

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 5460
OFFERED BY MR. BIGGS OF ARIZONA**

Page 8, after line 4, insert the following:

1 **SEC. 3. REPATRIATION OF UNACCOMPANIED ALIEN CHIL-**
2 **DREN.**

3 (a) IN GENERAL.—Section 235 of the William Wil-
4 berforce Trafficking Victims Protection Reauthorization
5 Act of 2008 (8 U.S.C. 1232) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (2)—

8 (i) by amending the heading to read
9 as follows: “RULES FOR UNACCOMPANIED
10 ALIEN CHILDREN.—”;

11 (ii) in subparagraph (A)—

12 (I) in the matter preceding clause
13 (i), by striking “who is a national or
14 habitual resident of a country that is
15 contiguous with the United States”;

16 (II) in clause (i), by inserting
17 “and” at the end;

18 (III) in clause (ii), by striking “;
19 and” and inserting a period; and

- 1 (IV) by striking clause (iii);
2 (iii) in subparagraph (B)—
3 (I) in the matter preceding clause
4 (i), by striking “(8 U.S.C. 1101 et
5 seq.) may—” and inserting “(8
6 U.S.C. 1101 et seq.)—”;
7 (II) in clause (i), by inserting be-
8 fore “permit such child to withdraw”
9 the following: “may”; and
10 (III) in clause (ii), by inserting
11 before “return such child” the fol-
12 lowing: “shall”; and
13 (iv) in subparagraph (C)—
14 (I) by amending the heading to
15 read as follows: “AGREEMENTS WITH
16 FOREIGN COUNTRIES.—”; and
17 (II) in the matter preceding
18 clause (i), by striking “The Secretary
19 of State shall negotiate agreements
20 between the United States and coun-
21 tries contiguous to the United States”
22 and inserting “The Secretary of State
23 may negotiate agreements between the
24 United States and any foreign country

1 that the Secretary determines appro-
2 priate”;

3 (B) by redesignating paragraphs (3)
4 through (5) as paragraphs (4) through (6), re-
5 spectively, and inserting after paragraph (2) the
6 following:

7 “(3) SPECIAL RULES FOR INTERVIEWING UNAC-
8 COMPANIED ALIEN CHILDREN.—An unaccompanied
9 alien child shall be interviewed by an immigration
10 officer with specialized training in interviewing child
11 trafficking victims.”; and

12 (C) in paragraph (6)(D) (as so redesign-
13 ated)—

14 (i) in the matter preceding clause (i),
15 by striking “, except for an unaccompanied
16 alien child from a contiguous country sub-
17 ject to exceptions under subsection (a)(2),”
18 and inserting “who does not meet the cri-
19 teria listed in paragraph (2)(A)”;

20 (ii) in clause (i), by inserting before
21 the semicolon at the end the following: “,
22 which shall include a hearing before an im-
23 migration judge not later than 14 days
24 after being screened under paragraph (4)”;

25 (2) in subsection (b)—

1 (A) in paragraph (2)—

2 (i) in subparagraph (A), by inserting
3 before the semicolon the following: “be-
4 lieved not to meet the criteria listed in sub-
5 section (a)(2)(A)”;

6 (ii) in subparagraph (B), by inserting
7 before the period the following: “and does
8 not meet the criteria listed in subsection
9 (a)(2)(A)”;

10 (B) in paragraph (3), by striking “an un-
11 accompanied alien child in custody shall” and
12 all that follows, and inserting the following: “an
13 unaccompanied alien child in custody—

14 “(A) in the case of a child who does not
15 meet the criteria listed in subsection (a)(2)(A),
16 shall transfer the custody of such child to the
17 Secretary of Health and Human Services not
18 later than 30 days after determining that such
19 child is an unaccompanied alien child who does
20 not meet such criteria; or

21 “(B) in the case of child who meets the
22 criteria listed in subsection (a)(2)(A), may
23 transfer the custody of such child to the Sec-
24 retary of Health and Human Services after de-

1 termining that such child is an unaccompanied
2 alien child who meets such criteria.”; and

3 (3) in subsection (c)—

4 (A) in paragraph (3), by inserting at the
5 end the following:

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

8 “(i) INFORMATION TO BE PROVIDED
9 TO HOMELAND SECURITY.—Before placing
10 a child with an individual, the Secretary of
11 Health and Human Services shall provide
12 to the Secretary of Homeland Security, re-
13 garding the individual with whom the child
14 will be placed, the following information:

15 “(I) The name of the individual.

16 “(II) The social security number
17 of the individual, if available.

18 “(III) The date of birth of the in-
19 dividual.

20 “(IV) The location of the individ-
21 ual’s residence where the child will be
22 placed.

23 “(V) The immigration status of
24 the individual, if known.

1 “(VI) Contact information for
2 the individual.

3 “(ii) SPECIAL RULE.—In the case of a
4 child who was apprehended on or after the
5 effective date of this clause, and before the
6 date of the enactment of this subpara-
7 graph, who the Secretary of Health and
8 Human Services placed with an individual,
9 the Secretary shall provide the information
10 listed in clause (i) to the Secretary of
11 Homeland Security not later than 90 days
12 after such date of enactment.”; and

13 (B) in paragraph (5)—

14 (i) by inserting after “to the greatest
15 extent practicable” the following: “(at no
16 expense to the Government)”; and

17 (ii) by striking “have counsel to rep-
18 resent them” and inserting “have access to
19 counsel to represent them”.

20 (b) EFFECTIVE DATE.—The amendments made by
21 this section shall apply to any unaccompanied alien child
22 apprehended on or after the date of enactment.

