

HR 5114

HUMANE Act

Congress: 113 (2013–2015, Ended)

Chamber: House

Policy Area: Immigration

Introduced: Jul 15, 2014

Current Status: Referred to the Subcommittee on Immigration and Border Security.

Latest Action: Referred to the Subcommittee on Immigration and Border Security. (Sep 2, 2014)

Official Text: <https://www.congress.gov/bill/113th-congress/house-bill/5114>

Sponsor

Name: Rep. Cuellar, Henry [D-TX-28]

Party: Democratic • **State:** TX • **Chamber:** House

Cosponsors (9 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Barber, Ron [D-AZ-2]	D · AZ		Jul 15, 2014
Rep. Farenthold, Blake [R-TX-27]	R · TX		Jul 15, 2014
Rep. Dent, Charles W. [R-PA-15]	R · PA		Jul 17, 2014
Rep. McCaul, Michael T. [R-TX-10]	R · TX		Jul 22, 2014
Rep. Conaway, K. Michael [R-TX-11]	R · TX		Jul 25, 2014
Rep. Marchant, Kenny [R-TX-24]	R · TX		Jul 25, 2014
Rep. Peterson, Collin C. [D-MN-7]	D · MN		Jul 25, 2014
Rep. Hall, Ralph M. [R-TX-4]	R · TX		Jul 28, 2014
Rep. Lipinski, Daniel [D-IL-3]	D · IL		Aug 1, 2014

Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	House	Referred To	Jul 15, 2014
Foreign Affairs Committee	House	Referred To	Jul 15, 2014
Homeland Security Committee	House	Referred to	Jul 23, 2014
Judiciary Committee	House	Referred to	Sep 2, 2014
Ways and Means Committee	House	Referred To	Jul 15, 2014

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

Bill	Relationship	Last Action
113 S 2666	Related bill	Jul 28, 2014: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 491.
113 S 2611	Identical bill	Jul 15, 2014: Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (text of measure as introduced: CR S4504-4509)

Helping Unaccompanied Minors and Alleviating National Emergency Act or the HUMANE Act - 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.)

Requires a UAC to be placed within seven days of initial screening in a proceeding to expedite due process and screening.

Prohibits a UAC to be removed 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 a proceeding to inspect and determine the status of a UAC who is an applicant for U.S. admission not later than 7 days after initial screening,
- determine within 72 hours of the proceeding's conclusion whether a UAC is likely to be admissible (or eligible for relief from removal) or is lawfully present in the United States, and
- place a UAC in further proceedings if such conditions have been met or order a UAC removed from the United States without further hearing or review unless there is a claim of asylum or a credible fear of persecution.

States that:

- if a UAC intends to make a claim of asylum or fear of persecution he or she shall be referred to an asylum officer who shall determine in an interview whether there is a credible fear of persecution;
- if there is no credible fear of persecution a UAC shall be ordered removed without further hearing or review; and
- a UAC shall be held in protective Department of Health and Human Services (HHS) custody pending a final determination of credible fear of persecution, or removal.

Sets forth due process protections for UACs, including protective HHS custody.

Directs the Attorney General (DOJ) to hire or reassign up to 40 immigration judges to conduct expedited inspection and screening of UACs.

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

Requires the Secretary of Homeland Security (DHS) to submit to Congress a comprehensive strategy for: (1) gaining and

maintaining situational awareness and operational control of high traffic areas along the U.S. southern and northern borders within two years, and (2) gaining and maintaining operational control along the southwest border of the United States not later than five years. Requires the Secretary to submit a related implementation plan to Congress and the Government Accountability Office (GAO).

Requires the Secretary of DHS to implement metrics to measure the effectiveness of security at and between ports of entry and in the maritime environment.

Prohibits the Secretary of DHS from conducting any study relating to the imposition of a border crossing fee for pedestrians or passenger vehicles at land ports of entry along the U.S. southern and northern borders.

Directs the Secretary of DHS to: (1) upgrade technological assets and equipment and physical and tactical infrastructure on the southern border, and (2) increase the number of trained active-duty U.S. Customs and Border Protection (CBP) officers on the southern border.

Authorizes funds under this Act to be expended, with the approval of the Secretary of Defense (DOD) and the Secretary of HHS, for the governor of a state to order any units or personnel of the state's National Guard to perform specified operations on the southern border.

Directs the Federal Emergency Management Agency (FEMA) to enhance law enforcement preparedness, humanitarian responses, and operational readiness along the southern border through Operation Stonegarden.

Actions Timeline

- **Sep 2, 2014:** Referred to the Subcommittee on Immigration and Border Security.
- **Jul 23, 2014:** Referred to the Subcommittee on Border and Maritime Security.
- **Jul 15, 2014:** Introduced in House
- **Jul 15, 2014:** Referred to the Committee on the Judiciary, and in addition to the Committees on Foreign Affairs, Homeland Security, Armed Services, and Ways and Means, 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.