116TH CONGRESS
1ST SESSION

H. R. 1

To direct the Secretary of Homeland Security and the Secretary of Health and Human Services to notify Congress of each foreign national who dies in the custody of the Secretary, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. TRAHAN introduced the following bill; which was referred to the Committee on

A BILL

To direct the Secretary of Homeland Security and the Secretary of Health and Human Services to notify Congress of each foreign national who dies in the custody of the Secretary, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 SECTION 1. SHORT TITLE.
4 This Act may be cited as the “Accountability for Mi-
5 grant Deaths Act of 2019”.

(Original Signature of Member)
SEC. 2. CONGRESSIONAL NOTIFICATION OF FOREIGN NATIONAL DEATHS IN CUSTODY.

Not later than 48 hours after a foreign national dies while in the custody of the Secretary of Homeland Security or the Secretary of Health and Human Services, the appropriate Secretary shall notify Congress of such death, which notification shall include a description of the circumstances of such death.

SEC. 3. LIMITATION ON THE ASSERTION OF EXECUTIVE PRIVILEGE.

The Secretary of Homeland Security and the Secretary of Health and Human Services may not assert Executive privilege with respect to testimony before a committee of the House of Representatives or of the Senate related to a death described in section 2.

SEC. 4. COMMITTEE HEARINGS ON FOREIGN NATIONAL DEATHS IN CUSTODY REQUIRED IN THE HOUSE.

(a) Amendment to the Rules of the House of Representatives.—Rule XI of the Rules of the House of Representatives is amended by adding at the end the following new clause:

“Committee hearings on foreign national deaths in custody required

“(7) Not later than one week after receiving a notification under section 1 of the Accountability for Migrant
Deaths Act of 2019 that a foreign national died while in
the custody of the Secretary of Homeland Security or the
Secretary of Health and Human Services, the chair of the
Committee on Oversight and Reform or another standing
commiee of jurisdiction shall convene a hearing to re-
receive testimony from appropriate agency officials related
to the death.”.

(b) EXERCISE OF RULEMAKING POWER.—The provi-
sions of this section are enacted by the Congress—

(1) as an exercise of the rulemaking power of
the House of Representatives, and as such they shall
be considered as part of the rules of the House, and
such rules shall supersede other rules only to the ex-
tent that they are inconsistent therewith; and

(2) with full recognition of the constitutional
right of the House of Representatives to change
such rules at any time, in the same manner, and to
the same extent as in the case of any other rule of
the House.

SEC. 5. FOREIGN NATIONAL.

In determining the meaning of any Act of Congress,
or of any ruling, regulation, or interpretation of various
administrative bureaus and agencies of the United States,
the term “foreign national” means any individual other
than an individual—
1 (1) who is a citizen of the United States; or
2 (2) though not a citizen of the United States,
3 who owes permanent allegiance to the United States