



IN THE CONGRESS OF THE UNITED STATES

OCTOBER 21st, 2020

Mr. ROMERIO (for himself) introduced the following bill;

To task the United States Border Patrol with aiding immigrants travelling to the United States through the desert, and other rough terrain.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled;

Sec. 1. SHORT TITLE.

This act may be cited as the “Desert Safety Act”.

Sec. 2. FINDINGS.

Congress finds that—

- (1) Since 1994, estimates vary from 7,216 (Border Patrol) to 10,000 (Border Angels) having died attempting to cross the United States-Mexico Border.
- (2) These deaths are caused by the desire to use the desert to enter the United States unnoticed, and almost all of them go unnoticed and unrecognized.
- (3) It is the duty of the United States and Mexico to provide humanitarian relief to those attempting to cross the border, so that they may survive.
- (4) This can only be achieved by a comprehensive collaboration with Mexico to ensure that we protect those attempting to cross the Border.

Sec. 3. DEFINITIONS.

In this act—

- (1) The term “desert” refers to a barren area of landscape with low precipitation, and in general, provide hostile conditions for living things. For the purposes of this act, the term “desert” will only refer to any desert on or contingent to the United States-Mexico Border.
- (2) The term “migrants” refers to any person or persons that cross a desert, as defined by Subsection 1, in order to, or with the intent to, cross the United States border.
- (3) The term “Mexican Government” refers to the proper authorities in Mexico required to exercise any given section.
- (4) The term

Sec. 4. AMENDING THE BORDER PATROL.

In general— The United States will be tasked with conducting humanitarian efforts in the desert to ensure the safety of migrants attempting to cross the United States-Mexico Border by traversing the desert.

- (1) 6 U.S. Code § 211(e)(3) is amended by;
 - (a) Inserting another subparagraph after Section 211(e)(3)(b), and;
 - (b) Lettering all following subparagraphs accordingly.
- (2) 6 U.S. Code § 211(e)(3)(c) will read;
 - (a) “Conduct humanitarian efforts, in coordination with the Mexican Government, in the desert by providing food, water, temporary shelter, clothing, or any other necessary measures to ensure that migrants crossing the desert are provided with the resources necessary to survive.”
- (3) The provisions in this Section will not be used to deter any law enforcement directives of the Border Patrol, unless said directives actively threaten the lives of migrants, as described by this act.
- (4) The provisions in this Section will only be enforced if the Mexican Government and appropriate Mexican authorities agree to collaborate with the United States to conduct

humanitarian efforts in the desert. All provisions in Section 5 are designed to determine the cost of the initiative, and are also to be used by the Mexican Government to properly fund the initiative. Mexican Governmental consent is described in Section 6, and all provisions in Sections 4 and 5 will apply as such.

(5) Funding—

- (a) The Secretary of the Treasury shall, for the Fiscal Month of January 2021, provide the necessary funding to the Border Patrol to achieve the activities described by Subsections (1) and (2).
- (b) The Commissioner of Customs and Border Protection shall submit a report to the Secretary of Defense, who shall, upon having read and approved of it, provide the report to the Secretary of the Treasury.
- (c) The aforementioned report shall detail the estimated costs for undertaking the directives described in Subsections (1) and (2).

Sec. 5. HUMANITARIAN EFFORTS.

In general— The United States border patrol, in conducting the activities described in Section 4, will do the following. The provisions in this Section are to be used by the Commissioner of Customs and Border Protection to better understand the cost of the directives in Section.

- (1) Border Patrol shall ensure that migrants in the desert can be found by working with the Mexican Government by—
 - (a) Monitoring the area with patrols to ensure that any migrants passing through can be found.
 - (b) Requesting resources and units from the Mexican Government to collaborate on such directives.
 - (c) Conducting investigations into missing persons in Mexico and conducting searches in the desert.
- (2) Border Patrol, upon finding migrants in the desert, will ensure their safety, in collaboration with the Mexican Government, by—
 - (a) Providing migrants with food, water, medicine, clothing, and shelter, as well as providing protective material.

- (3) Once migrants enter the United States illegally, Customs and Border Protection will continue its law enforcement directives.

Sec. 6. COLLABORATION WITH MEXICO.

In general— Upon the passing of this Act, the Secretary of State shall attempt to negotiate with Mexico to use this legislation to create a comprehensive partnership devoted to conducting humanitarian efforts in the desert.

- (1) Upon both Governments having reached an agreement, it will be submitted to Congress for approval.
- (2) The deal should, in general, contain the following;
 - (a) Provisions detailing how both Nations will work together to achieve the directives listed in Section 5. These provisions should apply to the Border Patrol as described in Section 4.
- (3) Upon the passing of the partnership by Congress, the United States Border Patrol, under their authority described in Section 4, and their directives, as described in Section 5, will begin working with Mexican Authorities to conduct humanitarian efforts in the desert.

Sec. 7. ENACTMENT.

- (1) The provisions described in Section 4 will be enacted on January 1st, 2021.
- (2) The provisions described in Section 6 will be commenced immediately.