

115TH CONGRESS
2D SESSION

H. R. 7030

To protect the information obtained by the Secretary of Health and Human Services for the placement of unaccompanied alien children from being used for any purpose other than providing safe and secure placements, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 2, 2018

Ms. WASSERMAN SCHULTZ (for herself, Mr. NADLER, Ms. LOFGREN, Mr. COHEN, Mr. GUTIÉRREZ, Ms. JAYAPAL, Mrs. DEMINGS, Mr. BLUMENAUER, Mr. CÁRDENAS, Ms. CLARKE of New York, Mr. CURBELO of Florida, Ms. DELAURO, Mr. HASTINGS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MCGOVERN, Ms. NORTON, Mr. PERLMUTTER, Ms. ROS-LEHTINEN, Ms. ROYBAL-ALLARD, Mr. SCOTT of Virginia, Ms. SHEA-PORTER, Ms. TITUS, Mr. VARGAS, Mr. VELA, Ms. VELÁZQUEZ, Ms. WILSON of Florida, and Mr. YARMUTH) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To protect the information obtained by the Secretary of Health and Human Services for the placement of unaccompanied alien children from being used for any purpose other than providing safe and secure placements, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Prevent Cruel Han-
3 dling of Information Leading to Deportation Harm Act
4 of 2018” or the “Prevent CHILD Harm Act of 2018”.

5 **SEC. 2. USE OF SPONSORSHIP INFORMATION.**

6 (a) IN GENERAL.—Section 235(c)(3) of the William
7 Wilberforce Trafficking Victims Protection Reauthoriza-
8 tion Act of 2008 (8 U.S.C. 1232(c)(3)) is amended—

9 (1) in subparagraph (A), by inserting after
10 “mental well-being.” the following: “In making such
11 a determination, the Secretary may not consider the
12 immigration status of the proposed custodian.”; and

13 (2) by adding at the end the following:

14 “(D) PROHIBITING USE OF CERTAIN IN-
15 FORMATION.—The Secretary of Homeland Se-
16 curity may not use information provided by an
17 unaccompanied alien child or information ini-
18 tially obtained by the Secretary of Health and
19 Human Services to make a suitability deter-
20 mination under subparagraph (A), a home
21 study determination under subparagraph (B),
22 or a secure facility determination under para-
23 graph (2)(A) for the purpose of apprehending,
24 detaining, or removing from the United
25 States—

26 “(i) the unaccompanied alien child;

1 “(ii) the proposed custodian or cur-
2 rent custodian;

3 “(iii) a resident of the home in which
4 the proposed custodian or current custo-
5 dian resides;

6 “(iv) the proposed sponsor or current
7 sponsor; or

8 “(v) a resident of the home in which
9 the proposed sponsor or current sponsor
10 resides.”.

11 (b) RULES OF CONSTRUCTION.—

12 (1) FLORES SETTLEMENT AGREEMENT.—The
13 amendments made by this Act may not be construed
14 to supersede the terms of the stipulated settlement
15 agreement filed on January 17, 1997, in the United
16 States District Court for the Central District of
17 California in Flores v. Reno, CV 85–4544–RJK,
18 (commonly known as the “Flores settlement agree-
19 ment”).

20 (2) CHILD WELFARE.—The amendments made
21 by this Act may not be construed to prevent the Sec-
22 retary of Homeland Security from using information
23 obtained by the Secretary of Health and Human
24 Services to investigate or report to the appropriate

- 1 law enforcement agency or child welfare agency in-
- 2 stances of trafficking, abuse, or neglect.

