries and  
21 recommendations to improve such structure.

22 (2) CONSIDERATION.—Any actions taken pur-  
23 suant to this subsection by the individuals referred  
24 to in paragraph (1) shall be taken in accordance  
25 with the goals of advancing human rights and eco-  
26 nomic opportunities, as well as programming and

1 support for the rule of law, good governance, and  
2 civil society.

3 (b) REPORT.—The Secretary of Homeland Security  
4 shall submit to the Committee on Homeland Security and  
5 the Committee on Foreign Affairs of the House of Rep-  
6 resentatives and the Committee on Homeland Security  
7 and Governmental Affairs and the Committee on Foreign  
8 Relations of the Senate a report on the assessments and  
9 determination carried out in accordance with subsection  
10 (a).

11 **SEC. 3. CARIBBEAN BORDER SECURITY COOPERATION INI-**  
12 **TIATIVES.**

13 (a) IN GENERAL.—The Secretary of Homeland Secu-  
14 rity, in cooperation with the Secretary of State, shall work  
15 with appropriate officials of the governments of the coun-  
16 tries of the Caribbean to establish a program to assess  
17 the specific needs of such countries to address the unique  
18 challenges of maritime border security.

19 (b) REPORT.—The Secretary of Homeland Security  
20 shall submit to the Committee on Homeland Security and  
21 the Committee on Foreign Affairs of the House of Rep-  
22 resentatives and the Committee on Homeland Security  
23 and Governmental Affairs and the Committee on Foreign  
24 Relations of the Senate a report on the assessment of  
25 needs carried out in accordance with subsection (a).

1 **SEC. 4. ENHANCING THE SECURITY OF MEXICO'S SOUTH-**  
2 **ERN BORDER.**

3 (a) IN GENERAL.—The Secretary of Homeland Secu-  
4 rity, in coordination with the Secretary of State, shall  
5 work with appropriate officials of the Government of Mex-  
6 ico to establish a program to assess the specific needs of  
7 Mexico to help secure Mexico's southern border from un-  
8 documented aliens, drugs, weapons, and other contraband.  
9 Such plan shall include—

10 (1) a comprehensive plan for the deployment  
11 and use of technology along the southern border of  
12 Mexico, which at a minimum shall contain—

13 (A) an assessment of current technology  
14 capabilities along the southern border of Mex-  
15 ico;

16 (B) a description of the research and de-  
17 velopment capabilities of the Government of  
18 Mexico, and collaboration between the Science  
19 and Technology Directorate of the Department  
20 of Homeland Security to help improve such ca-  
21 pabilities; and

22 (C) a description of Mexico's technology  
23 needs to address southern border crossing  
24 transportation screening, including vehicle, pe-  
25 destrian and rail screening; and

1           (2) a comprehensive plan for the repatriation of  
2 migrants to their home countries, which at a min-  
3 imum shall contain—

4                   (A) a description of the ways the Govern-  
5 ment of Mexico and the Government of the  
6 United States can coordinate with international  
7 non-governmental organizations to ensure hu-  
8 mane repatriation methods are practiced;

9                   (B) a description of the training, personnel  
10 and equipment needed to implement such a re-  
11 patriation program; and

12                   (C) an assessment of current and future  
13 land and rail ports of entry infrastructure that  
14 will be needed to maintain legitimate border ac-  
15 tivity along the southern border of Mexico.

16       (b) REPORT.—The Secretary of Homeland Security  
17 shall submit to the Committee on Homeland Security and  
18 the Committee on Foreign Affairs of the House of Rep-  
19 resentatives and the Committee on Homeland Security  
20 and Governmental Affairs and the Committee on Foreign  
21 Relations of the Senate a report on the assessment of  
22 needs carried out in accordance with subsection (a).

1 **SEC. 5. IMPROVING UNITED STATES SHORT TERM DETEN-**  
2 **TION STANDARDS.**

3 (a) PROPER ACCESS TO ADEQUATE FACILITIES AND  
4 PERSONAL NEEDS UPON OR AS SOON AS PRACTICABLE  
5 FOLLOWING APPREHENSION AND DURING SHORT TERM  
6 DETENTION AT BORDER PATROL PROCESSING CEN-  
7 TERS.—The Secretary of Homeland Security, acting  
8 through the Commissioner of U.S. Customs and Border  
9 Protection, shall ensure that adequate facilities and sus-  
10 taining needs, such as access to food and water, medical  
11 care and sanitary facilities, are provided to an individual  
12 apprehended and detained by a Border Patrol agent be-  
13 tween ports of entry upon or as soon as practicable fol-  
14 lowing the time of such apprehension or during subse-  
15 quent short term detention.

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

18 (1) IN GENERAL.—The Secretary of Homeland  
19 Security, acting through Commissioner of U.S. Cus-  
20 toms and Border Protection, shall ensure that an in-  
21 dividual unlawfully present in the United States who  
22 is apprehended by a Border Patrol agent is promptly  
23 provided with information concerning such individ-  
24 ual's rights, including the right to contact a rep-  
25 resentative of such individual's government for pur-  
26 poses of United States treaty obligations.

1           (2) FORM.—The information referred to in  
2 paragraph (1) may be provided either verbally or in  
3 writing by the apprehending Border Patrol agent,  
4 and shall be posted in the detention holding cell in  
5 which such individual is being held. The information  
6 shall be provided in a language understandable to  
7 such individual.

8           (c) DOCUMENTATION CONCERNING REPATRIATED  
9 INDIVIDUALS.—The Secretary of Homeland Security, act-  
10 ing through Commissioner of U.S. Customs and Border  
11 Protection, shall establish and maintain a database con-  
12 taining the following information relating to individuals  
13 unlawfully present in the United States who are appre-  
14 hended and detained by Border Patrol agents:

15           (1) Information on the location of apprehen-  
16 sion.

17           (2) Information on family members separated  
18 by the Border Patrol during apprehension or deten-  
19 tion.

20           (3) Information on the medical conditions of  
21 apprehended and detained individuals during short  
22 term detention.

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

1 (d) DAYTIME REPATRIATION.—Repatriations shall be  
2 limited to daylight hours and avoid locations that are de-  
3 termined to have high indices of crime and violence.

4 (e) SHORT TERM DETENTION DEFINED.—In this  
5 section, the term “short term detention” means detention  
6 of an individual in a Border Patrol processing center for  
7 72 hours or less, before repatriation of such individual to  
8 such individual’s country of nationality or last habitual  
9 residence.

10 (f) REPORT.—Not later than 90 days after the date  
11 of the enactment of this section, the Comptroller General  
12 of the United States shall submit to the Committee on  
13 Homeland Security of the House of Representatives and  
14 the Committee on Homeland Security and Governmental  
15 Affairs of the Senate a report on the procurement process  
16 and standards of entities with which the Department of  
17 Homeland Security has contracts for the transportation  
18 and detention of individuals unlawfully present in the  
19 United States who are apprehended by agents or officers  
20 of the Department. Such report should also consider the  
21 operational efficiency of contracting out for the transpor-  
22 tation and detention of individuals unlawfully present in  
23 the United States.

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