

118TH CONGRESS
1ST SESSION

H. R. 4869

To amend the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to establish additional requirements related to ensuring safe placements for unaccompanied alien children.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2023

Mr. GROTHMAN (for himself and Mr. GOODEN of Texas) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 to establish additional requirements related to ensuring safe placements for 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 “Migrant Child Safety
5 Act”.

1 **SEC. 2. ENSURING THE SAFETY OF UNACCOMPANIED**
2 **ALIEN CHILDREN.**

3 (a) IN GENERAL.—Section 235(c)(3) of the William
4 Wilberforce Trafficking Victims Protection Reauthoriza-
5 tion Act of 2008 (8 U.S.C. 1232(c)(3)) is amended by in-
6 serting at the end the following:

7 “(D) INFORMATION ABOUT INDIVIDUALS
8 WITH WHOM CHILDREN ARE PLACED.—

9 “(i) INFORMATION TO BE COLLECTED
10 BY THE SECRETARY OF HEALTH AND
11 HUMAN SERVICES AND PROVIDED TO THE
12 SECRETARY OF HOMELAND SECURITY.—

13 Before placing the child with an individual,
14 the Secretary of Health and Human Serv-
15 ices shall provide to the Secretary of
16 Homeland Security, regarding the indi-
17 vidual with whom the child will be placed,
18 the following information:

19 “(I) The name of the individual.

20 “(II) The maiden name of the in-
21 dividual, if applicable.

22 “(III) The social security number
23 of the individual.

24 “(IV) The date of birth of the in-
25 dividual.

1 “(V) The birthplace of the indi-
2 vidual.

3 “(VI) The location of the individ-
4 ual’s residence where the child will be
5 placed, including proof of address.

6 “(VII) The results of background
7 checks of the individual and each ad-
8 ditional adult household member of
9 the residence where the child will be
10 placed.

11 “(VIII) The immigration status
12 of the individual, if known.

13 “(IX) Contact information for
14 the individual, including a phone num-
15 ber.

16 “(X) Whether the individual is a
17 relative or guardian of the child, and
18 if so—

19 “(aa) documents to prove
20 that the individual is a relative or
21 guardian of the child;

22 “(bb) the contact informa-
23 tion of any witness willing to tes-
24 tify that the individual is a rel-
25 ative or guardian of the child; or

1 “(cc) the results of a DNA
2 test administered by the Sec-
3 retary of Health and Human
4 Services proving that the indi-
5 vidual is a relative of the child.

6 “(ii) ACTIVITIES OF THE SECRETARY
7 OF HOMELAND SECURITY.—Not later than
8 30 days after receiving the information
9 listed in clause (i), the Secretary of Home-
10 land Security, upon determining that an
11 individual with whom a child is placed is
12 unlawfully present in the United States
13 and not in removal proceedings pursuant
14 to chapter 4 of title II of the Immigration
15 and Nationality Act (8 U.S.C. 1221 et
16 seq.), shall initiate such removal pro-
17 ceedings.

18 “(iii) NO WAIVER.—The Secretary of
19 Health and Human Services may not waive
20 the requirements under clause (i).

21 “(iv) REPORTS TO NCMEC.—The Sec-
22 retary of Health and Human Services shall
23 report as missing to the National Center
24 for Missing and Exploited Children the
25 name (and any other information in the

1 possession of the Secretary) of any unac-
2 companied alien child, with respect to
3 whom, not later than 120 days after plac-
4 ing the child with the sponsor—

5 “(I) the Secretary could not con-
6 tact the sponsor for the purpose of a
7 follow-up or well-being check; or

8 “(II) the sponsor did not contact
9 the Secretary for the purpose of a fol-
10 low-up or well-being check.

11 “(v) INFORMATION PROVIDED TO
12 STATE OR LOCAL HEALTH OR WELFARE
13 AGENCY.—Not later than 30 days after
14 placing a child in a residence, the Sec-
15 retary of Health and Human Services shall
16 provide to the appropriate State or local
17 health or welfare agency the information
18 provided to the Secretary of Homeland Se-
19 curity under clause (i) and any other infor-
20 mation in the possession of the Secretary
21 related to the child.

22 “(vi) PARENTAL CONTACT.—To the
23 extent practicable, the Secretary of Health
24 and Human Services shall attempt to con-
25 tact the parents of each unaccompanied

1 alien child, using any information in the
2 possession of the Secretary.”.

3 (b) EFFECTIVE DATE.—The amendments made by
4 this section shall apply to any unaccompanied alien child
5 (as such term is defined in section 462(g) of the Home-
6 land Security Act of 2002 (6 U.S.C. 279(g))) apprehended
7 on or after the date that is 30 days after the date of the
8 enactment of this Act.

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