

**AMENDMENT TO RULES COMMITTEE PRINT 116-**

**26**

**OFFERED BY MR. BROWN OF MARYLAND**

Page 11, line 2, strike “The Commissioner” and insert “(a) IN GENERAL—The Commissioner”.

Page 13, after line 17, insert the following:

1 (b) VULNERABLE POPULATIONS.—

2 (1) IN GENERAL.—In the case that an indi-  
3 vidual is a member of a vulnerable population, such  
4 individual—

5 (A) shall be released from any facility at  
6 which detainees are detained not later than 72  
7 hours after the individual’s initial detention;  
8 and

9 (B) shall participate in any alternatives to  
10 detention program that the Secretary of Home-  
11 land Security recommends.

12 (2) VULNERABLE POPULATION DEFINED.—In  
13 this section, the term “vulnerable population”  
14 means, with respect to an individual, that such an  
15 individual—

1 (A) is an asylum seeker or a victim of tor-  
2 ture or trafficking;

3 (B) has special religious, cultural, or spir-  
4 itual considerations;

5 (C) is pregnant or nursing;

6 (D) is less than 21 years of age or more  
7 than 60 years of age;

8 (E) identifies as gay, lesbian, bisexual,  
9 transgender, or intersex;

10 (F) is a victim or witness of a crime;

11 (G) has a mental disorder or physical dis-  
12 ability; or

13 (H) is experiencing severe trauma or is a  
14 survivor of torture or gender-based violence, as  
15 determined by an immigration judge or the Sec-  
16 retary of Homeland Security, based on informa-  
17 tion obtained during intake—

18 (i) from the individual's attorney or  
19 legal services provider; or

20 (ii) through credible self-reporting.

