

119TH CONGRESS
2D SESSION

S. _____

To prohibit the Department of Homeland Security from constructing, acquiring, renovating, or operating any new processing site or detention center without providing a mechanism for public comments regarding such activity, entering into a signed, written agreement with appropriate State and local officials, and providing Congress with advance notice of such activity.

IN THE SENATE OF THE UNITED STATES

Mrs. SHAHEEN (for herself and Ms. HASSAN) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To prohibit the Department of Homeland Security from constructing, acquiring, renovating, or operating any new processing site or detention center without providing a mechanism for public comments regarding such activity, entering into a signed, written agreement with appropriate State and local officials, and providing Congress with advance notice of such activity.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Respect for Local
3 Communities Act”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) **APPROPRIATE LOCAL GOVERNMENT OFFI-**
7 **CIALS.**—The term “appropriate local government of-
8 ficials” means—

9 (A) the mayor, county executive, or equiva-
10 lent elected official of the town, city, county or
11 other local jurisdiction in which a new proc-
12 essing facility or detention center will be lo-
13 cated; and

14 (B) a majority of the town council, city
15 council, county council, county commission, or
16 equivalent legislative authority in which a new
17 processing facility or detention center will be lo-
18 cated.

19 (2) **NEW PROCESSING SITE OR DETENTION**
20 **CENTER.**—The term “new processing site or deten-
21 tion center” means any facility operated by, or pur-
22 suant to a contract with, U.S. Immigration and Cus-
23 toms Enforcement, including any facility designed
24 under the Detention Reengineering Initiative, that,
25 beginning on or after the date of the enactment of
26 this Act, will be used to temporarily hold persons

1 pending the resolution or completion of immigration
2 removal operations or processes.

3 **SEC. 3. REQUIREMENTS FOR NEW ICE PROCESSING SITES**
4 **AND DETENTION CENTERS.**

5 The Department of Homeland Security or any other
6 Federal agency may not initiate the construction, acquisi-
7 tion, renovation, or operation of, or otherwise acquire an
8 interest in real property to be used as, a new processing
9 site or detention center for U.S. Immigration and Customs
10 Enforcement until—

11 (1) the relevant Federal agency issues a public
12 notice in the Federal Register that—

13 (A) is open for public comments for a pe-
14 riod lasting at least 30 days;

15 (B) describes the scope of the construction,
16 acquisition, renovation, or operation;

17 (C) includes information regarding such
18 agency's due diligence process, which shall ex-
19 plain how such agency will comply with—

20 (i) Federal guidance and standards
21 related to immigration detention;

22 (ii) applicable environmental regula-
23 tions;

1 (D) includes any other information or doc-
2 umentation relevant to such new processing site
3 or detention center; and

4 (E) includes an economic impact analysis
5 and an engineering review that addresses the
6 site or center's waste exportation, water usage,
7 and electrical demand;

8 (2) after the conclusion of the public comment
9 period, the head of the relevant Federal agency—

10 (A) considers and responds to significant
11 comments received in accordance with sub-
12 chapter II of chapter 5 of title 5, United States
13 Code; and

14 (B) enters into a signed, written agree-
15 ment with appropriate local government offi-
16 cials and the Governor of the State in which
17 such processing site or detention center will be
18 located that authorizes such construction, ac-
19 quisition, renovation, or operation, as applica-
20 ble; and

21 (3) at least 30 days has elapsed since the head
22 of the relevant Federal agency submitted a report to
23 the Committee on Homeland Security and Govern-
24 mental Affairs of the Senate, the Committee on Ap-
25 propriations of the Senate, the Committee on the

1 Judiciary of the Senate, the Committee on Home-
2 land Security of the House of Representatives, the
3 Committee on Appropriations of the House of Rep-
4 resentatives, and the Committee on the Judiciary of
5 the House of Representatives regarding such
6 planned construction, acquisition, renovation, or op-
7 eration that includes a fully executed copy of the
8 agreement described in paragraph (2).