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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To require the Secretary of Homeland Security to establish a system for detainees to submit complaints with respect to medical neglect, and for other purposes

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IN THE HOUSE OF REPRESENTATIVES

Ms. KAMLAGER-DOVE introduced the following bill; which was referred to the Committee on _____

A BILL

To require the Secretary of Homeland Security to establish a system for detainees to submit complaints with respect to medical neglect, and for other purposes

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Stop ICE's Medical Neglect Act of 2026''.

SEC. 2. COMPLAINT SUBMISSION PLATFORM.

(a) IN GENERAL.—The Secretary of Homeland Security shall establish a publicly accessible, online platform

that any individual detained by U.S. Immigration and Customs Enforcement or U.S. Customs and Border Protection may use to submit a complaint alleging medical neglect at the covered facility in which such individual is being held.

(b) COMPLAINT.—

(1) FILING.—Individuals who may file a complaint described under subsection (a) include—

(A) an individual detained by U.S. Immigration and Customs Enforcement or U.S. Customs and Border Protection who is being held in a covered facility;

(B) legal counsel filing on behalf of an individual described under subparagraph (A); or

(C) a family member filing on behalf of an individual described under such subparagraph.

(2) REQUIRED INFORMATION.—A complaint described under subsection (a) shall include the following information:

(A) The name of the individual detained by U.S. Immigration and Customs Enforcement or U.S. Customs and Border Protection who is being held in a covered facility.

(B) The alien registration number of such individual.

(C) The name of the covered facility in which such individual is being held.

(D) A description of the medical neglect such individual experienced at such cover facility.

(3) CONFIDENTIALITY.—Any complaint submitted by an individual described under paragraph (1)—

(A) shall be confidential; and

(B) may not be shared without the consent of the individual who is the subject of such complaint.

(c) REVIEW.—

(1) REVIEW BY MEDICAL EXPERT.—Any complaint submitted to the online platform established under this section shall be reviewed by a contracted medical expert to determine if the medical neglect alleged in the complaint occurred.

(2) REFERRAL.—

(A) DETERMINATION.—If a contracted medical expert determines medical neglect occurred after conducting a review pursuant to paragraph (1), the Secretary of Homeland Security shall ensure the individual who experi-

enced such neglect in a covered facility receives necessary medical treatment.

(B) APPEAL.—If a contracted medical expert determines no medical neglect occurred after conducting a review pursuant to paragraph (1), an individual described under subsection (b)(1) may appeal such determination for further review to the Office for Civil Rights and Civil Liberties of the Department of Homeland Security.

(3) UPDATES.—The Secretary of Homeland Security shall provide updates on the status of any complaint submitted under this section on the platform established under this section.

(d) RETALIATION.—Any individual being held in a covered facility may not be subject to retaliation or adverse treatment for submitting a complaint pursuant to this section, communicating with legal counsel, or corresponding with Congressional offices with respect to—

(1) the conditions of their detention in such covered facility; or

(2) access to appropriate and timely medical care in such covered facility.

(e) INTERPRETATION SERVICES.—The Secretary of Homeland Security shall ensure language translation serv-

ices are made available to any individual being held in a covered facility.

(f) DEFINITIONS.—In this section:

(1) COVERED FACILITY.—The term ''covered facility'' means a facility where noncitizens are being held by the Secretary of Homeland Security pursuant to the immigration laws (as such term in defined under section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))), including—

(A) any facility that provides detention services under a competitive bid contract awarded by the Secretary of Homeland Security;

(B) any facility operated by or for the Department of Homeland Security used to hold or otherwise house noncitizens; and

(C) any additional space that may be utilized for the purposes of temporarily detaining a noncitizen for a period longer than 4 hours.

(2) CONTRACTED MEDICAL EXPERT.—The term ''contracted medical expert'' means an academic, licensed, and board-certified medical clinician, academic, doctor, provider, physician assistant, nurse practitioner, or mental health professional that—

(A) maintains an active medical license in at least one State;

(B) is board certified in family medicine, internal medicine, emergency medicine, obstetrics, gynecology, or behavioral medicine;

(C) is in compliance with any other applicable State and Federal requirements or certifications;

(D) has certifications or special training related to providing medical care in a detention facility or setting;

(E) has at least 5 to 10 years of experience providing medical care in a detention facility or setting;

(F) has experience objectively critiquing the treatment provided by other medical practitioners in a detention facility or setting;

(G) has experience formulating recommendations or other steps to address issues, violations or concerns identified as part of a complaint submitted to the platform established under this section; and

(H) has the ability to travel to any covered facility to perform onsite medical care or ad-

minister aid through video telehealth conference call.

(3) MEDICAL NEGLECT.—The term ''medical neglect'' means the failure to provide timely access to—

(A) medically necessary care or follow-up;

(B) continuity of treatment and medication;

(C) specialty referrals when clinically indicated;

(D) medication management; or

(E) processes that identify deficiencies in patient care for any illness, medical or mental health condition, or physical injury.