

Log 360 r1

**AMENDMENT TO H.R. 2500**  
**OFFERED BY MR. CROW OF COLORADO**

At the appropriate place in title X, insert the following:

1 **SEC. 10\_\_\_ . LIMITATION ON USE OF FUNDS TO HOUSE**  
2 **CHILDREN SEPARATED FROM PARENTS.**

3 (a) IN GENERAL.—None of the amounts authorized  
4 to be appropriated by this Act or otherwise made available  
5 to the Department of Defense for fiscal year 2020 may  
6 be used to house a child separated from a parent.

7 (b) CHILD SEPARATED FROM A PARENT.—

8 (1) IN GENERAL.—For purposes of this section,  
9 a child shall not be considered to be separated from  
10 a parent if the separation is conducted by an agent  
11 or officer of Customs and Border Protection at or  
12 near a port of entry or within 100 miles of a border  
13 of the United States, and one of the following has  
14 occurred:

15 (A) A State court, authorized under State  
16 law, terminates the rights of the parent or legal  
17 guardian, determines that it is in the best inter-  
18 ests of the child to be removed from the parent  
19 or legal guardian, in accordance with the Adop-

1           tion and Safe Families Act of 1997 (Public  
2           Law 105–89), or makes any similar determina-  
3           tion that is legally authorized under State law.

4           (B) An official from the State or county  
5           child welfare agency with expertise in child  
6           trauma and development makes a best interests  
7           determination that it is in the best interests of  
8           the child to be removed from the parent or legal  
9           guardian because the child is in danger of  
10          abuse or neglect at the hands of the parent or  
11          legal guardian, or is a danger to herself or oth-  
12          ers.

13          (C) The separation is authorized based  
14          on—

15               (i) the finding of a chief patrol agent  
16               or the area port director in an official and  
17               undellegated capacity that—

18                       (I) the child is a victim of traf-  
19                       ficking or is at significant risk of be-  
20                       coming a victim of trafficking;

21                       (II) there is a strong likelihood  
22                       that the adult is not the parent or  
23                       legal guardian of the child; or

24                       (III) the child is in danger of  
25                       abuse or neglect at the hands of the

1 parent or legal guardian, or is a dan-  
2 ger to themselves or others; and

3 (ii) the review and reauthorization of  
4 the separation by an independent child  
5 welfare expert licensed by the State or  
6 county in which the child was separated by  
7 not later than 48 hours after the initial de-  
8 cision by the Chief Patrol Agent or the  
9 Area Port Director.

10 (2) EFFECT OF FAILURE TO REAUTHORIZE.—

11 In the case of a separation referred to in paragraph  
12 (1)(C)(ii), if the child welfare expert does not re-au-  
13 thorize such separation, the child shall be considered  
14 separated from a parent for purposes of this sub-  
15 section.

