

# **EMERGENCY SUPPLEMENTAL FOR HUMANITARIAN ASSISTANCE AND SECURITY AT THE SOUTHERN BORDER**

## **SUMMARY BY SUBCOMMITTEE**

### COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES

#### **Department of Justice:**

- Executive Office for Immigration Review: \$65 million, which will include funding for 30 new Immigration Judge Teams and as well as funding for the Legal Orientation Program (LOP) to educate detainees about the Immigration Court process and thus expedite Immigration Court proceedings.
- United States Marshals Service, Federal Prisoner Detention: \$155 million for emergency expenditures related to the housing, transportation, and care for Federal detainees remanded to the custody of the U.S. Marshals Service.

### DEFENSE

- The bill provides \$145 million among the operation and maintenance accounts of the Army, Marine Corps, Air Force, and Army National Guard for operating expenses in support of multiple missions including rotary-wing aviation support, strategic lift, medical assistance, mobile surveillance, command and control, and maintenance activities.

### HOMELAND SECURITY

#### **Customs and Border Protection (CBP):**

- Includes \$793 million for establishing and operating migrant care and processing facilities to improve conditions at border stations and ports of entry.
- Includes \$112 million for migrant medical care and consumables, including clothing, baby formula, hygiene products, and other essential items.
- Includes \$110 million for travel and overtime costs for Department of Homeland Security staff in support of CBP's mission.
- Includes \$50 million for improvement to immigration data systems and tools.
- Includes \$35 million for transportation of migrants among facilities.
- Includes a provision emphasizing CBP's ongoing efforts to meet national standards within migrant processing facilities.
- Includes a provision emphasizing CBP's continued commitment to staffing along the Northern border.

**Immigration and Customs Enforcement (ICE):**

- Includes \$48 million for the transportation of unaccompanied alien children and migrants among facilities.
- Includes \$70 million for travel, overtime costs, and pay adjustments for on-board Department of Homeland Security staff in support of ICE's mission.
- Includes \$45 million for detainee medical care.
- Includes \$21 million for Homeland Security Investigations counter-human trafficking operations.
- Includes \$20 million for alternatives to detention.
- Includes \$5 million for background investigations and facilities inspections by the Office of Professional Responsibility.

**Federal Emergency Management Agency (FEMA):**

- Includes \$30 million to reimburse states, local governments, and non-governmental organizations for care of homeless migrants.

**Other Provisions:**

- Includes a provision stipulating that funding provided can only be used for the purpose it is provided.
- Includes a provision extending the authorization of a portion of the Department's research and development authority.
- Includes a provision prohibiting the unilateral transfer of certain operations between certain Departmental facilities.
- Includes a provision eliminating certain paperwork that would otherwise be required for components of the Department to volunteer in assisting with the humanitarian crisis on the Southwest border.
- Includes a provision requiring the Government Accountability Office to produce a report on requirements related to immigration judges and asylum officers.

LABOR, HEALTH AND HUMAN SERVICES,  
EDUCATION AND RELATED AGENCIES

The bill includes \$2.88 billion for the Department of Health and Human Services' Unaccompanied Alien Children (UAC) program.

In recent months, the number of unaccompanied alien children entering the U.S. and referred to HHS has significantly increased. Through May nearly 51,000 children have been referred to HHS this fiscal year, an increase of almost 60 percent over the comparable period last year. The additional funding will allow HHS to expand its shelter capacity, including to the greatest extent possible in traditional, state-licensed facilities, to ensure it can provide safe and appropriate shelter and care for children referred to their custody. It allows HHS to resume funding the full-range of services for children in their care, and prevents HHS from having to divert funding from other important programs.

The bill includes several provisions to help ensure the safety and welfare of children in HHS custody, including:

- Provides dedicated funding to expand HHS' traditional state-licensed shelter capacity, for post-release services to ensure the safety and well-being of children, and the Office of Inspector General to continue and expand oversight of the UAC program;
- Section 201: Prioritizes use of community-based residential care and licensed facilities over large facilities;
- Section 202: Requires HHS to provide guidance to shelter providers to ensure they are aware of current law requirements;
- Section 203: Supports and codifies current administration policies on background checks and information sharing;
- Section 204: Ensures influx shelters are only used as a last resort, meet child welfare standards, and include frequent monitoring;
- Section 205: Requires 15 day notification prior to opening an influx facility;
- Section 206: Ensures that when feasible certain children are not placed at influx facilities, including children who would be expected to be there for longer than 30 days;
- Section 207: Ensures that Senators and Members of Congress have access to shelters for the purpose of conducting oversight;
- Section 208: Requires HHS to provide publicly available information on UACs who have been separated from a parent, including for child safety or welfare concerns;
- Section 209: Restates current law on applicability of Section 224 in the Consolidated Appropriations Act, 2019; and
- Section 210: Requires a spend plan to be submitted to the Appropriations Committees.