



THE STRATEGIC AND HUMANE SOUTHERN BORDER MIGRANT RESPONSE ACT

Rep. Bennie G. Thompson
Chairman, House Committee on Homeland Security

Over the past several months, the Department of Homeland Security's response to the high number of migrant families and unaccompanied children at our southern border has been slow and inadequate. The most inexcusable results have been the inhumane and unsafe conditions in which migrants are held for up to months at a time. The deaths of migrant children while in temporary custody and serious allegations of mismanaged resources prove that we cannot allow this type of response to a humanitarian crisis on our U.S.-Mexico border to continue.

The "Strategic and Humane Southern Border Migrant Response Act" would prevent future tragedies through better management and a more humane use of the substantial resources Congress provided the Department of Homeland Security. The bill includes:

Strategy and Task Force

- **Requires the President to issue a strategic response plan within 90 days** that would assure timely and fair processing of asylees, humanitarian care for people in CBP custody, and compliance with the Flores settlement agreement; and
- **Establishes a DHS Joint Task Force, with performance metrics, to efficiently carry out the response plan.**

Management and Operations--Humane Response for Migrant Children and Families

- **Prohibits the systematic separation a child from a family member (who may not be a parent or legal guardian).** Only a Border Patrol Sector Chief or Field Office Director may order the separation of a child from a family member when there is evidence that the child is being trafficked. But, in such circumstances, CBP must retain records of the evidence relied upon to make the determination as well information on the locations of each person involved;
- **Establishes minimum essential humanitarian conditions for short-term detention.** These conditions include appropriate temporary shelter with access to bathroom and shower facilities, water, appropriate nutrition, hygiene, personal grooming items, and sanitation needs. These minimum requirements would also include standard medical screening of migrants, and directs CBP to begin transferring responsibility, where possible, for feeding and caring for people in its custody to State-licensed, vetted, and qualified contractors with trained medical and social work staff; and caring for people in its custody to State-licensed, vetted, and qualified contractors with trained medical and social work staff; and
- **Terminates the Remain in Mexico (or Migrant Protection Protocols (MPP)) program and metering at the border** that has put asylum seekers and their children in danger; and
- **Establishes a presumption for placement in Alternatives to Detention for migrant families and restores the successful Family Case Management Program.**



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Management and Operations—Staffing, Support, and Resources

- **Authorizes the Secretary of Homeland Security to enter into agreements or contracts to provide surge humanitarian support** and shift responsibility for care and feeding of detainees from DHS personnel to State-licensed, vetted, and qualified personnel and procure the services of health care, public health, social work, and transportation professionals as needed. These surge support resources must be deployed in a timely manner to ensure adequate care to migrant families and children while in short-term detention;
- **Authorizes additional CBP Officers to increase processing capacity at ports of entry and additional Office of Professional Responsibility investigators to maintain rigorous oversight of misconduct allegations within the workforce;** and
- **Requires quarterly reporting on any temporary duty reassignments of CBP officers away from ports should they be needed for a surge response.**

Oversight

- **Authorizes the DHS Office of Inspector General (OIG) and the Comptroller General (CG) to carry out audits and unannounced visits at short-term detention facilities,** on an ongoing basis throughout the duration of the response period, to assess the conditions in which asylees are detained;
- **Requires that Members of Congress be allowed to enter facilities where asylees are detained without prior notification;** and
- **Authorizes the DHS OIG, GAO, and Members of Congress to photograph conditions in facilities where asylees are detained.**

Northern Triangle

- **Restores the Central Americans Minor Program** to ensure a safe, legal, and orderly alternative to eligible children fleeing violence in Northern Triangle countries;
- **Restores refugee processing in Northern Triangle and Mexico;**
- **Bolsters operations and international collaboration to identify, investigate, and prosecute human smugglers and trafficking operations** targeting Central American children and families; and
- **Authorizes an information campaign in the Northern Triangle warning of the dangers of irregular migration.**