

114TH CONGRESS
2D SESSION

S. 3279

To realign structures and reallocate resources in the Federal Government in keeping with the core belief that families are the best protection for children and the bedrock of any society to bolster United States diplomacy targeted at ensuring that every child can grow up in a permanent, safe, nurturing, and loving family, and to ensure that intercountry adoption to the United States becomes a viable and fully developed option for providing families for children in need, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 14, 2016

Mr. BLUNT (for himself, Ms. KLOBUCHAR, Mrs. SHAHEEN, Mr. WICKER, Mr. COCHRAN, Mr. COONS, Mr. KING, Mrs. MCCASKILL, and Ms. WARREN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To realign structures and reallocate resources in the Federal Government in keeping with the core belief that families are the best protection for children and the bedrock of any society to bolster United States diplomacy targeted at ensuring that every child can grow up in a permanent, safe, nurturing, and loving family, and to ensure that intercountry adoption to the United States becomes a viable and fully developed option for providing families for children in need, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
 5 “Vulnerable Children and Families Act of 2016”.

6 (b) **TABLE OF CONTENTS.**—The table of contents is
 7 as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings; purposes.

Sec. 3. Definitions.

**TITLE I—REALIGNMENT OF CERTAIN INTERNATIONAL CHILD
 WELFARE RESPONSIBILITIES AND FUNCTIONS**

Sec. 101. Redesignation of Office of Children’s Issues as Office of Vulnerable
 Children and Family Security.

TITLE II—ANNUAL REPORTING

Sec. 201. Inclusion in annual country reports on human rights practices of in-
 formation on children living without families.

Sec. 202. Annual report on implementation of action plan.

**TITLE III—PROMOTION OF A COMPREHENSIVE APPROACH FOR
 CHILDREN IN ADVERSITY**

Sec. 301. USAID obligations for coordinating with Office of Vulnerable Chil-
 dren and Family Security.

**TITLE IV—FUNDING, RULE OF CONSTRUCTION, AND EFFECTIVE
 DATES**

Sec. 401. Authorization of appropriations.

Sec. 402. Rule of construction.

Sec. 403. Effective dates.

8 **SEC. 2. FINDINGS; PURPOSES.**

9 (a) **FINDINGS.**—Congress makes the following find-
 10 ings:

11 (1) The people of the United States recognize
 12 and believe that children should grow up in perma-

1 nent, safe, and nurturing families in order to develop
2 and thrive.

3 (2) Science shows that children, and particu-
4 larly infants, living in impersonal, socially deprived
5 institutions may suffer lasting, and in many cases,
6 irreversible damage, including—

7 (A) reduced brain activity and brain size;

8 (B) lower intelligence quotients;

9 (C) serious behavioral and emotional prob-
10 lems; and

11 (D) disturbed relationships with others.

12 (3) Governments in other countries seek models
13 that promote the placement of children who are liv-
14 ing outside family care in permanent, safe, and nur-
15 turing families, rather than in foster care or institu-
16 tions; but many governments lack the resources or
17 infrastructure to adequately address this need.

18 (4) Despite the efforts of countless governments
19 and nongovernmental organizations, millions of chil-
20 dren remain uncounted and outside of the protec-
21 tion, nurturing care, permanence, safety, and love of
22 a family.

23 (5) No reliable data currently exists to define
24 and document the number and needs of children in
25 the world currently living without families, but avail-

1 able evidence demonstrates that there are millions of
2 children in this situation needing immediate help.

3 (6) The December 2012 Action Plan for Chil-
4 dren in Adversity commits the United States Gov-
5 ernment to achieving a world in which all children
6 grow up within protective family care and free from
7 deprivation, exploitation, and danger. To effectively
8 and efficiently accomplish this goal, it is necessary
9 to realign the United States Government’s current
10 operational system for assisting orphans and vulner-
11 able children and processing intercountry adoptions.

12 (7) Significant resources are already dedicated
13 to international assistance for orphans and vulner-
14 able children, and a relatively small portion of these
15 resources can be reallocated to achieve more timely,
16 effective, nurturing, and permanent familial solu-
17 tions for children living without families, resulting in
18 fewer children worldwide living in institutions or on
19 the streets, more families preserved or reunified, and
20 increased domestic and international adoptions.

21 (b) PURPOSES.—The purposes of this Act are—

22 (1) to support the core value that families are
23 the bedrock of any society;

1 (2) to protect the fundamental human right of
2 all children to grow up within the loving care of per-
3 manent, safe, and nurturing families;

4 (3) to address a critical gap in United States
5 foreign policy implementation by authorizing a
6 whole-of-government strategic approach to ensure
7 coordination within and among the relevant Federal
8 agencies for international policy and operational
9 structures so that seeking permanent families for
10 children living without families receives more promi-
11 nence, focus, and resources (through the reallocation
12 of existing personnel and resources);

13 (4) to harness the diplomatic and operational
14 power of the United States Government in the inter-
15 national sphere by helping to identify and implement
16 timely, permanent, safe, and nurturing familial solu-
17 tions for children living without families through ef-
18 fective implementation of the three core and three
19 supporting objectives of the Action Plan on Children
20 in Adversity;

21 (5) to ensure that intercountry adoption by
22 United States citizens becomes a viable and fully de-
23 veloped option for creating permanent families for
24 children who need them;

25 (6) to protect against abuses of children; and

1 (7) to harmonize and strengthen existing inter-
2 country adoption processes under United States
3 law—

4 (A) by ensuring that the same set of proce-
5 dures and criteria govern suitability and eligi-
6 bility determinations for prospective adoptive
7 parents seeking to complete intercountry adop-
8 tions, whether or not the child is from a foreign
9 state that is a party to the Hague Adoption
10 Convention; and

11 (B) by aligning the definitions of eligible
12 children for Convention adoptions and non-Con-
13 vention adoptions to the maximum extent pos-
14 sible.

15 **SEC. 3. DEFINITIONS.**

16 In this Act:

17 (1) ACTION PLAN ON CHILDREN IN ADVER-
18 SITY.—The term “Action Plan on Children in Adver-
19 sity” means the policy document entitled “United
20 States Government Action Plan on Children in Ad-
21 versity: A Framework for International Assistance:
22 2012–2017”, released on December 19, 2012.

23 (2) APPROPRIATE, PROTECTIVE, AND PERMA-
24 NENT FAMILY CARE.—The term “appropriate, pro-
25 tective, and permanent family care” means a nur-

1 turing, lifelong, commitment to a child by an adult,
2 or adults with parental roles and responsibilities
3 that—

4 (A) provides physical and emotional sup-
5 port;

6 (B) provides the child with a sense of be-
7 longing; and

8 (C) generally involves full legal recognition
9 of the child’s status as child of the parents and
10 of the parents’ rights and responsibilities re-
11 garding the child.

12 (3) CENTRAL AUTHORITY.—The term “central
13 authority” has the meaning given the term in sec-
14 tion 3 of the Intercountry Adoption Act of 2000 (42
15 U.S.C. 14902).

16 (4) CHILDREN IN ADVERSITY.—The term “chil-
17 dren in adversity” means children and youth—

18 (A) who are younger than 18 years of age;

19 (B) who live outside of family care; and

20 (C) whose safety, well-being, growth, and
21 development are at significant risk due to inad-
22 equate care, protection, or access to essential
23 services.

24 (5) CONVENTION ADOPTION.—The term “Con-
25 vention adoption” has the meaning given the term in

1 section 3 of the Intercountry Adoption Act of 2000
2 (42 U.S.C. 14902).

3 (6) CONVENTION COUNTRY.—The term “Con-
4 vention country” has the meaning given the term in
5 section 3 of the Intercountry Adoption Act of 2000
6 (42 U.S.C. 14902) and for which the Hague Adop-
7 tion Convention has entered into force.

8 (7) GUARDIANSHIP.—

9 (A) IN GENERAL.—The term “guardian-
10 ship” means a permanent legal relationship be-
11 tween an adult and a child, in which the adult
12 is lawfully invested with the power, and charged
13 with the duty, of taking care of the child.

14 (B) PERMANENT GUARDIANSHIP.—While
15 some forms of guardianship are not truly per-
16 manent, the form of guardianship referred to
17 and supported under this Act is permanent
18 guardianship.

19 (C) KEFALA ORDER.—A Kefala order
20 issued by a country that follows traditional Is-
21 lamic law does not qualify as an adoption under
22 United States law, but may be a form of guard-
23 ianship in some circumstances.

24 (D) FAMILY-LIKE GROUP HOMES.—Indi-
25 vidual parent-child relationships in a small,

1 family-like group home in which caretaking is
2 provided only by one or more unpaid caretakers
3 might, in some circumstances, qualify as a
4 guardianship if legalized in that form.

5 (E) PAID GUARDIANSHIP.—The term
6 guardianship does not include a paid guardian-
7 ship.

8 (8) HABITUAL RESIDENCE DETERMINATION.—
9 The term “habitual residence determination” means
10 a factual determination of where a prospective adop-
11 tive parent (or parents) resides and where the child
12 resides for purposes of an intercountry adoption
13 case.

14 (9) HAGUE ADOPTION CONVENTION.—The term
15 “Hague Adoption Convention” means the Conven-
16 tion of Protection of Children and Cooperation in
17 Respect of Intercountry Adoption, concluded at The
18 Hague May 29, 1993.

19 (10) INSTITUTIONAL CARE.—The term “institu-
20 tional care” means care provided in any nonfamily-
21 based group setting, including—

22 (A) orphanages;

23 (B) transit or interim care centers;

24 (C) children’s homes;

1 (D) children’s villages or cottage com-
2 plexes; and

3 (E) boarding schools used primarily for
4 care purposes as an alternative to a children’s
5 home.

6 (11) KINSHIP CARE.—The term “kinship
7 care”—

8 (A) means the full-time care, nurturing,
9 and protection of children by relatives, members
10 of their tribes or clans, godparents, stepparents,
11 or any adult who has a kinship bond with a
12 child, if such persons have the capacity and
13 commitment to function as true parents for the
14 child on a permanent basis; and

15 (B) does not include paid kinship foster
16 care.

17 (12) NON-CONVENTION ADOPTION.—The term
18 “non-Convention adoption” means—

19 (A) an adoption by United States parents
20 of a child from a non-Convention country in ac-
21 cordance with subparagraph (F) of section
22 101(b)(1) of the Immigration and Nationality
23 Act (8 U.S.C. 1101(b)(1));

24 (B) an adoption by United States parents
25 of a child under the laws of the child’s country

1 of origin (generally when the parents are living
2 in the child’s country of origin and therefore
3 able legally to complete a domestic adoption); or
4 (C) in certain circumstances (generally
5 with respect to relative adoptions or adoptions
6 by dual national parents), an adoption by
7 United States parents of a child from a Con-
8 vention country if that country allows legal and
9 valid adoptions to take place outside the scope
10 of the Convention.

11 (13) NON-CONVENTION COUNTRY.—The term
12 “non-Convention country” means a country in which
13 the Hague Adoption Convention has not entered into
14 force, regardless of whether or not that country has
15 signed the Convention.

16 (14) UNPARENTED CHILDREN.—The term
17 “unparented children” means children lacking the
18 legally recognized, permanent, safe, and nurturing
19 care of a parental figure or figures, either inside
20 their country of origin, in the country of their habit-
21 ual residence, or elsewhere.

1 **TITLE I—REALIGNMENT OF CER-**
2 **TAIN INTERNATIONAL CHILD**
3 **WELFARE RESPONSIBILITIES**
4 **AND FUNCTIONS**

5 **SEC. 101. REDESIGNATION OF OFFICE OF CHILDREN’S**
6 **ISSUES AS OFFICE OF VULNERABLE CHIL-**
7 **DREN AND FAMILY SECURITY.**

8 (a) REDESIGNATION.—The Office of Children’s
9 Issues of the Department of State is hereby redesignated
10 as the Office of Vulnerable Children and Family Security
11 (referred to in this Act as the “VCFS”).

12 (b) APPOINTMENT OF AMBASSADOR-AT-LARGE.—
13 The President, acting through the Secretary, shall appoint
14 an Ambassador-at-Large to promote and support the fol-
15 lowing activities:

16 (1) Oversight of the Office of Vulnerable Chil-
17 dren and Family Security.

18 (2) The development and implementation in for-
19 eign countries of child welfare laws, regulations,
20 policies, best practices, and procedures in keeping
21 with the goals articulated in the Action Plan for
22 Children in Adversity, including—

23 (A) the sound development of children
24 through the integration of health, nutrition, and
25 family support;

1 (B) supporting and enabling families to
2 care for children through family preservation,
3 reunification, and support of kinship care,
4 guardianship, and domestic and intercountry
5 adoption;

6 (C) facilitating the efforts of national gov-
7 ernments and partners to prevent, respond to,
8 and protect children from violence, exploitation,
9 abuse, and neglect;

10 (D) supporting partners to build and
11 strengthen holistic and integrated models to
12 promote the best interests of the child;

13 (E) building and maintaining strong evi-
14 dence base on which future activities to reach
15 and assist the most vulnerable children can be
16 effectively planned and implemented; and

17 (F) integrating this plan with United
18 States Government departments and agencies.

19 (3) Addressing the gap in United States Gov-
20 ernment diplomacy, policy, and operations with re-
21 spect to promoting appropriate, protective, and per-
22 manent family care for children living without fami-
23 lies by leading the development and implementation
24 of policies that will ensure the timely provision of
25 appropriate, protective, and permanent family care

1 for children living without families through the full
2 continuum of permanence solutions, including family
3 preservation and reunification, kinship care, guard-
4 ianship, and domestic and intercountry adoption.

5 (c) QUALIFICATIONS OF AMBASSADOR-AT-LARGE.—

6 The Ambassador-at-Large shall—

7 (1) have experience in the development of poli-
8 cies and systems and the implementation of pro-
9 grams that promote the goals of the Action Plan for
10 Children in Adversity;

11 (2) be knowledgeable of international child wel-
12 fare, family permanence, and family creation
13 through domestic and intercountry adoption; and

14 (3) be committed to developing an integrated
15 United States Government approach to international
16 child welfare that places equal emphasis on—

17 (A) early childhood survival and develop-
18 ment;

19 (B) family permanence; and

20 (C) protection from abuse and exploitation.

21 (d) FUNCTIONS.—

22 (1) ADVISORY.—The Ambassador-at-Large
23 shall serve as a primary advisor to the Secretary of
24 State and the President in all matters related to vul-

1 nerable children and family security in foreign coun-
2 tries.

3 (2) DIPLOMATIC REPRESENTATION.—Subject to
4 the direction of the President and the Secretary of
5 State, and in consultation and coordination with the
6 Administrator of the United States Agency for
7 International Development and the Secretary of
8 Homeland Security, the Ambassador-at-Large shall
9 represent the United States in matters relevant to
10 international child welfare, family preservation and
11 reunification, and provision of permanent, safe pa-
12 rental care through kinship, domestic and inter-
13 country adoption in—

14 (A) contacts with foreign governments,
15 nongovernmental organizations, intergovern-
16 mental agencies, and specialized agencies of the
17 United Nations and other international organi-
18 zations of which the United States is a member;

19 (B) multilateral conferences and meetings
20 relevant to family preservation, reunification,
21 and creating appropriate, protective, and per-
22 manent care for unparented children; and

23 (C) fulfillment of the diplomatic respon-
24 sibilities designated to the central authority
25 under title I of the Intercountry Adoption Act

1 of 2000 (42 U.S.C. 14911 et seq.), as amended
2 by this Act.

3 (3) POLICY DEVELOPMENT WITH RESPECT TO
4 PERMANENCE FOR UNPARENTED CHILDREN.—

5 (A) IN GENERAL.—The Ambassador-at-
6 Large shall—

7 (i) develop and advocate for policies
8 and practices to ensure that children in
9 foreign countries who are living without
10 families find appropriate, protective, and
11 permanent family care;

12 (ii) give consideration to family pres-
13 ervation and reunification, kinship care,
14 guardianship, and domestic and inter-
15 country adoption; and

16 (iii) seek to develop and implement
17 policies that lead to the use of all options
18 for providing appropriate, protective, and
19 permanent family care to children living
20 without families as quickly as possible.

21 (B) ADVOCATE FOR CONCURRENT PLAN-
22 NING.—

23 (i) IN GENERAL.—In developing poli-
24 cies and programs under this Act, the Am-
25 bassador-at-Large shall advocate that all

1 options for providing appropriate, protec-
2 tive, and permanent family care to children
3 living without families must be considered
4 concurrently and permanent solutions must
5 be put in place as quickly as possible. Solu-
6 tions include family preservation and re-
7 unification, kinship care, guardianship, do-
8 mestic and intercountry adoption, and
9 other culturally acceptable forms of care
10 that will result in appropriate, protective,
11 and permanent family care. Preference
12 should be given to options that optimize
13 the child's well-being, which generally
14 means options which provide children with
15 fully protected legal status and parents
16 with full legal status as parents, including
17 full parental rights and responsibilities.
18 The principle of subsidiarity, which gives
19 preference to in-country solutions, should
20 be implemented within the context of a
21 concurrent planning strategy, exploring in-
22 and out-of-country options simultaneously.
23 If an in-country placement providing ap-
24 propriate, protective, and permanent care
25 is not quickly available, and such an inter-

1 national home is available, encourage poli-
2 cies that allow the child to be placed in an
3 international home without delay.

4 (ii) INTERIM PLACEMENTS.—Nothing
5 in this subsection may be construed to pre-
6 clude interim placements, including in kin-
7 ship care, foster care, and small group
8 homes, to temporarily improve children's
9 living conditions in individual cir-
10 cumstances in which—

11 (I) a permanent solution is not
12 immediately available if ongoing ef-
13 forts are made to move the child from
14 interim to permanent placement as
15 soon as possible; and

16 (II) the child's best interests will
17 be served.

18 (iii) EXCEPTIONS.—Exceptions to the
19 general rule set forth in clauses (i) and (ii)
20 may be made, as needed in individual
21 cases, to serve the child's best interests, in-
22 cluding the following:

23 (I) Permanent guardianship may
24 be preferable to adoption in certain
25 cases where the child has developed a

1 powerful bond to a loving guardian
2 who prefers not to adopt because of
3 the child's ties to birth parents who
4 love the child, but are not in a posi-
5 tion to provide appropriate nurturing.

6 (II) Options generally viewed as
7 interim solutions, such as foster care
8 and small group homes, may be pref-
9 erable to family reunification when
10 the parents are not in a position to
11 provide appropriate nurturing.

12 (III) For children with disabil-
13 ities, solutions to prevent institu-
14 tionalization and to assist with re-
15 integration into the community from
16 institutions, include payment and sup-
17 port to families, substitute families,
18 small group homes, or kinship care.

19 (C) BEST PRACTICES.—In developing poli-
20 cies and programs under this Act, the Amba-
21 sador-at-Large shall identify and utilize evi-
22 dence-based programs and best practices in
23 family preservation and reunification and provi-
24 sion of permanent parental care through guard-
25 ianship, kinship care, and domestic and inter-

1 country adoption as derived from a wide variety
2 of domestic, foreign, and global policies and
3 practices.

4 (D) TECHNICAL ASSISTANCE.—The Am-
5 bassador-at-Large, in consultation with other
6 appropriate Federal agencies, shall provide
7 technical assistance to governments of foreign
8 countries to help build their child welfare capac-
9 ities, particularly pertaining to family-based
10 permanence. Such assistance should aim to
11 strengthen family preservation and reunification
12 and the provision of appropriate, protective, and
13 permanent family care through kinship care,
14 guardianship, and domestic and intercountry
15 adoption, including assistance with—

16 (i) the drafting, disseminating, and
17 implementing of legislation;

18 (ii) the development of implementing
19 systems and procedures;

20 (iii) the establishment of public, pri-
21 vate, and faith- and community-based
22 partnerships;

23 (iv) the development of workforce
24 training for governmental and nongovern-
25 mental staff; and

1 (v) infrastructure development and
2 data collection techniques necessary to
3 identify and document the number and
4 needs of children living without appro-
5 priate, protective, and permanent family
6 care.

7 (4) RESPONSIBILITIES WITH RESPECT TO
8 INTERCOUNTRY ADOPTION.—

9 (A) IN GENERAL.—The VCFS, in coordi-
10 nation with other offices of the Department of
11 State and U.S. Citizenship and Immigration
12 Services, shall have lead responsibility for rep-
13 resenting the United States Government in dis-
14 cussions, negotiations, and diplomatic contacts
15 pertaining to intercountry adoptions.

16 (B) CENTRAL AUTHORITY RESPONSIBILITY
17 UNDER THE INTERCOUNTRY ADOPTION ACT OF
18 2000.—Section 101(b)(2) of the Intercountry
19 Adoption Act of 2000 (42 U.S.C. 14911(b)(2))
20 is amended by striking “Office of Children’s
21 Issues” and inserting the “Office of Vulnerable
22 Children and Family Security”.

23 (C) DETERMINATIONS OF HAGUE ADOP-
24 TION CONVENTION COMPLIANCE.—The VCFS,
25 in consultation with other offices of the Depart-

1 ment of State, and the Department of Home-
2 land Security, shall have lead responsibility for
3 determining whether a Convention partner
4 country has met its obligations under the
5 Hague Adoption Convention and is eligible to
6 participate in intercountry adoptions in accord-
7 ance with United States law. Such determina-
8 tions shall be documented in writing, based on
9 standardized criteria, and available for public
10 review and comment.

11 (5) POLICY COORDINATION.—The Ambassador-
12 at-Large shall coordinate with the Secretary of
13 Homeland Security and the Administrator of the
14 United States Agency for International Development
15 to maintain consistency in United States foreign and
16 domestic policy and operations with respect to chil-
17 dren living outside family care in foreign countries.

18 (6) INFORMATION COORDINATION.—The Am-
19 bassador-at-Large shall transmit—

20 (A) any intercountry adoption related case
21 information received from the Central Authority
22 of another Convention country to the Secretary
23 of Homeland Security; and

24 (B) any intercountry adoption related case
25 information that the Secretary of Homeland Se-

1 security requests to the Central Authority of an-
2 other Convention country.

3 **TITLE II—ANNUAL REPORTING**

4 **SEC. 201. INCLUSION IN ANNUAL COUNTRY REPORTS ON** 5 **HUMAN RIGHTS PRACTICES OF INFORMA-** 6 **TION ON CHILDREN LIVING WITHOUT FAMI-** 7 **LIES.**

8 Section 116(d) of the Foreign Assistance Act of 1961
9 (22 U.S.C. 2151n(d)) is amended by adding at the end
10 the following new paragraph:

11 “(13) The institutionalization of children in-
12 cluding in orphanages, and in large and small group
13 homes, when that institutionalization can be avoided
14 either by promptly reunifying children with nur-
15 turing parents of origin or by promptly placing them
16 in adoptive homes in the country of origin or abroad,
17 and the related subjection of children to cruel, inhu-
18 man or degrading treatment, unnecessary detention,
19 or denial of the right to life, liberty, and the security
20 of persons.”.

21 **SEC. 202. ANNUAL REPORT ON IMPLEMENTATION OF AC-** 22 **TION PLAN.**

23 Not later than 180 days after the date of the enact-
24 ment of this Act, and annually thereafter, the Amba-
25 sador-at-Large, in coordination with the Special Advisor

1 to the USAID Administrator on Children in Adversity,
2 shall submit to Congress a report on implementation of
3 the Action Plan for Children in Adversity, including the
4 technical assistance provided under section 101(e)(3)(D).

5 **TITLE III—PROMOTION OF A**
6 **COMPREHENSIVE APPROACH**
7 **FOR CHILDREN IN ADVER-**
8 **SITY**

9 **SEC. 301. USAID OBLIGATIONS FOR COORDINATING WITH**
10 **OFFICE OF VULNERABLE CHILDREN AND**
11 **FAMILY SECURITY.**

12 (a) OBJECTIVES.—The United States Agency for
13 International Development’s Center of Excellence on Chil-
14 dren in Adversity, in particular its Special Advisor to the
15 USAID Administrator on Children in Adversity, shall
16 work in consultation with the Ambassador-at-Large of the
17 Office of Vulnerable Children and Family Security of the
18 Department of State to promote greater United States
19 Government coherence and accountability for whole-of-
20 government assistance to children in adversity and ensure
21 that United States foreign assistance and development
22 programs are focused on the following objectives:

23 (1) The sound development of children through
24 the integration of health, nutrition, and family sup-
25 port.

1 (2) Supporting and enabling families to care for
2 children through family preservation, reunification,
3 and support of kinship care, guardianship, and do-
4 mestic and intercountry adoption.

5 (3) Facilitating the efforts of national govern-
6 ments and partners to prevent, respond to, and pro-
7 tect children from violence, exploitation, abuse, and
8 neglect.

9 (4) Supporting partners to build and strengthen
10 holistic and integrated child welfare and protection
11 systems to promote the best interests of the child.

12 (5) Building and maintaining a strong evidence
13 base on which future activities to reach and assist
14 the most vulnerable children can be effectively
15 planned and implemented.

16 (6) Integrating this plan with United States
17 Government departments and agencies.

18 (b) APPROACH.—The Special Advisor shall ensure
19 that efforts to assist children in adversity through the Ac-
20 tion Plan on Children in Adversity are coordinated with
21 the efforts by the Ambassador-at-Large in implementing
22 its adoption strategy in priority countries and also are re-
23 sponsive to the data on unparented children provided pur-
24 suant to paragraph (13) of section 116(d) of the Foreign

1 Assistance Act of 1961 (22 U.S.C. 2151n(d)), as added
2 by section 201 of this Act.

3 (c) REPEAL.—Section 135 of the Foreign Assistance
4 Act of 1961 (22 U.S.C. 2152f) is repealed.

5 **TITLE IV—FUNDING, RULE OF**
6 **CONSTRUCTION, AND EFFEC-**
7 **TIVE DATES**

8 **SEC. 401. AUTHORIZATION OF APPROPRIATIONS.**

9 (a) PROHIBITION ON NEW APPROPRIATIONS.—

10 (1) IN GENERAL.—Nothing in this Act may be
11 construed as authorizing additional funds to be ap-
12 propriated to carry out this Act or the amendments
13 made by this Act.

14 (2) USE OF EXISTING FUNDS.—This Act, and
15 the amendments made by this Act, shall be carried
16 out using amounts otherwise available for such pur-
17 poses, including unobligated balances of funds made
18 available to carry out activities under the Foreign
19 Assistance Act of 1961 (22 U.S.C. 2151 et seq.).

20 (b) LIMITATIONS ON USE OF FUNDS.—

21 (1) SEGREGATED SERVICES.—No funds obli-
22 gated in accordance with this Act may be awarded
23 for building, renovating, or refurbishing residential
24 facilities that segregate children with disabilities
25 from society. The limitation under this paragraph

1 does not prohibit funding for small, community-
 2 based group homes that house up to 6 children.

3 (2) ADMINISTRATIVE EXPENSES.—Not more
 4 than 2 percent of the amounts described in sub-
 5 section (a)(2) may be used for administrative ex-
 6 penses.

7 (c) FOCUS OF ASSISTANCE.—Assistance provided
 8 under this Act—

9 (1) shall focus primarily on promoting inter-
 10 national child welfare, as set forth in this Act, for
 11 all children in adversity; and

12 (2) may be provided on such terms and condi-
 13 tions as the President determines appropriate.

14 **SEC. 402. RULE OF CONSTRUCTION.**

15 Nothing in this Act shall be construed as precluding
 16 the provision of stipends or subsidies to those caring for
 17 children with disabilities.

18 **SEC. 403. EFFECTIVE DATES.**

19 (a) EFFECTIVE UPON ENACTMENT.—Sections 104
 20 and 202 and titles III and IV shall take effect on the date
 21 of the enactment of this Act.

22 (b) DELAYED EFFECTIVE DATE.—Sections 101,
 23 102, 103, and 201 shall take effect on the date that is
 24 1 year after the date of the enactment of this Act.

○