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(Original Signature of Member)

115TH CONGRESS  
2D SESSION

**H. R.**

To protect the information obtained by the Secretary of Health and Human Services for the placement of unaccompanied alien children from being used for any purpose other than providing safe and secure placements, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Ms. WASSERMAN SCHULTZ introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To protect the information obtained by the Secretary of Health and Human Services for the placement of unaccompanied alien children from being used for any purpose other than providing safe and secure placements, 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 “Prevent Cruel Han-  
5 dling of Information Leading to Deportation Harm Act  
6 of 2018” or the “Prevent CHILD Harm Act of 2018”.

1 **SEC. 2. USE OF SPONSORSHIP INFORMATION.**

2 (a) IN GENERAL.—Section 235(c)(3) of the William  
3 Wilberforce Trafficking Victims Protection Reauthoriza-  
4 tion Act of 2008 (8 U.S.C. 1232(c)(3)) is amended—

5 (1) in subparagraph (A), by inserting after  
6 “mental well-being.” the following: “In making such  
7 a determination, the Secretary may not consider the  
8 immigration status of the proposed custodian.”; and

9 (2) by adding at the end the following:

10 “(D) PROHIBITING USE OF CERTAIN IN-  
11 FORMATION.—The Secretary of Homeland Se-  
12 curity may not use information provided by an  
13 unaccompanied alien child or information ini-  
14 tially obtained by the Secretary of Health and  
15 Human Services to make a suitability deter-  
16 mination under subparagraph (A), a home  
17 study determination under subparagraph (B),  
18 or a secure facility determination under para-  
19 graph (2)(A) for the purpose of apprehending,  
20 detaining, or removing from the United  
21 States—

22 “(i) the unaccompanied alien child;

23 “(ii) the proposed custodian or cur-  
24 rent custodian;

1                   “(iii) a resident of the home in which  
2                   the proposed custodian or current custo-  
3                   dian resides.

4                   “(iv) the proposed sponsor or current  
5                   sponsor; or

6                   “(v) a resident of the home in which  
7                   the proposed sponsor or current sponsor  
8                   resides.”.

9                   (b) RULES OF CONSTRUCTION.—

10                   (1) FLORES SETTLEMENT AGREEMENT.—The  
11                   amendments made by this Act may not be construed  
12                   to supersede the terms of the stipulated settlement  
13                   agreement filed on January 17, 1997, in the United  
14                   States District Court for the Central District of  
15                   California in Flores v. Reno, CV 85–4544–RJK,  
16                   (commonly known as the “Flores settlement agree-  
17                   ment”).

18                   (2) CHILD WELFARE.—The amendments made  
19                   by this Act may not be construed to prevent the Sec-  
20                   retary of Homeland Security from using information  
21                   obtained by the Secretary of Health and Human  
22                   Services to investigate or report to the appropriate  
23                   law enforcement agency or child welfare agency in-  
24                   stances of trafficking, abuse, or neglect.