

S 2773

Protecting Children and America's Homeland Act of 2014

Congress: 113 (2013–2015, Ended)

Chamber: Senate

Policy Area: Economics and Public Finance

Introduced: Jul 31, 2014

Current Status: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 528.

Latest Action: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 528. (Aug 1, 2014)

Official Text: <https://www.congress.gov/bill/113th-congress/senate-bill/2773>

Sponsor

Name: Sen. Cornyn, John [R-TX]

Party: Republican • **State:** TX • **Chamber:** Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Grassley, Chuck [R-IA]	R · IA		Jul 31, 2014
Sen. McConnell, Mitch [R-KY]	R · KY		Jul 31, 2014

Committee Activity

No committee referrals or activity are recorded for this bill.

Subjects & Policy Tags

Policy Area:

Economics and Public Finance

Related Bills

Bill	Relationship	Last Action
113 HR 5230	Related bill	Sep 8, 2014: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 550.
113 S 2772	Related bill	Aug 1, 2014: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 527.
113 S 2743	Identical bill	Jul 31, 2014: Read twice and referred to the Committee on Appropriations. (text of measure as introduced: CR S5224-5233)

Protecting Children and America's Homeland Act of 2014 - **Division A: Supplemental Appropriations** - Provides supplemental FY2014 appropriations for expenses related to the rise in unaccompanied alien children and alien adults accompanied by an alien minor at the southwest border.

Makes such supplemental appropriations to: (1) the Department of Commerce, the Department of Justice (DOJ), science, and related agencies; (2) the Department of Homeland Security (DHS), including U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement (ICE); and (3) the Department of Labor, the Department of Health and Human Services (HHS), and the Department of Education, and related agencies.

Specifies other authorized, restricted, and prohibited uses of appropriated funds.

Division B: Unaccompanied Alien Children and Border Security - Amends the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to declare that any unaccompanied alien child (UAC) who has not been a victim of a severe form of trafficking in persons or does not have a credible fear of persecution on returning to his or her country of nationality or of last habitual residence shall be: (1) placed in removal proceedings, (2) eligible for voluntary departure at no cost to the child, and (3) provided with access to counsel. (Currently such expedited removal requirements apply only to unaccompanied children from countries that are contiguous to the United States.)

Directs the Secretary of State to negotiate agreements regarding the repatriation of children with Canada, El Salvador, Guatemala, Honduras, Mexico, and any other appropriate foreign country. (Currently such agreements are to be negotiated between the United States and countries contiguous to the United States.)

Directs the DHS Secretary to place any UAC that is a criminal or gang member in a proceeding for expedited removal.

Prohibits removal of a UAC from U.S. custody during preliminary proceedings until repatriation or unless placed in removal proceedings.

Amends the Immigration and Nationality Act to establish a proceeding to expedite due process and screening for UACs. Requires an immigration judge to:

- conduct and conclude a proceeding to inspect and determine the status of a UAC who applies for U.S. admission within 7 days after screening the child, and
- issue within 72 hours after the proceeding's conclusion an order for further proceedings, for removal, or for referral to an asylum officer for interview.

Prescribes treatment for any UAC who intends to make a claim of asylum or fear of persecution.

Prescribes procedures for expedited due process for a UAC present in the United States, including due process protections, among them protective HHS custody.

Requires the HHS Secretary and the DHS Secretary to exchange specified information with regard to placement of a UAC.

Requires regular inspections of HHS facilities for the care and custody of UACs.

Prescribes requirements, especially for nongovernmental sponsors, in connection with the custody of UACs in a formal

removal proceeding. Prohibits the HHS Secretary from placing a UAC in the custody of an individual convicted of a sex offense or a crime involving a severe form of trafficking in persons. Requires related biometric criminal background checks.

Makes it unlawful for a person to obtain custody of a UAC by fraudulent representations.

Requires DHS or HHS to notify the governor of a state within 48 hours before placing a UAC in the care of a facility or sponsor in the state. Requires HHS to monitor regularly and frequently the physical and emotional well-being of each UAC discharged to a sponsor or remaining in HHS custody until resolution of the child's immigration case.

Directs the Attorney General (DOJ) to designate up to 100 immigration judges to conduct expedited inspection and screening of UACs.

Requires the HHS Secretary to report to Congress on the care of UACs.

Directs the Secretary of State to carry out in-country processing of refugee applications in El Salvador, Guatemala, or Honduras.

Requires the President to certify annually whether the government of each of these countries: (1) is actively working to reduce the number of UACs from that country attempting to migrate illegally to the United States; (2) is cooperating with the United States to facilitate the repatriation of UACs removed from the United States and returned to their countries; and (2) has negotiated or is actively negotiating an agreement for the repatriation of UACs.

Prescribes requirements for treatment and deportation of aliens associated with criminal gangs, especially the expedited removal of dangerous criminals, terrorists, and gang members.

Authorizes DHS to: (1) hire 350 ICE detention officers that comprise 50 Fugitive Operations Teams responsible for identifying, locating, and arresting fugitive aliens; and (2) increase by at least 5,000 the number of detention beds available for aliens placed in removal proceedings, including beds available for family units.

Prohibits the use of federal funds or resources to issue a new directive, memorandum, or executive order providing for relief from removal or work authorization to a class of individuals not otherwise eligible for it under the Immigration and Nationality Act, including expanding deferred action for childhood arrivals.

Requires the Secretary of Agriculture and the Secretary of the Interior, for the federal lands under their jurisdictions, to authorize and grant CBP personnel immediate access to such lands for specified security activities, conducted in a manner that will best protect natural and cultural resources.

Directs the Administrator of the Federal Emergency Management Agency (FEMA) to make grants to state and local governments in Border Patrol Sectors on the along the U.S.-Mexican border for costs related to enhancing law enforcement preparedness, humanitarian responses, and operational readiness along the southern border through Operation Stonegarden.

Makes it a crime to: (1) transmit (spot) to another person the location, movement, or activities of law enforcement agents with the intent to further a federal crime relating to immigration, customs, controlled substances, agriculture, monetary instruments, or other border controls; and (2) destroy, alter, or damage any physical or electronic device used by the federal government to control the border or any port of entry.

Prohibits the carrying or use of a firearm in an alien smuggling crime.

Prohibits an individual acting for financial gain from directing or participating in an effort to bring or attempt to bring three or more persons unlawfully into the United States. Prescribes criminal penalties, including enhanced penalties for certain violations.

Directs the DHS Secretary to implement a strategy to deter and interdict human smuggling across the international land and maritime borders of the United States.

Actions Timeline

- **Aug 1, 2014:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 528.
- **Jul 31, 2014:** Introduced in Senate
- **Jul 31, 2014:** Introduced in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.