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(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

**H. R.**

To require the Federal Government to report on efforts to locate, establish contact with, conduct wellness checks on, and investigate any suspicion of human trafficking related to approximately 85,000 unaccompanied alien children who crossed the U.S. southern border, were released from Federal custody, and with whom subsequent contact has been lost.

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IN THE HOUSE OF REPRESENTATIVES

Mr. SMITH of New Jersey introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To require the Federal Government to report on efforts to locate, establish contact with, conduct wellness checks on, and investigate any suspicion of human trafficking related to approximately 85,000 unaccompanied alien children who crossed the U.S. southern border, were released from Federal custody, and with whom subsequent contact has been lost.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Safeguarding Endan-  
3 gered Children, Unaccompanied and at Risk of Exploi-  
4 tation Act of 2023” or as the “SECURE Act of 2023”.

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

7 (1) According to statistics kept by US Customs  
8 and Border Protection, at least 345,000 children  
9 have crossed the United States southern border un-  
10 accompanied since early 2021.

11 (2) Thousands of these children have been vic-  
12 tims of child sex trafficking, forced child labor, or  
13 child sexual exploitation and abuse, or some com-  
14 bination of these crimes.

15 (3) The Department of Health and Human  
16 Services, through its Office of Refugee Resettlement,  
17 was and is responsible for the well-being of these  
18 children up through repatriation or placement in  
19 safe homes within the United States.

20 (4) The Department and the Office have lost  
21 contact with as many as 85,000 of these migrant  
22 children after placing them with sponsors in the  
23 United States and their locations and well-being is  
24 currently unknown.

1           (5) The risk of child sex trafficking, forced  
2           child labor, and sexual exploitation and abuse of  
3           these children is immediate and grave.

4 **SEC. 3. REPORTING REQUIREMENTS.**

5           (a) IN GENERAL.—Not later than 75 days after the  
6           date of enactment of this Act, the Secretary of Health and  
7           Human Services, the Secretary of Homeland Security, and  
8           the Director of the Federal Bureau of Investigation shall  
9           jointly submit a status report to the Committee on the  
10          Judiciary of the House of Representatives, the Committee  
11          on Energy and Commerce of the House of Representa-  
12          tives, the Committee on Homeland Security of the House  
13          of Representatives, the Committee on Homeland Security  
14          and Government Affairs of the Senate, the Committee on  
15          the Judiciary of the Senate, and the Committee on Health,  
16          Education, Labor, and Pensions of the Senate on the sta-  
17          tus of all unaccompanied alien children that have been in  
18          the custody and care of the Office of Refugee Resettlement  
19          since January 1, 2021, and have been released to a parent,  
20          family-member, or sponsor within the United States.

21          (b) CONTENTS OF REPORT.—Such status report  
22          shall include, at a minimum, all information known by the  
23          Secretaries and FBI concerning—

24                  (1) the age, sex, and location (including the city  
25                  and State) for each child;

1           (2) the number of days the child was in the  
2 custody and care of the Secretary of Health and  
3 Human Services before placement with a sponsor  
4 within the United States;

5           (3) whether they live with a non-relative or rel-  
6 ative and the degree of kinship;

7           (4) the number of related and unrelated adults  
8 living in the child's home;

9           (5) the number of formerly unaccompanied  
10 alien children in the home;

11           (6) an assessment (and the results thereof) of  
12 the child's cognitive, emotional, physical, and behav-  
13 ioral well-being;

14           (7) an assessment (and the results thereof) of  
15 whether the child is a victim of, or is at risk of being  
16 a victim of child sexual exploitation and abuse or se-  
17 vere forms of trafficking in persons as defined by  
18 Public Law 106-386, including an explanation of  
19 the methodology used in each assessment;

20           (8) whether all the adults in the home have  
21 been subject to a fingerprint-based check of national  
22 crime information databases (as defined in section  
23 534(f)(3)(A) of title 28, United States Code);

24           (9) whether a fingerprint or other background  
25 check has revealed an adult in the home has a

1 record of a conviction for child abuse or neglect, for  
2 spousal abuse, for a crime against children (includ-  
3 ing child pornography), or for a crime involving vio-  
4 lence, including rape, sexual assault, or homicide, a  
5 felony drug-related offense or three or more mis-  
6 demeanor drug offenses, or crimes of involving moral  
7 turpitude; and

8 (10) the number of children that the Office of  
9 Refugee Resettlement has tried to contact without  
10 success on at least three separate attempts.

11 (c) UPDATE AND RESUBMISSION OF REPORT.—The  
12 joint status report required by this section shall be up-  
13 dated and resubmitted every 60 days to the Committee  
14 on the Judiciary of the House of Representatives, the  
15 Committee on Energy and Commerce of the House of  
16 Representatives, the Committee on Homeland Security of  
17 the House of Representatives, the Committee on Home-  
18 land Security and Government Affairs of the Senate, the  
19 Committee on the Judiciary of the Senate, and the Com-  
20 mittee on Health, Education, Labor, and Pensions of the  
21 Senate.

22 (d) TERMINATION DATE.—The reporting require-  
23 ments under this section shall remain in effect until the  
24 unaccompanied alien children described in subsection (a)

1 have been adequately accounted for, or that three years  
2 have elapsed since the first report, whichever comes first.

3 **SEC. 4. FUNDING CONDITIONS.**

4 (a) IN GENERAL.—For each day the required status  
5 report is submitted late to the Committee on the Judiciary  
6 of the House of Representatives, the Committee on En-  
7 ergy and Commerce of the House of Representatives, the  
8 Committee on Homeland Security of the House of Rep-  
9 resentatives, the Committee on Homeland Security and  
10 Government Affairs of the Senate, the Committee on the  
11 Judiciary of the Senate, and the Committee on Health,  
12 Education, Labor, and Pensions of the Senate, as deter-  
13 mined by the relevant committee chairs and ranking mem-  
14 bers—

15 (1) \$100,000 shall be rescinded from unobli-  
16 gated funds made available for the salaries and ex-  
17 penses of the Office of the Secretary for Health and  
18 Human Services;

19 (2) \$100,000 shall be rescinded from unobli-  
20 gated funds made available for the salaries and ex-  
21 penses of the Office of the Secretary for Homeland  
22 Security; and

23 (3) \$100,000 shall be rescinded from unobli-  
24 gated funds made available for the salaries and ex-

1           penses of the Office the Director of the Federal Bu-  
2           reau of Investigation.

3           (b) LIMITATION ON RESCISSION.—The amount of  
4 funds rescinded for each office shall not exceed  
5 \$10,000,000 per fiscal year.