

116TH CONGRESS  
1ST SESSION

# H. R. 3868

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

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## 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

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## 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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