

302. TRAINING FOR OFFICIALS AND CERTAIN PRIVATE PARTIES WHO COME INTO CONTACT WITH UNACCOMPANIED ALIEN CHILDREN.

(a) TRAINING OF STATE AND LOCAL OFFICIALS AND CERTAIN PRIVATE PARTIES-

(1) IN GENERAL- The Secretary of Health and Human Services, acting jointly with the Secretary, shall provide appropriate training materials, and upon request, direct training, to State and county officials, child welfare specialists, teachers, public counsel, and juvenile judges who come into contact with unaccompanied alien children.

(2) CURRICULUM- The training required under paragraph (1) shall include education on the processes pertaining to unaccompanied alien children with pending immigration status and on the forms of relief potentially available. The Director shall establish a core curriculum that can be incorporated into education, training, or orientation modules or formats that are currently used by these professionals.

(3) VIDEO CONFERENCING- Direct training requested under paragraph (1) may be conducted through video conferencing.

(b) TRAINING OF DEPARTMENT PERSONNEL- The Secretary, acting jointly with the Secretary of Health and Human Services, shall provide specialized training to all personnel of the Department who come into contact with unaccompanied alien children. Training for agents of the Border Patrol and immigration inspectors shall include specific training on identifying--

(1) children at the international borders of the United States or at United States ports of entry who have been victimized by smugglers or traffickers; and

(2) children for whom asylum or special immigrant relief may be appropriate, including children described in section 101(a)(2)(A).

SEC. 303. REPORT.

Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of Health and Human Services shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that contains, for the most recently concluded fiscal year--

(1) data related to the implementation of section 462 of the Homeland

Security Act (6 U.S.C. 279);

(2) data regarding the care and placement of children under this Act;

(3) data regarding the provision of child advocate and counsel services under this Act; and

(4) any other information that the Director or the Secretary of Health and Human Services determines to be appropriate.

TITLE IV--CHILDREN REFUGEE AND ASYLUM SEEKERS

SEC. 401. GUIDELINES FOR CHILDREN'S ASYLUM CLAIMS.

(a) SENSE OF CONGRESS- Congress--

(1) commends the former Immigration and Naturalization Service for its `Guidelines for Children's Asylum Claims', issued in December 1998;

(2) encourages and supports the Department to implement such guidelines to facilitate the handling of children's affirmative asylum claims;

(3) commends the Executive Office for Immigration Review of the Department of Justice for its `Guidelines for Immigration Court Cases Involving Unaccompanied Alien Children', issued in September 2004;

(4) encourages and supports the continued implementation of such guidelines by the Executive Office for Immigration Review in its handling of children's asylum claims before immigration judges; and

(5) understands that the guidelines described in paragraph (3)--

(A) do not specifically address the issue of asylum claims; and

(B) address the broader issue of unaccompanied alien children.

(b) TRAINING-

(1) IMMIGRATION OFFICERS- The Secretary shall provide periodic comprehensive training under the `Guidelines for Children's Asylum Claims' to asylum officers and immigration officers who have contact with children in order to familiarize and sensitize such officers to the needs of children asylum seekers.

(2) IMMIGRATION JUDGES- The Director of the Executive Office for

Immigration Review shall--

(A) provide periodic comprehensive training under the `Guidelines for Immigration Court Cases Involving Unaccompanied Alien Children' and the `Guidelines for Children's Asylum Claims' to immigration judges and members of the Board of Immigration Appeals; and

(B) redistribute the `Guidelines for Children's Asylum Claims' to all immigration courts as part of its training of immigration judges.

(3) USE OF VOLUNTARY AGENCIES- Voluntary agencies shall be allowed to assist in the training described in this subsection.

(c) STATISTICS AND REPORTING-

(1) STATISTICS-

(A) DEPARTMENT OF JUSTICE- The Attorney General shall compile and maintain statistics on the number of cases in immigration court involving unaccompanied alien children, which shall include, with respect to each such child, information about--

- (i) the age;
- (ii) the gender;
- (iii) the country of nationality;
- (iv) representation by counsel;
- (v) the relief sought; and
- (vi) the outcome of such cases.

(B) DEPARTMENT OF HOMELAND SECURITY- The Secretary shall compile and maintain statistics on the instances of unaccompanied alien children in the custody of the Department, which shall include, with respect to each such child, information about--

- (i) the age;
- (ii) the gender;
- (iii) the country of nationality; and

(iv) the length of detention.

(2) REPORTS TO CONGRESS- Not later than 90 days after the date of the enactment of this Act and annually, thereafter, the Attorney General, in consultation with the Secretary, Secretary of Health and Human Services, and any other necessary government official, shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary House of Representatives on the number of alien children in Federal custody during the most recently concluded fiscal year. Information contained in the report, with respect to such children, shall be categorized by--

- (A) age;
- (B) gender;
- (C) country of nationality;
- (D) length of time in custody;
- (E) the department or agency with custody; and
- (F) treatment as an unaccompanied alien child.

SEC. 402. UNACCOMPANIED REFUGEE CHILDREN.

(a) IDENTIFYING UNACCOMPANIED REFUGEE CHILDREN- Section 207(e) of the Immigration and Nationality Act (8 U.S.C. 1157(e)) is amended--

(1) by redesignating paragraphs (3), (4), (5), (6), and (7) as paragraphs (4), (5), (6), (7), and (8), respectively; and

(2) by inserting after paragraph (2) the following:

` (3) An analysis of the worldwide situation faced by unaccompanied refugee children, categorized by region, which shall include an assessment of--

- ` (A) the number of unaccompanied refugee children;
- ` (B) the capacity of the Department of State to identify such refugees;
- ` (C) the capacity of the international community to care for and protect such refugees;

`(D) the capacity of the voluntary agency community to resettle such refugees in the United States;

`(E) the degree to which the United States plans to resettle such refugees in the United States in the following fiscal year; and

`(F) the fate that will befall such unaccompanied refugee children for whom resettlement in the United States is not possible.'

(b) TRAINING ON THE NEEDS OF UNACCOMPANIED REFUGEE CHILDREN- Section 207(f)(2) of the Immigration and Nationality Act (8 U.S.C. 1157(f)(2)) is amended--

(1) by striking `and' after `countries,'; and

(2) by inserting `, and instruction on the needs of unaccompanied refugee children' before the period at the end.

SEC. 403. EXCEPTIONS FOR UNACCOMPANIED ALIEN CHILDREN IN ASYLUM AND REFUGEE-LIKE CIRCUMSTANCES.

(a) PLACEMENT IN REMOVAL PROCEEDINGS- Any unaccompanied alien child apprehended by the Department, except for an unaccompanied alien child subject to exceptions under paragraph (1)(A) or (2) of section (101)(a), shall be placed in removal proceedings under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a).

(b) EXCEPTION FROM TIME LIMIT FOR FILING ASYLUM APPLICATION- Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158(a)(2)) is amended--

(1) in subsection (a)(2), by adding at the end the following:

`(E) APPLICABILITY- Subparagraphs (A) and (B) shall not apply to an unaccompanied alien child.'; and

(2) in subsection (b)(3), by adding at the end the following:

`(C) INITIAL JURISDICTION- United States Citizenship and Immigration Services shall have initial jurisdiction over any asylum application filed by an unaccompanied alien child.'

TITLE V--AMENDMENTS TO THE HOMELAND SECURITY ACT OF 2002

SEC. 501. ADDITIONAL RESPONSIBILITIES AND POWERS OF THE OFFICE OF REFUGEE RESETTLEMENT WITH RESPECT TO UNACCOMPANIED ALIEN CHILDREN.

(a) ADDITIONAL RESPONSIBILITIES OF THE DIRECTOR- Section 462(b)(1) of the Homeland Security Act of 2002 (6 U.S.C. 279(b)(1)) is amended--

(1) in subparagraph (K), by striking `and' at the end;

(2) in subparagraph (L), by striking the period at the end and inserting `, including regular follow-up visits to such facilities, placements, and other entities, to assess the continued suitability of such placements; and'; and

(3) by adding at the end the following:

`(M) ensuring minimum standards of care for all unaccompanied alien children--

`(i) for whom detention is necessary; and

`(ii) who reside in settings that are alternative to detention.'

(b) ADDITIONAL AUTHORITY OF THE DIRECTOR- Section 462(b) of the Homeland Security Act of 2002 (6 U.S.C. 279(b)) is amended by adding at the end the following:

`(4) AUTHORITY- In carrying out the duties under paragraph (3), the Director may--

`(A) contract with service providers to perform the services described in sections 102, 103, 201, and 202 of the Unaccompanied Alien Child Protection Act of 2007; and

`(B) compel compliance with the terms and conditions set forth in section 103 of such Act, by--

`(i) declaring providers to be in breach and seek damages for noncompliance;

`(ii) terminating the contracts of providers that are not in compliance with such conditions; or

`(iii) reassigning any unaccompanied alien child to a similar facility that is in compliance with such section.'

SEC. 502. TECHNICAL CORRECTIONS.

Section 462(b) of the Homeland Security Act of 2002 (6 U.S.C. 279(b)), as amended by section 501, is further amended--

(1) in paragraph (3), by striking `paragraph (1)(G)' and inserting `paragraph (1)'; and

(2) by adding at the end the following:

`(5) RULE OF CONSTRUCTION- Nothing in paragraph (2)(B) may be construed to require that a bond be posted for unaccompanied alien children who are released to a qualified sponsor.'.

SEC. 503. EFFECTIVE DATE.

The amendments made by this title shall take effect as if included in the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.).

TITLE VI--AUTHORIZATION OF APPROPRIATIONS

SEC. 601. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL- There are authorized to be appropriated to the Department, the Department of Justice, and the Department of Health and Human Services, such sums as may be necessary to carry out--

(1) the provisions of section 462 of the Homeland Security Act of 2002 (6 U.S.C. 279); and

(2) the provisions of this Act.

(b) AVAILABILITY OF FUNDS- Amounts appropriated pursuant to subsection (a) shall remain available until expended.

TITLE IX--STUDY OF WARTIME TREATMENT OF CERTAIN PEOPLE

SEC. 901. SHORT TITLE.

This title may be cited as the `Wartime Treatment Study Act'.

SEC. 902. FINDINGS.

Congress makes the following findings:

(1) During World War II, the United States Government deemed as 'enemy aliens' more than 600,000 Italian-born and 300,000 German-born United States resident aliens and their families and required them to carry Certificates of Identification and limited their travel and personal property rights. At that time, these groups were the 2 largest foreign-born groups in the United States.

(2) During World War II, the United States Government arrested, interned, or otherwise detained thousands of European Americans, some remaining in custody for years after cessation of World War II hostilities, and repatriated, exchanged, or deported European Americans, including American-born children, to European Axis nations, many to be exchanged for Americans held in those nations.

(3) Pursuant to a policy coordinated by the United States with Latin American nations, many European Latin Americans, including German and Austrian Jews, were arrested, brought to the United States, and interned. Many were later expatriated, repatriated, or deported to European Axis nations during World War II, many to be exchanged for Americans and Latin Americans held in those nations.

(4) Millions of European Americans served in the armed forces and thousands sacrificed their lives in defense of the United States.

(5) The wartime policies of the United States Government were devastating to the Italian American and German American communities, individuals, and their families. The detrimental effects are still being experienced.

(6) Prior to and during World War II, the United States restricted the entry of Jewish refugees who were fleeing persecution or genocide and sought safety in the United States. During the 1930s and 1940s, the quota system, immigration regulations, visa requirements, and the time required to process visa applications affected the number of Jewish refugees, particularly those from Germany and Austria, who could gain admittance to the United States.

(7) The United States Government should conduct an independent review to fully assess and acknowledge these actions. Congress has previously reviewed the United States Government's wartime treatment of Japanese Americans through the Commission on Wartime Relocation and Internment of Civilians. An independent review of the treatment of German Americans and Italian Americans and of Jewish refugees fleeing persecution and genocide has not yet been undertaken.

(8) Time is of the essence for the establishment of commissions, because

of the increasing danger of destruction and loss of relevant documents, the advanced age of potential witnesses and, most importantly, the advanced age of those affected by the United States Government's policies. Many who suffered have already passed away and will never know of this effort.

SEC. 903. DEFINITIONS.

In this title:

(1) DURING WORLD WAR II- The term `during World War II' refers to the period between September 1, 1939, through December 31, 1948.

(2) EUROPEAN AMERICANS-

(A) IN GENERAL- The term `European Americans' refers to United States citizens and resident aliens of European ancestry, including Italian Americans, German Americans, Hungarian Americans, Romanian Americans, and Bulgarian Americans.

(B) ITALIAN AMERICANS- The term `Italian Americans' refers to United States citizens and resident aliens of Italian ancestry.

(C) GERMAN AMERICANS- The term `German Americans' refers to United States citizens and resident aliens of German ancestry.

(3) EUROPEAN LATIN AMERICANS- The term `European Latin Americans' refers to persons of European ancestry, including Italian or German ancestry, residing in a Latin American nation during World War II.

(4) LATIN AMERICAN NATION- The term `Latin American nation' refers to any nation in Central America, South America, or the Carribean.

Subtitle A--Commission on Wartime Treatment of European Americans

SEC. 911. ESTABLISHMENT OF COMMISSION ON WARTIME TREATMENT OF EUROPEAN AMERICANS.

(a) IN GENERAL- There is established the Commission on Wartime Treatment of European Americans (referred to in this subtitle as the `European American Commission').

(b) MEMBERSHIP- The European American Commission shall be composed of 7 members, who shall be appointed not later than 90 days after the date of

enactment of this Act as follows:

(1) Three members shall be appointed by the President.

(2) Two members shall be appointed by the Speaker of the House of Representatives, in consultation with the minority leader.

(3) Two members shall be appointed by the majority leader of the Senate, in consultation with the minority leader.

(c) TERMS- The term of office for members shall be for the life of the European American Commission. A vacancy in the European American Commission shall not affect its powers, and shall be filled in the same manner in which the original appointment was made.

(d) REPRESENTATION- The European American Commission shall include 2 members representing the interests of Italian Americans and 2 members representing the interests of German Americans.

(e) MEETINGS- The President shall call the first meeting of the European American Commission not later than 120 days after the date of enactment of this Act.

(f) QUORUM- Four members of the European American Commission shall constitute a quorum, but a lesser number may hold hearings.

(g) CHAIRMAN- The European American Commission shall elect a Chairman and Vice Chairman from among its members. The term of office of each shall be for the life of the European American Commission.

(h) COMPENSATION-

(1) IN GENERAL- Members of the European American Commission shall serve without pay.

(2) REIMBURSEMENT OF EXPENSES- All members of the European American Commission shall be reimbursed for reasonable travel and subsistence, and other reasonable and necessary expenses incurred by them in the performance of their duties.

SEC.