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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To address the enforcement of the immigration laws with respect to
unaccompanied minors.

IN THE HOUSE OF REPRESENTATIVES

Ms. DEXTER introduced the following bill; which was referred to the
Committee on _____

A BILL

To address the enforcement of the immigration laws with
respect to unaccompanied minors.

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 “Dignity and Due Proc-
5 ess for Children Act of 2026”.

1 **SEC. 2. ENFORCEMENT OF IMMIGRATION LAWS WITH RE-**
2 **SPECT TO UNACCOMPANIED ALIEN CHIL-**
3 **DREN.**

4 (a) IN GENERAL.—Section 287 of the Immigration
5 and Nationality Act (8 U.S.C. 1357) is amended by add-
6 ing at the end the following:

7 “(i) An alien under 18 years of age, encountered by
8 an immigration officer encountered in the United States
9 beyond a border or port of entry without a parent or legal
10 guardian at the time of such encounter, may not be ar-
11 rested or detained pending a decision on whether such
12 alien is to be removed from the United States unless a
13 warrant is issued for such arrest by an immigration
14 judge.”.

15 (b) PROHIBITION ON MILITARY TRANSPORT.—

16 (1) PROHIBITION.—Except as provided in para-
17 graph (2)—

18 (A) no member of the Armed Forces, or
19 contractor of the Department of Defense, may
20 be deployed or otherwise used to transport an
21 unaccompanied alien child for the purpose of
22 enforcing the immigration laws, including any
23 deportation, expulsion, or removal; and

24 (B) no vessel, aircraft, or vehicle owned or
25 operated by the Department of Defense may be
26 used for such transport.

1 (2) EXCEPTION.—Paragraph (1) shall not
2 apply with respect to the use or deployment of a
3 member of the Armed Forces, or the use of a vessel,
4 aircraft, or vehicle specified in such paragraph, in a
5 location in the United States under a presidential
6 declaration under the Robert T. Stafford Disaster
7 Relief and Emergency Assistance Act (42 U.S.C.
8 5121 et seq.) in response to a natural disaster or
9 other weather-related event.

10 (c) REPRESENTATION REQUIREMENT.—The Attor-
11 ney General, the Secretary of Homeland Security, the Sec-
12 retary of Health and Human Services, or the head of any
13 other agency, as applicable, shall not require or in any
14 way induce or coerce an unaccompanied alien child to sign
15 any legal document impacting their custody, placement,
16 or immigration status to waive their right to a hearing
17 or the opportunity to file applications for immigration re-
18 lief, accept removal or voluntary return, accept criminal
19 liability, or concede to removability without a meaningful
20 opportunity to consult confidentially with a lawyer. If the
21 child does not have a lawyer, the government shall imme-
22 diately provide the child a referral to and ensure the child
23 is provided an opportunity to consult confidentially with
24 a legal services provider at the earliest point practicable
25 and not more than 5 business days after the date on which

1 the agency presents the unaccompanied alien child with
2 the legal document.

3 (d) RULE OF CONSTRUCTION.—Nothing in this Act
4 may be construed to supersede the Trafficking Victims
5 Protection Reauthorization Act (22 U.S.C. 7101 note).

6 (e) DEFINITIONS.—In this section:

7 (1) IMMIGRATION LAWS.—The term “immigra-
8 tion laws” shall have the definition given such term
9 in section 101 of the Immigration and Nationality
10 Act (8 U.S.C. 1101).

11 (2) UNACCOMPANIED ALIEN CHILD.—The term
12 “unaccompanied alien child” shall have the meaning
13 given such term in section 462(g) of the Homeland
14 Security Act of 2002 (6 U.S.C. 279(g)).