

115TH CONGRESS
2D SESSION

H. R. 6256

To require the Secretary of Homeland Security and the Secretary of Health and Human Services to allow Members of Congress to tour detention facilities that house foreign national minors.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2018

Ms. WASSERMAN SCHULTZ (for herself, Mr. POCAN, Mr. GOMEZ, Ms. SHEA-PORTER, Ms. ROS-LEHTINEN, Ms. JACKSON LEE, Ms. MOORE, Mr. BLUMENAUER, Ms. NORTON, Mr. RYAN of Ohio, Mr. HASTINGS, Mr. CÁRDENAS, Mr. SOTO, Mr. LIPINSKI, Ms. CLARKE of New York, Ms. CASTOR of Florida, and Mr. RASKIN) 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 require the Secretary of Homeland Security and the Secretary of Health and Human Services to allow Members of Congress to tour detention facilities that house foreign national minors.

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 “Congressional Access
5 to Children’s Detention Facilities Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) SECRETARY CONCERNED.—The term “Sec-
4 retary concerned” means, as applicable—

5 (A) the Attorney General;

6 (B) the Secretary of Homeland Security;

7 or

8 (C) the Secretary of Health and Human
9 Services.

10 (2) FOREIGN NATIONAL MINOR.—The term
11 “foreign national minor” means an individual who is
12 not a citizen of the United States and is under 18
13 years of age.

14 **SEC. 3. MANDATORY ACCESS TO DETENTION FACILITIES**
15 **HOUSING UNACCOMPANIED ALIEN CHIL-**
16 **DREN.**

17 (a) IN GENERAL.—Subject to subsection (c), the Sec-
18 retary concerned shall allow a Member of Congress to tour
19 any facility in which one or more foreign national minors
20 are housed on a date and at a time between 8:00 a.m.
21 and 7:00 p.m. requested by the Member of Congress if,
22 not later than midnight on the date requested, the Sec-
23 retary receives written notice from the Member of Con-
24 gress that includes—

25 (1) the name or location of the facility; and

1 (2) the date on and time at which the Member
2 of Congress intends to tour the facility.

3 (b) ACCOMPANYING MEMBERS OF THE PRESS.—

4 (1) IN GENERAL.—The Secretary concerned
5 shall allow one or more members of the press chosen
6 by the visiting Member of Congress to accompany
7 any Member of Congress on a tour of a facility
8 under this section.

9 (2) LIMITATION.—The Secretary concerned
10 shall not be required to allow a member of the press
11 accompanying a Member of Congress under para-
12 graph (1) to enter such facility with a still or video
13 camera.

14 (c) LIMITATION.—The Secretary concerned may limit
15 a tour under subsection (a) to—

16 (1) in the case of a facility that houses fewer
17 than 50 foreign national minors—

18 (A) not more than 5 Members of Congress;

19 and

20 (B) accompanying members of the press
21 under subsection (b); and

22 (2) in the case of a facility that houses not
23 fewer than 50 foreign national minors—

24 (A) not more than 10 Members of Con-
25 gress; and

1 (B) accompanying members of the press
2 under subsection (b).

3 **SEC. 4. RULE OF CONSTRUCTION.**

4 Nothing in this Act shall be construed to supersede
5 or modify applicable—

6 (1) Federal child welfare law, including the
7 Adoption and Safe Families Act of 1997 (Public
8 Law 105–89); or

9 (2) child welfare law of any State.

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