

115TH CONGRESS
2D SESSION

H. R. 7047

To provide for enhanced protections for vulnerable unaccompanied alien children, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 5, 2018

Ms. ROYBAL-ALLARD (for herself and Mr. GUTIÉRREZ) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, Appropriations, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for enhanced protections for vulnerable unaccompanied alien children, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Child Trafficking Vic-
5 tims Protection and Welfare Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) APPREHENDED PARENT OR LEGAL GUARD-
2 IAN.—The term “apprehended parent or legal
3 guardian” means an individual who is—

4 (A) the parent or legal guardian of a child;
5 and

6 (B) apprehended by the Secretary or the
7 personnel of a cooperating entity.

8 (2) BORDER.—The term “border” means an
9 international border of the United States.

10 (3) CHILD.—The term “child” means an indi-
11 vidual who—

12 (A) has not reached the age of 18 years;
13 and

14 (B) has no permanent immigration status
15 in the United States.

16 (4) CHILD WELFARE PROFESSIONAL.—Except
17 for purposes of section 3(a), the term “child welfare
18 professional” means an individual who—

19 (A) is licensed in social work by the State
20 welfare agency, and, if applicable, county wel-
21 fare agency, of the State and county in which
22 is located the port of entry or U.S. Customs
23 and Border Patrol station at which such indi-
24 vidual is available pursuant to section 3;

1 (B) has direct experience working with
2 children; and

3 (C) is proficient in 1 or more of the most
4 common languages spoken by children apprehended at the border concerned.

6 (5) COOPERATING ENTITY.—The term “cooperating entity” means a State or local entity acting pursuant to an agreement with the Secretary.

9 (6) DEPARTMENT.—The term “Department”
10 means the Department of Homeland Security.

11 (7) EXPERT IN CHILD DEVELOPMENT.—The
12 term “expert in child development” means an individual who has significant education and expertise
13 on infant, child, and adolescent development, and on
14 the effects of trauma on children.

16 (8) EXPERT IN CHILD WELFARE.—The term
17 “expert in child welfare” means an individual who
18 has—

19 (A) knowledge of Federal and State child
20 welfare laws and standards; and

21 (B) not less than fifteen years of experience in the field of child and adolescent development or child welfare.

24 (9) EXPERT IN PEDIATRIC MEDICINE.—The
25 term “expert in pediatric medicine” means—

1 (A) an individual qualified to practice pedi-
 2 atric medicine in one or more States; or

3 (B) an individual with an advanced degree
 4 in pediatric medicine on the faculty of an insti-
 5 tution of higher education in the United States.

6 (10) MIGRATION DETERRENCE PROGRAM.—The
 7 term “migration deterrence program” means an ac-
 8 tion relating to the repatriation or referral for pros-
 9 ecution of 1 or more individuals apprehended by the
 10 Secretary or a cooperating entity for a suspected or
 11 confirmed violation of the Immigration and Nation-
 12 ality Act (8 U.S.C. 1101 et seq.).

13 (11) SECRETARY.—The term “Secretary”
 14 means the Secretary of Homeland Security.

15 (12) UNACCOMPANIED ALIEN CHILD.—The
 16 term “unaccompanied alien child” has the meaning
 17 given the term in section 462(g) of the Homeland
 18 Security Act of 2002 (6 U.S.C. 279(g)).

19 **SEC. 3. CHILD WELFARE AT THE BORDER.**

20 (a) GUIDELINES.—The Secretary, in consultation
 21 with the Secretary of Health and Human Services, experts
 22 in child development, experts in child welfare, experts in
 23 pediatric medicine, and the American Bar Association
 24 Center on Children and the Law, shall develop guidelines
 25 for the treatment of children in the custody of U.S. Cus-

1 toms and Border Protection (CBP) by all personnel who
2 come into contact with such children in the relevant legal
3 authorities, policies, practices, and procedures pertaining
4 to this vulnerable population.

5 (b) MANDATORY TRAINING.—The Secretary, in con-
6 sultation with the Secretary of Health and Human Serv-
7 ices, shall—

8 (1) require all U.S. Customs and Border Pro-
9 tection personnel, and cooperating entity personnel,
10 who have contact with a child at a port of entry or
11 Border Patrol station to undergo appropriate train-
12 ing, which shall include live training, on the applica-
13 ble legal authorities, policies, practices and proce-
14 dures relating to children; and

15 (2) require U.S. Customs and Border personnel
16 to undertake periodic and continuing training on
17 best practices and changes in relevant legal authori-
18 ties, policies, and procedures applicable in connection
19 with subsection (a) and paragraph (1).

20 (c) QUALIFIED RESOURCES.—

21 (1) IN GENERAL.—The Secretary shall provide
22 resources and staff who are adequately trained and
23 qualified to address the needs of children, including
24 child welfare professionals, at each port of entry and

1 Border Patrol station, in accordance with subsection
2 (d).

3 (2) SUFFICIENT STAFFING.—The Secretary
4 shall ensure that sufficient qualified child welfare
5 professionals are available at each port of entry and
6 Border Patrol station to accomplish the duties de-
7 scribed in this section without prolonging the time
8 children and apprehended parents and legal guard-
9 ians remain in the custody of U.S. Customs and
10 Border Protection.

11 (3) CHILD WELFARE PROFESSIONALS.—The
12 Secretary, in consultation with the Secretary of
13 Health and Human Services, shall hire, or seek to
14 enter into contracts with, independent child welfare
15 professionals in order to do the following:

16 (A) To provide child welfare expertise on-
17 site on a full-time basis at any port of entry or
18 Border Patrol station that has had not fewer
19 than 25 children in custody—

20 (i) on any day during the preceding
21 fiscal year; or

22 (ii) during the current fiscal year,
23 based on a review of monthly statistical re-
24 ports during the current fiscal year.

1 (B) To provide child welfare expertise by
2 telephone on an on-call basis to U.S. Customs
3 and Border Protection staff in any port of
4 entry or Border Patrol station that is not de-
5 scribed in subparagraph (A).

6 (C) With respect to a port of entry or Bor-
7 der Patrol station that is described in subpara-
8 graph (A) but is without on-site expertise as re-
9 quired by such subparagraph during a period of
10 not more than 90 days in which the Secretary,
11 in consultation with the Secretary of Health
12 and Human Services, is in the process of hiring
13 or seeking to enter into a contract with an on-
14 site independent child welfare professional, to
15 provide child welfare expertise by telephone on
16 an on-call basis to U.S. Customs and Border
17 Protection staff.

18 (d) CHILD WELFARE PROFESSIONALS.—

19 (1) IN GENERAL.—The Secretary, in consulta-
20 tion with the Secretary of Health and Human Serv-
21 ices, shall ensure that 1 or more qualified child wel-
22 fare professionals with expertise in culturally com-
23 petent, trauma-centered, and developmentally appro-
24 priate interviewing skills is available at each port of
25 entry and Border Patrol station.

1 (2) INTERPRETER REQUIRED.—In a case in
2 which a child welfare professional at a port of entry
3 or Border Patrol station does not speak the lan-
4 guage of a child in custody at such port of entry or
5 station, the Secretary shall provide an interpreter.

6 (3) DUTIES.—Child welfare professionals de-
7 scribed in paragraph (1) shall—

8 (A) ensure that—

9 (i) any allegation of abuse or mis-
10 treatment of a child in the custody of U.S.
11 Customs and Border Protection is referred
12 to the appropriate Federal and State au-
13 thorities; and

14 (ii) the Commissioner of U.S. Cus-
15 toms and Border Protection and the Direc-
16 tor of the Office of Refugee Resettlement
17 comply with applicable child abuse report-
18 ing laws, including by—

19 (I) ensuring that children in such
20 custody have access to applicable com-
21 plaint mechanisms to report abuse or
22 misconduct;

23 (II) reporting any allegation of
24 abuse or mistreatment to—

1 (aa) the applicable Federal
2 and State authorities;

3 (bb) the Office of Inspector
4 General of the Department;

5 (cc) the Office for Civil
6 Rights and Civil Liberties of the
7 Department;

8 (dd) the Internal Affairs Of-
9 fice of U.S. Customs and Border
10 Protection; and

11 (ee) the Office of Refugee
12 Resettlement; and

13 (III) providing notice to federally
14 subcontracted legal service providers
15 in the applicable geographical area
16 with respect to any child in such cus-
17 tody who has made an allegation of
18 abuse or mistreatment; and

19 (IV) directing the legal service
20 providers described in subclause (III)
21 to relevant information relating to the
22 availability of immigration and admin-
23 istrative relief for individuals with
24 pending civil rights complaints;

1 (B) conduct screening of each child in such
2 custody in accordance with section 235(a)(4) of
3 the William Wilberforce Trafficking Victims
4 Protection Reauthorization Act of 2008 (8
5 U.S.C. 1232(a)(4));

6 (C) with respect to a child who may meet
7 the notification and transfer requirements
8 under subsections (a) and (b) of section 235 of
9 the William Wilberforce Trafficking Victims
10 Protection Reauthorization Act of 2008 (8
11 U.S.C. 1232), including a child for whom a de-
12 termination cannot be made, notify the Sec-
13 retary and the Director of the Office of Refugee
14 Resettlement of the presence of such child at
15 the port of entry or Border Patrol station;

16 (D) provide to the Director of U.S. Immi-
17 gration and Customs Enforcement a best inter-
18 est placement recommendation for each accom-
19 panied child and family that—

20 (i) considers—

21 (I) the best interests of the child;

22 and

23 (II) applicable law; and

24 (ii) favors a policy of release;

1 (E) interview any adult relative accom-
2 panying a child, including siblings, grand-
3 parents, aunts, uncles, and cousins;

4 (F) for each unaccompanied alien child in
5 such custody, provide to the Director of the Of-
6 fice of Refugee Resettlement—

7 (i) an initial family relationship and
8 trafficking assessment, which shall be con-
9 ducted in accordance with the timeframe
10 under subsections (a)(4) and (b)(3) of sec-
11 tion 235 of the William Wilberforce Traf-
12 ficking Victims Protection Reauthorization
13 Act of 2008 (8 U.S.C. 1232); and

14 (ii) recommendations for the initial
15 placement of the child;

16 (G) pursuant to procedures developed by
17 the Secretary, maintain the best interests of
18 children in any migration deterrence program
19 for family units carried out at a border, includ-
20 ing by—

21 (i) inquiring whether a child is trav-
22 eling with a parent, sibling, legal guardian,
23 or another family member, including a
24 grandparent, aunt, uncle, or cousin;

1 (ii) ascertaining whether the detention
2 or removal from the United States of an
3 apprehended parent or legal guardian of a
4 child presents a humanitarian concern or a
5 concern relating to the physical safety of
6 the apprehended parent or legal guardian;

7 (iii) in the case of a family separation,
8 ensuring that—

9 (I) each member of the family is
10 provided with a telephone number for
11 each other member of the family;

12 (II) the apprehended parent or
13 legal guardian is afforded the oppor-
14 tunity to speak with the child of the
15 apprehended parent or legal guardian
16 not fewer than 3 times weekly, includ-
17 ing not fewer than 1 video conference;

18 (III) for each child of the appre-
19 hended parent or legal guardian, the
20 apprehended parent or legal guard-
21 ian—

22 (aa) knows—

23 (AA) the location of the
24 child; and

1 (BB) the date and loca-
2 tion of each scheduled immi-
3 gration court proceeding of
4 the child; and

5 (bb) is provided with up-
6 dated information if the location
7 of the child or a scheduled immi-
8 gration court proceeding of the
9 child changes; and

10 (IV) the location and contact in-
11 formation for the apprehended parent
12 or legal guardian is maintained on
13 file;

14 (V) each child has the oppor-
15 tunity to say goodbye to the appre-
16 hended parent or legal guardian prior
17 to separation; and

18 (VI) with respect to the health of
19 the child, the apprehended parent or
20 legal guardian—

21 (aa) can communicate
22 known medical illness and med-
23 ical history to Department of
24 Homeland Security staff prior to
25 separation; and

1 (bb) is made aware of med-
2 ical treatment administered to
3 the child while in the care of the
4 Office of Refugee resettlement,
5 including the use of psychotropic
6 drugs; and

7 (iv) ensuring that, with respect to a
8 decision relating to the removal from the
9 United States or referral for prosecution of
10 an apprehended parent or legal guardian—

11 (I) consideration is given to—

12 (aa) the best interests of the
13 child of the apprehended parent
14 or legal guardian;

15 (bb) family unity, to the
16 maximum extent possible; and

17 (cc) any other public interest
18 factor, including a humanitarian
19 concern and a concern relating to
20 the physical safety of the appre-
21 hended parent or legal guardian;
22 and

23 (II) the apprehended parent or
24 legal guardian and the child have ac-
25 cess to legal counsel; and

1 (H) coordinate with the Consulate of Mex-
2 ico to ensure the safe repatriation of any child
3 who is a citizen of Mexico.

4 (4) PRESERVATION OF CONFIDENTIALITY.—
5 Each child welfare professional shall maintain the
6 privacy and confidentiality of all information gath-
7 ered in the course of providing care, custody, place-
8 ment, and follow-up services to a child pursuant to
9 this subsection, consistent with the best interest of
10 the child, by not disclosing such information to other
11 Federal agencies or nonparental third parties unless
12 such disclosure—

13 (A) is in the best interest of the child;

14 (B) is in writing;

15 (C) includes an explanation of the jus-
16 tification for the disclosure;

17 (D) is included in the file of the child; and

18 (E) is either—

19 (i) authorized by the child or an ap-
20 proved sponsor of the child, in accordance
21 with section 235 of the William Wilber-
22 force Trafficking Victims Protection Reau-
23 thorization Act of 2008 (8 U.S.C. 1232)
24 and the Health Insurance Portability and

1 Accountability Act (Public Law 104–191;
2 110 Stat. 1936); or

3 (ii) provided to a duly recognized law
4 enforcement entity to prevent imminent
5 and serious harm to another individual.

6 (e) PROHIBITION ON SEPARATION.—The Secretary
7 may not remove a child from a parent or legal guardian
8 solely for a purpose as follows:

9 (1) The purpose of furthering the policy objec-
10 tive of deterring individuals from migrating to the
11 United States.

12 (2) The purpose of furthering the policy objec-
13 tive of promoting compliance with the immigration
14 laws.

15 (f) FAMILY UNIT TRACKING NUMBER.—

16 (1) IN GENERAL.—The Secretary shall assign a
17 family unit tracking number to each member of an
18 apprehended family unit, including—

19 (A) an apprehended spouse;

20 (B) an apprehended parent or legal guard-
21 ian;

22 (C) a child of an apprehended parent or
23 legal guardian; and

24 (D) a sibling group.

1 (2) REQUIREMENTS.—The Secretary shall en-
2 sure that a family unit tracking number—

3 (A) is transferrable;

4 (B) may be shared easily among the data
5 systems of—

6 (i) U.S. Customs and Border Protec-
7 tion;

8 (ii) U.S. Immigration and Customs
9 Enforcement; and

10 (iii) the Office of Refugee Resettle-
11 ment; and

12 (C) is included on the paperwork of each
13 member of an apprehended family unit and is
14 not deleted or altered.

15 (g) MONITORING.—The Secretary shall—

16 (1) allow humanitarian organizations and State
17 and local child welfare agencies in the jurisdiction in
18 which an apprehended child is located to conduct at
19 least 1 unannounced, independent inspection each
20 month of any Department facility that houses 1 or
21 more children; and

22 (2) in consultation with 1 or more child welfare
23 professionals, develop procedures to provide non-
24 governmental organizations regular access to any fa-

1 cility in which 1 or more children is housed for the
2 purpose of human rights monitoring.

3 (h) REPORT.—

4 (1) IN GENERAL.—Not later than 18 months
5 after the date of enactment of this Act, and every
6 fiscal quarter thereafter, the Secretary shall submit
7 to the Committee on the Judiciary, the Committee
8 on Homeland Security and Governmental Affairs,
9 and the Committee on Health, Education, Labor,
10 and Pensions of the Senate and the Committee on
11 the Judiciary, the Committee on Oversight and Gov-
12 ernment Reform, and the Committee on Education
13 and the Workforce of the House of Representatives
14 a report that, for the preceding fiscal quarter—

15 (A) describes the procedures used by child
16 welfare professionals under this section to
17 screen unaccompanied alien children and chil-
18 dren accompanied by a parent or legal guard-
19 ian;

20 (B) assesses the effectiveness of such
21 screenings;

22 (C) includes data on all children screened
23 by child welfare professionals under this sec-
24 tion, including—

1 (i) the number and location of chil-
2 dren in the physical custody of the Depart-
3 ment;

4 (ii) the number of children transferred
5 to the custody of the Secretary of Health
6 and Human Services;

7 (iii) the number of children appre-
8 hended together with a parent or legal
9 guardian;

10 (iv) the number of children separated
11 from a parent or legal guardian by the De-
12 partment and the reason for such separa-
13 tion; and

14 (v) the number of children removed
15 from the United States and the countries
16 of nationality of such children; and

17 (D) includes documentation of—

18 (i) compliance with the guidelines de-
19 veloped pursuant to this section;

20 (ii) instances of noncompliance with
21 such guidelines; and

22 (iii) actions taken to correct non-
23 compliance with such guidelines.

1 (2) LIMITATION.—The data under paragraph
2 (1)(C) shall not include the personally identifiable
3 information of any child.

4 (i) IMMEDIATE NOTIFICATION.—To effectively and
5 efficiently coordinate the transfer and placement of a child
6 with the Director of the Office of Refugee Resettlement,
7 the Secretary shall notify the Director of the Office of Ref-
8 ugee Resettlement with respect to a child in the custody
9 of the Secretary as soon as practicable, but not later than
10 48 hours after the time at which the Secretary encounters
11 the child.

12 (j) STANDARDS OF CARE FOR SHORT-TERM CUS-
13 TODY OF CHILDREN.—

14 (1) IN GENERAL.—Not later than 180 days
15 after the date of enactment of this Act, the Sec-
16 retary, in consultation with the head of the Office
17 for Civil Rights and Civil Liberties of the Depart-
18 ment, shall promulgate regulations establishing basic
19 standards of care for the short-term custody of chil-
20 dren by U.S. Customs and Border Protection.

21 (2) REQUIREMENTS.—The regulations promul-
22 gated pursuant to paragraph (1) shall ensure that
23 all children in the custody of U.S. Customs and Bor-
24 der Protection, while in such custody—

1 (A) receive emergency medical care when
2 necessary;

3 (B) receive emergency medical and mental
4 health care in compliance with section 8(c) of
5 the Prison Rape Elimination Act of 2003 (42
6 U.S.C. 15607(c)), as necessary, including in
7 any case in which a child is at risk of harming
8 himself or herself or others;

9 (C) are provided—

10 (i) continual access to potable water;

11 (ii) a climate-appropriate environ-
12 ment;

13 (iii) climate-appropriate clothing and
14 shoes;

15 (iv) access to bathroom facilities and
16 hygiene items, including soap, feminine hy-
17 giene products, toothpaste, toothbrushes
18 and towels, and, in the case of any child in
19 such custody for more than 24 hours,
20 showers;

21 (v) a pillow, linens, and sufficient
22 blankets to rest at a comfortable tempera-
23 ture;

1 (vi) in the case of any child in such
2 custody for more than 12 hours, access to
3 a bed and adequate bedding; and

4 (vii) a location to sleep with lights
5 dimmed;

6 (D) both—

7 (i) are offered food at the time at
8 which the Commissioner of U.S. Customs
9 and Border Protection obtains custody of
10 the child; and

11 (ii) receive adequate nutrition, includ-
12 ing not fewer than 3 daily meals that in-
13 clude fruits or vegetables;

14 (E) have a safe and sanitary living envi-
15 ronment;

16 (F) in the case of any child in such cus-
17 tody for more than 24 hours, have access to
18 daily recreational programs and activities, in-
19 cluding access to recreational time outdoors;

20 (G) have regular access to legal services
21 and consular officials in person and tele-
22 phonically; and

23 (H) are permitted to make supervised
24 video conference calls, if available, and super-
25 vised phone calls to family members.

1 (k) ENSURING CHILDREN HAVE ACCESS TO LEGAL
2 RIGHTS.—

3 (1) IN GENERAL.—The Secretary shall ensure
4 that each child, on apprehension, is provided—

5 (A) an interview and screening with a child
6 welfare professional as described in subsection
7 (d); and

8 (B) a video orientation and oral and writ-
9 ten notice, in a language understood by the
10 child, of the rights of the child under the Immi-
11 gration and Nationality Act (8 U.S.C. 1101 et
12 seq.), including—

13 (i) the right to relief from removal;

14 (ii) the right to—

15 (I) confer with counsel under sec-
16 tion 292 of such Act (8 U.S.C. 1362);
17 and

18 (II) have access to family or
19 friends while in the temporary custody
20 of the Department; and

21 (iii) the applicable complaint mecha-
22 nism to report any abuse, mistreatment, or
23 misconduct.

24 (2) LANGUAGES.—The Secretary shall ensure
25 that, at each location at which 1 or more children

1 are held in custody, the video orientation described
2 in paragraph (1)(B) is available in English and the
3 5 most common native languages spoken by children
4 held in custody at that location during the preceding
5 fiscal year.

6 (3) ACCESS TO LEGAL COUNSEL.—The Sec-
7 retary shall ensure that each apprehended parent or
8 legal guardian and each child is provided access to
9 1 or more nongovernmental organizations that pro-
10 vide legal assistance.

11 (1) CHILD PROTECTION POLICIES.—With respect to
12 children, the Secretary shall adopt fundamental child pro-
13 tection policies and procedures—

14 (1) to make reliable age determinations, devel-
15 oped in consultation with experts in the physio-
16 logical, cognitive, and emotional development of chil-
17 dren and experts in pediatric medicine, which shall
18 exclude the use of fallible forensic testing of the
19 bones and teeth of children;

20 (2) to utilize all legal authorities to defer the
21 child's removal from the United States of a child
22 who faces a risk of life-threatening harm on return,
23 including harm due to the mental health or medical
24 condition of the child; and

1 (3) to ensure, in accordance with the Juvenile
2 Justice and Delinquency Prevention Act of 1974 (42
3 U.S.C. 5601 et seq.), that a child in custody of the
4 Secretary is separated physically, and by sight and
5 sound, from any—

6 (A) immigration detainee or inmate with
7 criminal convictions;

8 (B) pretrial inmate facing criminal pros-
9 ecution; and

10 (C) inmate exhibiting violent behavior.

11 (m) PRESERVATION OF RECORDS.—The Secretary
12 shall preserve all records associated with children in the
13 custody of U.S. Customs and Border Protection, including
14 records as follows:

15 (1) Records containing information on the iden-
16 tity of any child, and, if accompanied by any family
17 member, on the identity of such family member.

18 (2) Records associated with reported incidents
19 of abuse of children while in custody.

20 (n) TRANSFER OF FUNDS.—

21 (1) AUTHORIZATION.—The Secretary, in ac-
22 cordance with a written agreement between the Sec-
23 retary and the Secretary of Health and Human
24 Services, to the extent and in such amounts as are
25 provided in advance in appropriations Acts, shall

1 transfer from amounts appropriated for U.S. Cus-
2 toms and Border Protection to the Department of
3 Health and Human Services such amounts as may
4 be necessary to carry out the duties described in
5 subsections (c) and (d)(3).

6 (2) REPORT.—Not later than 15 days before
7 the date of any proposed transfer under paragraph
8 (1), the Secretary of Health and Human Services, in
9 consultation with the Secretary, shall submit to the
10 Committee on Appropriations of the Senate and the
11 Committee on Appropriations of the House of Rep-
12 resentatives a detailed expenditure plan that de-
13 scribes the actions proposed to be taken with the
14 amounts transferred under such paragraph.

15 **SEC. 4. SAVINGS PROVISIONS.**

16 (a) FEDERAL LAW.—Nothing in this Act may be con-
17 strued to supersede or modify—

18 (1) the William Wilberforce Trafficking Victims
19 Protection Act of 2008 (8 U.S.C. 1232 et seq.);

20 (2) the Stipulated Settlement Agreement filed
21 in the United States District Court for the Central
22 District of California on January 17, 1997 (CV 85–
23 4544–RJK) (commonly known as the “Flores Settle-
24 ment Agreement”);

1 (3) the Homeland Security Act of 2002 (6
2 U.S.C. 101 et seq.); or

3 (4) any applicable Federal child welfare law, in-
4 cluding the Adoption and Safe Families Act of 1997
5 (Public Law 105–89).

6 (b) STATE LAW.—Nothing in this Act may be con-
7 strued to supersede or modify any applicable State child
8 welfare laws.

○