

116TH CONGRESS  
1ST SESSION

# H. R. 3670

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IN THE SENATE OF THE UNITED STATES

JULY 29, 2019

Received; read twice and referred to the Committee on Homeland Security and  
Governmental Affairs

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## AN ACT

To amend the Homeland Security Act of 2002 to ensure access to appropriate temporary shelter, food, and water for individuals apprehended by U.S. Customs and Border Protection, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Short-Term Detention  
3 Standards Act”.

4 **SEC. 2. ACCESS TO APPROPRIATE TEMPORARY SHELTER,  
5 FOOD, AND WATER DURING SHORT-TERM DE-  
6 TENTION.**

7 Paragraph (1) of section 411(m) of the Homeland  
8 Security Act of 2002 (6 U.S.C. 211(m)) is amended to  
9 read as follows:

10 “(1) ACCESS TO APPROPRIATE TEMPORARY  
11 SHELTER, FOOD, AND WATER.—The Commissioner  
12 shall make every effort to ensure the provision to an  
13 individual apprehended by U.S. Customs and Border  
14 Protection of appropriate temporary shelter with ac-  
15 cess to bathroom and shower facilities, water, appro-  
16 priate nutrition, hygiene, personal grooming items,  
17 and sanitation needs.”.

18 **SEC. 3. AUDIT AND INSPECTIONS OF DETENTION FACILI-  
19 TIES.**

20 (a) **OIG AND GAO.**—The Inspector General of the  
21 Department of Homeland Security and the Comptroller  
22 General shall carry out regular audits and inspections, in-  
23 cluding unannounced audits and inspections, of processes  
24 (including recordkeeping) utilized by U.S. Customs and  
25 Border Protection to conduct intake and process individ-  
26 uals apprehended by U.S. Customs and Border Protection.

1 The Inspector General and Comptroller General shall, to  
2 the extent possible, share information and coordinate to  
3 ensure that Congress is provided timely audit and inspec-  
4 tion information.

5 (b) CONGRESSIONAL ACCESS.—The Commissioner of  
6 U.S. Customs and Border Protection may not—

7 (1) prevent a Member of Congress or an em-  
8 ployee of the United States House of Representa-  
9 tives or the United States Senate designated by such  
10 a Member for the purposes of this section from en-  
11 tering, for the purpose of conducting oversight, any  
12 such facility; and

13 (2) make any temporary modification at any  
14 such facility that in any way alters what is observed  
15 by a visiting member of Congress or such designated  
16 employee, compared to what would be observed in  
17 the absence of such modification.

18 (c) PHOTOGRAPHS.—The Inspector General of the  
19 Department of Homeland Security, Comptroller General,  
20 a Member of Congress, or an employee of the United  
21 States House of Representatives or United States Senate  
22 shall be authorized to take photographs or video or audio  
23 recordings of conditions in a facility but may not publish

- 1 photographs or video or audio recordings with personally
- 2 identifiable information without permission.

Passed the House of Representatives July 25, 2019.

Attest:                      CHERYL L. JOHNSON,  
*Clerk.*