

(056)

**An amendment to the Amendment in the Nature of a Substitute to
H.R. 3846 offered by Ms. Sanchez**

In the proposed section 411, add at the end the following:

“(o) SHORT TERM DETENTION STANDARDS.—

“(1) PROPER ACCESS TO FOOD AND WATER UPON OR AS SOON AS PRACTICABLE FOLLOWING APPREHENSION AND DURING SHORT TERM DETENTION AT UNITED STATES BORDER PATROL PROCESSING CENTERS.—
The Commissioner of United States Customs and Border Protection shall ensure that adequate access to food and water is provided to an individual apprehended and detained by a Border Patrol agent between ports of entry upon or as soon as practicable following the time of such apprehension or during subsequent short term detention.

“(2) ACCESS TO INFORMATION ON DETAINEE RIGHTS AT BORDER PATROL PROCESSING CENTERS.—

“(A) IN GENERAL.—The Commissioner of United States Customs and Border Protection shall ensure that an individual unlawfully present in the United States who is apprehended by a Border Patrol agent is promptly provided with information concerning such individual’s rights, including the right to contact a representative of such individual’s government for purposes of United States treaty obligations.

“(B) FORM.—The information referred to in subparagraph (A) may be provided either verbally or in writing by the apprehending Border Patrol agent, and shall be posted in the detention holding cell in which such individual is being held. The information shall be provided in a language understandable to such individual.

“(3) DOCUMENTATION CONCERNING REPATRIATED INDIVIDUALS.—The Commissioner of United States Customs and Border Protection shall establish and maintain a database containing the following information:

“(A) the location of repatriation of an individual apprehended by United States Border Patrol.

“(B) if family members were separated by the United States Border Patrol during apprehension or detention.

“(C) the medical conditions of apprehended and detained individuals during short term detention.

“(D) any personal property that was returned to the individual upon repatriation.

“(4) DAYTIME REPATRIATION.—When practicable, repatriations shall be limited to daylight hours and avoid locations that are determined to have high indices of crime and violence.

“(5) SHORT TERM DETENTION DEFINED.—In this subsection, the term ‘short term detention’ means detention in a United States Border Patrol processing center for 72 hours or less, before repatriation to a country of nationality or last habitual residence.

“(6) REPORT.—Not later than 90 days after the date of the enactment of this section, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on the procurement process and standards of entities with which United States Customs and Border Protection has contracts for the transportation and detention of individuals apprehended by agents or officers of United States Customs and Border Protection. Such report should also consider the operational efficiency of contracting out the transportation and detention of such individuals.”.