

(Washington D.C.) - Today Congressman Scott successfully demanded that America provide for the basic health care needs and safety of immigration detainees held by the U.S. Department on Homeland Security in a bill marked up today by the House Committee on the Judiciary. Touted by the Majority as a border protection and immigration reform bill, the bill contained numerous anti-immigration proposals that had little or nothing to do with border security. Rather, the bill served to pursue the Majority's anti-immigration agenda by adopting policies of jailing, deporting, and criminalizing immigrants in a so-called effort to protect Americans from the real threats of terrorism. The controversial bill provoked heated debate, mostly along party lines.

The only noncontentious aspect of the debate was the amendment proposed by Mr. Scott, offered in response to a shocking expose by National Public Radio (NPR). The NPR report, which aired on December 5, 2005, alleged that the Department of Homeland Security has been neglecting the basic health care needs of immigration detainees, which has resulted in at least one death. NPR also reported that the Department declined to comment on the allegations.

"There are currently over 200,000 immigration detainees in the custody of the Department of Homeland Security," said Rep. Scott. "Regardless of their status, they are morally entitled to basic health care needs and guaranteed safety."

The amendment offered by Mr. Scott, and unanimously accepted by the Committee, would require the Government Accountability Office – the independent, nonpartisan investigative arm of Congress -- to investigate and report on the issue of deaths in custody of immigration detainees held by the Department of Homeland Security.

"When allegations are made that we may be intentionally indifferent to health concerns of detainees, the official response from our government cannot be 'no comment.'" remarked Rep. Scott. "We need to find the facts and deny the allegations or fix the problem."

Rep. Scott also offered an amendment to strike all mandatory minimum sentences from the bill, which was defeated along party lines. The underlying bill passed, also along party lines.

A copy of Rep. Scott's full remarks are below. The NPR report can be found at <http://www.npr.org/templates/story/story.php?storyId=5022866>

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Mr. Chairman, my amendment would require GAO to investigate and report on the issue of deaths in custody of immigration detainees held by the Department of Homeland Security. On December 5, 2005, National Public Radio (NPR) aired a shocking expose entitled, The Death of Richard Rust, alleging that the Department has been neglecting the basic health care needs of immigration detainees. Unfortunately, the Department declined to respond to the allegations.

According to the report, Mr. Richard Rust, a 34-year-old immigration detainee from Jamaica, apparently died in the Oakdale, Louisiana detention facility after suffering a heart attack, because no one from the medical staff came to his aid for 20 minutes after he had suffered the attack, despite Department protocol that staff respond to emergencies within 4 minutes. The NPR report also stated that it took 40 minutes for the ambulance to arrive. The report suggests that other detainee deaths may also have been caused by failure to provide detainees with proper medical care.

Mr. Chairman, there are currently over 200,000 immigration detainees in the custody of the Department of Homeland Security. Regardless of their status, they are morally entitled to basic health care needs and guaranteed safety. For this reason, my amendment would require GAO to investigate and report on the issue of deaths in custody of immigration detainees held by the Department of Homeland Security, including:

1. whether any crimes were committed by the department or its staff;
2. whether any deaths were caused by negligence or deliberate indifference of the department or its staff;
3. whether department protocol was followed;
4. whether current department protocol is sufficient to protect the health and safety of detainees; and
5. whether reports of deaths were made under the Deaths in Custody Act.

This investigation into health care for detained aliens is timely and desperately needed. Congress is currently considering legislation to significantly expand the numbers of and classes of aliens subject to mandatory detention in the Department's custody. Before such expansion, we must be certain that the Department is capable of ensuring the safety of detainees and of protecting detainees in its charge against death from inadequate health care.

Mr. Chairman, we are supposed to be providing internationally respected moral leadership, but we are already having trouble with that task because of the scandal at Abu Ghraib prison and whatever our position is on torture this week. So when allegations are made that we may be intentionally indifferent to health concerns of detainees, the official response from our government cannot be "no comment." We need to find the facts and deny the allegations or fix the problem.

For these reasons, I urge my colleagues to support the amendment.

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