

CORNYN-GRASSLEY-McCONNELL-FLAKE ALTERNATIVE

A solution to the crisis

A reasonable alternative to the Democrats' blank check

A humane due process system for children

A protection against the President's unilateral, anti-enforcement policies.

Division A provides \$688.3 million for various departments for border security, law enforcement, and humanitarian assistance activities. The funding is fully offset.

- \$64.3 million for the Department of Justice (including for Immigration Judge Teams)
- \$474 million for the Department of Homeland Security
 - \$71 million for Customs and Border Protection for expenses related to the significant rise in UACs and adults
 - \$389 million for Immigration and Customs Enforcement for expenses related to the transportation, detention and removing UACs and adults from the country
 - \$50 million for Fugitive Operations Teams
 - \$14 million for vetted units operations in Central America and human smuggling and trafficking investigations
- \$150 million for the Department of Health and Human Services for the custody and care of children, including medical response expenses
- \$40 million for the Department of State (not new appropriations) for repatriation and reintegration activities.

The Protecting Children and America's Homeland Act

This division includes three titles: 1) Unaccompanied Alien Children; 2) Criminal Aliens; 3) Border Security and Enforcement. The highlights include:

- ❖ Repatriation of Unaccompanied Alien Children, providing equal treatment of children under the Trafficking Victims Protection Reauthorization Act of 2008. It allows children of non-contiguous countries to voluntarily return to their home country when apprehended by a border agent.
- ❖ Expedited Removal of criminals, gang members, those who have previously violated our immigration laws, and those who have fraudulently claimed to be an unaccompanied alien child.
- ❖ A new and special process for unaccompanied children to ensure a speedy court proceeding and safe repatriation to their home country. This new process would be conducted within 7 days, and children would remain in protective custody.
- ❖ Provides young people already in the country with the option to voluntarily return to their home country sooner, without waiting for their court date, and the benefit of no future bars on immigration to the United States.
- ❖ Prohibits the Administration from issuing a new directive, memorandum, or Executive Order that provides for relief from removal or work authorization to a class of individuals who are not otherwise eligible for such relief under the Immigration and Nationality Act or such work authorization, including expanding deferred action for childhood arrivals.

- ❖ Information Sharing between Federal partners, including the Departments of Homeland Security and Health and Human Services, and Information Sharing between the Federal Government and States, providing transparency and notice to States about individuals released.
- ❖ Requires inspection of detention facilities by the Department of Health and Human Services' Inspector General.
- ❖ Provides protections for taxpayers by ensuring that the government does not overpay for detention space, limiting the costs to \$500 per day for each child, unless there are emergency circumstances that require higher spending levels.
- ❖ Requires any unaccompanied alien child to be under the care and protective custody of the government. Children can be released to parents who are legally present in the country and undergo a criminal background check if they show they are likely to prevail in removal proceedings. There are exceptions for special needs, severely trafficked or abused children. It also requires ankle bracelet monitoring for older youth and heads of households, and prohibits the government from placing children with sex offenders or traffickers.
- ❖ Penalties on those who fraudulently attempt to obtain custody of a child through false/fraudulent statements or representations, and higher penalties for those who attempt to take custody of a child for the purpose of exploiting the child.
- ❖ Requires the U.S. to undertake in-country refugee processing in Central America in order to minimize the illegal migration of children and families to the United States, without increasing the number of refugee admissions.
- ❖ Requires the President to certify that the governments of El Salvador, Guatemala and Honduras are cooperating in taking back unaccompanied alien children. Financial assistance to these three countries is tied to 1) reducing the number of individuals who are migrating; 2) cooperating on repatriation of unaccompanied children; and 3) negotiating or having signed a repatriation agreement with the U.S.
- ❖ Ensures that alien gang members are not provided a safe haven in the U.S. by rendering them inadmissible and deportable, requiring the government to detain them, and prohibits alien gang members from gaining U.S. immigration benefits such as asylum or Temporary Protected Status.
- ❖ Ensures that Customs and Border Protection Agents are provided access to Federal lands along the border.
- ❖ Supports state and local governments by reimbursing the costs of personnel, drug smuggling, and providing humanitarian relief to unaccompanied alien children and family units.
- ❖ Prevents organized smuggling by making it a crime to hinder immigration and border controls, including destruction of U.S. property, and increases the penalties for smuggling offenses.