

***Thompson Manager’s Amendment to Rules Comm. Print 116-127,
H.R. 2203, the “Homeland Security Improvement Act”***

Endorsed by: American Civil Liberties Union, Border Network for Human Rights, Service Employees International Union, and the Southern Border Communities Coalition

The Homeland Security Improvement Act is a critical bill that addresses our nation’s immigration challenges at the southwest border in a responsible and humane manner by ensuring accountability, transparency, and oversight. The Thompson Manager’s Amendment establishes an Ombudsman for Border and Immigration Enforcement Related Concerns within the Department of Homeland Security (DHS) and related mechanisms to enhance the Ombudsman’s effectiveness.

Independent Ombudsman

- Establishes an independent Ombudsman for Border and Immigration Related Concerns within DHS.
- The functions of the Ombudsman include establishing an independent, neutral, and confidential process to assist individuals with complaints against Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP).
- Provides for annual reporting on the complaints filed, including the number and types of complaints received to identify trends and solve systemic problems.
- Reviews compliance by CBP and ICE with all departmental policies and standards related to treatment of migrants in the custody, including with respect to force-feeding;
- Makes the complaint resolution process easy to follow by establishing a publicly available website.

Border Communities Liaison

- Directs the Ombudsman, in conjunction with the Office for Civil Rights and Civil Liberties at DHS, to appoint a Border Community Liaison in each Border Patrol sector along the northern and southern border to:
 - Foster cooperation between ICE, CBP, and border communities;
 - Consult with border communities on CBP and ICE policies, directives, and programs;
 - Receive feedback from border communities about CBP and ICE activities in the region; and
 - Report annually to the Ombudsman.

Border Oversight Panel

- Directs the Ombudsman to establish a Border Oversight Panel to evaluate and make recommendations regarding the border enforcement policies, strategies, and programs that directly affect border communities.
- Specifically directs the Panel to pay special attention to the way DHS policies impact due process, property rights, legal obligations, and migrant and officer safety.

Training Evaluations

- Requires the Ombudsman to conduct annual evaluations of all training given to the agents and officers at CBP and ICE.
- The Ombudsman must examine whether there is training in specific key areas including community policing, enforcement near sensitive locations, interacting with vulnerable populations, and professional and ethical conduct (like lawful use of force, LGBTQ sensitivity, and sexual harassment).
- Mandates that the Ombudsman provide recommendations to the Secretary on additional training needs. The Secretary must respond to these recommendations publicly within 180 days with an

action plan to implement any of such recommendations and a justification for why any of such recommendations have been rejected.

Electronic Tracking System to Speed Up Family Unity

- Mandates that the Ombudsman, in coordination with the CBP Commissioner, ICE Director, and the Office of Refugee Resettlement within the Department of Health and Human Services , develop recommendations for the establishment of an electronic tracking number system on a single, interoperable interface to track the location of a child who has been separated from a parent, legal guardian, or other relative.

Body-Worn Cameras

- Directs the Ombudsman, in coordination with CBP Commissioner, ICE Director, and labor organizations representing agents and officers, to submit to Congress a plan for requiring the use of body-worn cameras by U.S. Border Patrol agents and ICE officers when engaged in border security and immigration enforcement activities.
- Provides that the plan must consider existing state and local body-worn camera policies and principles developed by major civil and human rights organizations.