

113TH CONGRESS
2D SESSION

S. 2767

To prohibit the fraudulent transfer of custody of unaccompanied alien children.

IN THE SENATE OF THE UNITED STATES

JULY 31, 2014

Mr. KIRK introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To prohibit the fraudulent transfer of custody of unaccompanied alien children.

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 “Combating Fraudulent
5 Child Transfers Act”.

1 **SEC. 2. FRAUD IN CONNECTION WITH THE TRANSFER OF**
2 **CUSTODY OF UNACCOMPANIED ALIEN CHIL-**
3 **DREN.**

4 (a) IN GENERAL.—Chapter 47 of title 18, United
5 States Code, is amended by adding at the end the fol-
6 lowing:

7 **“§ 1041. Fraud in connection with the transfer of cus-**
8 **tody of unaccompanied alien children**

9 “(a) IN GENERAL.—It shall be unlawful for a person
10 to obtain custody of an unaccompanied alien child (as de-
11 fined in section 462(g) of the Homeland Security Act of
12 2002 (8 U.S.C. 279(g)) if the person, in connection with
13 obtaining such custody—

14 “(1)(A) makes any materially false, fictitious,
15 or fraudulent statement or representation; or

16 “(B) makes or uses any false writing or docu-
17 ment knowing the same to contain any materially
18 false, fictitious, or fraudulent statement or entry;
19 and

20 “(2) intends to subject the child to an offense
21 under chapter 77 of this title (relating to peonage,
22 slavery, and trafficking in persons).

23 “(b) PENALTY.—Any person who violates, or at-
24 tempts or conspires to violate, this section shall be fined
25 under this title and imprisoned for not more than 15
26 years.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 for chapter 47 of title 18, United States Code, is amended
3 by inserting after the item relating to section 1040 the
4 following:

“1041. Fraud in connection with the transfer of custody of unaccompanied alien
children.”.

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