

**AMENDMENT TO H.R. 2**  
**OFFERED BY MR. CRENSHAW OF TEXAS**

Page 136, line 8, insert after the period the following:

1                   “(E) ADDITIONAL REQUIREMENTS FOR  
2                   PROPOSED CUSTODIANS.—

3                   “(i) LAWFUL PRESENCE.—An unac-  
4                   panied alien child may not be placed  
5                   with a proposed custodian unless the Sec-  
6                   retary of Health and Human Services, in  
7                   consultation with the Secretary of Home-  
8                   land Security, determines that such custo-  
9                   dian is lawfully present in the United  
10                  States.

11                  “(ii) FAMILIAL RELATION.—An unac-  
12                  panied alien child may not be placed  
13                  with a proposed custodian unless the Sec-  
14                  retary of Health and Human Services, in  
15                  consultation with the Secretary of Home-  
16                  land Security, determines that such custo-  
17                  dian is a first-degree or second-degree rel-  
18                  ative of the unaccompanied alien child as  
19                  defined in section 1635.3 of title 29, Code

1 of Federal Regulations (or any successor  
2 thereto).

3 “(iii) CRIMINAL CONVICTION.—An un-  
4 accompanied alien child may not be placed  
5 with a proposed custodian unless the Sec-  
6 retary of Health and Human Services, in  
7 consultation with the Secretary of Home-  
8 land Security, determines that such custo-  
9 dian has not been convicted, or have a  
10 charge pending at the time of consider-  
11 ation of being a proposed custodian, for a  
12 crime of violence (as defined by section 16  
13 of title 18, United States Code), a sexual  
14 offense, an offense with respect to human  
15 trafficking, or kidnapping (as described in  
16 section 1201 of title 18, United States  
17 Code) at the Federal, State, or local level.

18 “(iv) DEFINITIONS.—For the pur-  
19 poses of this subparagraph:

20 “(I) CRIME OF VIOLENCE.—The  
21 term ‘crime of violence’ shall have the  
22 meaning given such term in section 16  
23 of title 18, United States Code.

24 “(II) SEXUAL OFFENSE.—The  
25 term ‘sexual offense’ means an act de-

1 scribed in subsections (a) through (d)  
2 of section 920, title 10, United States  
3 Code.

4 “(III) OFFENSE WITH RESPECT  
5 TO HUMAN TRAFFICKING.—The term  
6 ‘offense with respect to human traf-  
7 ficking’ means—

8 “(aa) sex trafficking in  
9 which a commercial sex act is in-  
10 duced by force, fraud, or coer-  
11 cion, or in which the person in-  
12 duced to perform such act has  
13 not attained 18 years of age; or

14 “(bb) the recruitment, har-  
15 boring, transportation, provision,  
16 or obtaining of a person for labor  
17 or services, through the use of  
18 force, fraud, or coercion for the  
19 purpose of subjection to involun-  
20 tary servitude, peonage, debt  
21 bondage, or slavery.

