

116TH CONGRESS
1ST SESSION

H. R. 3868

To grant Members of Congress access to detention facilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2019

Ms. WASSERMAN SCHULTZ (for herself, Ms. DEAN, Ms. MUCARSEL-POWELL, Ms. SHALALA, Mrs. WATSON COLEMAN, Mr. RYAN, Ms. DELAURO, and Ms. WILSON of Florida) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, 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

A BILL

To grant Members of Congress access to detention facilities,
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 “Help Oversee, Manage,
5 and Evaluate Safe Treatment and Ensure Access without
6 Delay Act of 2019” or the “HOMESTEAD Act of 2019”.

1 **SEC. 2. MANDATORY ACCESS TO DETENTION FACILITIES.**

2 (a) IN GENERAL.—A Member of Congress may not
3 be prevented from entering any detention facility for the
4 purpose of conducting oversight.

5 (b) TEMPORARY MODIFICATION.—The head of a de-
6 tention facility may not make any temporary modification
7 at the detention facility in a manner that alters what is
8 observed by a visiting Member of Congress.

9 (c) NO NOTICE REQUIRED.—A Member of Congress
10 shall not be required to provide notice of intent to enter
11 a detention facility for the purpose of conducting over-
12 sight.

13 (d) DETENTION FACILITY DEFINED.—In this sec-
14 tion, the term “detention facility” means any facility—

15 (1) used to detain or otherwise house aliens;

16 and

17 (2) operated by or for—

18 (A) the Department of Homeland Security
19 (including any facility operated by a private
20 contractor with the Department); or

21 (B) the Department of Health and Human
22 Services (including any facility operated by a
23 private contractor with the Department).

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