

117TH CONGRESS
2D SESSION

H. R. 9669

To amend the Sean and David Goldman International Child Abduction Prevention and Return Act of 2014 to expand protections for abducted children, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 21, 2022

Mr. SMITH of New Jersey introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Sean and David Goldman International Child Abduction Prevention and Return Act of 2014 to expand protections for abducted children, 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 “Bring Abducted Children Home Amendments Act”.

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

Sec. 1. Short title; table of contents.

- Sec. 2. Amendments to purposes and definitions.
- Sec. 3. Annual report on international child abduction expanded.
- Sec. 4. Amendments to standards and assistance.
- Sec. 5. Amendments relating to notification required to be provided to congressional representatives.
- Sec. 6. Amendments to authorities to respond to international child abductions.
- Sec. 7. Amendments to actions in response to patterns of noncompliance.
- Sec. 8. Amendments relating to training.
- Sec. 9. Modifications to the Office of Children's Issues of the Department of State.
- Sec. 10. Increasing sentencing guideline for international parental kidnapping.
- Sec. 11. Clerical amendments.
- Sec. 12. Expanding notification requirements for missing children.
- Sec. 13. Legal expense grants for victims of international parental child abduction.

1 SEC. 2. AMENDMENTS TO PURPOSES AND DEFINITIONS.

2 The Sean and David Goldman International Child
 3 Abduction Prevention and Return Act of 2014 (22 U.S.C.
 4 9101 et seq.) is amended as follows:

5 (1) In section 2(c) (22 U.S.C. 9101 note)—

6 (A) by amending paragraph (4) to read as
 7 follows:

8 “(4) to enhance the prompt resolution of abduction
 9 cases by returning children to the United
 10 States;”;

11 (B) by redesignating paragraphs (5)
 12 through (7) as paragraphs (6) through (8), respectively; and
 13

14 (C) by inserting after paragraph (4) the
 15 following:

16 “(5) to enhance the prompt resolution of access
 17 cases by reuniting children with their left-behind
 18 parents with unfettered and enforceable access;”.

1 (2) In section 3 (22 U.S.C. 9101)—

2 (A) in paragraph (3)—

3 (i) in subparagraph (A), by striking “;
4 and” at the end and inserting a semicolon;

5 (ii) in subparagraph (B), by striking
6 the period at the end and inserting “;
7 and”; and

8 (iii) by adding at the end the fol-
9 lowing:

10 “(C) includes all cases reported involving
11 an application filed with the Central Authority
12 of the United States or directly with the foreign
13 central authority by a parent seeking rights of
14 access or return.”;

15 (B) by amending paragraph (7) to read as
16 follows:

17 “(7) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES.—The term ‘appropriate congressional com-
19 mittees’ means—

20 “(A) the Committee on Foreign Affairs,
21 the Committee on Appropriations, and the
22 Committee on Homeland Security of the House
23 of Representatives; and

24 “(B) the Committee on Foreign Relations,
25 the Committee on Appropriations, and the

1 Committee on Homeland Security and Govern-
2 mental Affairs of the Senate.”;

3 (C) in paragraph (11), by striking “16”
4 and inserting “18”;

5 (D) by amending subparagraph (A) of
6 paragraph (19) to read as follows:

7 “(A) IN GENERAL.—The term ‘pattern of
8 noncompliance’ means the persistent failure—

9 “(i) of a Convention country—

10 “(I) with respect to abduction
11 cases pending as of the date on which
12 the country entered the Hague Abduc-
13 tion Convention—

14 “(aa) to work with the Cen-
15 tral Authority of the United
16 States to resolve such cases; and

17 “(bb) to abide by any bilat-
18 eral procedures established be-
19 tween the United States and
20 such country; or

21 “(II) with respect to cases initi-
22 ated after such date of entry, to im-
23 plement and abide by provisions of
24 such Convention;

1 “(ii) of a non-Convention country to
2 abide by bilateral procedures that have
3 been established between the United States
4 and such country; or

5 “(iii) of a non-Convention country to
6 work with the Central Authority of the
7 United States to resolve abduction cases.”;
8 (E) in paragraph (23)—

9 (i) by amending subparagraph (A) to
10 read as follows:

11 “(A) IN GENERAL.—The term ‘unresolved
12 abduction case’ means an abduction case—

13 “(i) that does not meet the criteria to
14 be considered resolved pursuant to sub-
15 paragraph (B), (C), or (D) of this para-
16 graph; and

17 “(ii) for which the completed applica-
18 tion for return of the child or access to the
19 child is submitted by the Central Authority
20 of the United States, or directly by the
21 parent, for determination to the foreign
22 Central Authority, foreign ministry, judi-
23 cial ministry, or the judicial or administra-
24 tive authority, as applicable, of the country
25 in which the child is located.”; and

1 (ii) by striking subparagraph (B) and
2 inserting the following:

3 “(B) RESOLUTION OF CASE WITH A RE-
4 TURN.—An abduction case shall be considered
5 to be resolved if the child is returned to the
6 left-behind parent, pursuant to the Hague Ab-
7 duction Convention or other appropriate bilat-
8 eral procedures, if applicable.

9 “(C) RESOLUTION OF CASE WITHOUT A
10 RETURN.—An abduction case shall be consid-
11 ered to be resolved without a return if—

12 “(i) the left-behind parent reaches a
13 voluntary arrangement with the other par-
14 ent or custodian of the child;

15 “(ii) the left-behind parent submits to
16 the Department of State a written with-
17 drawal of the application under the Hague
18 Convention on the Civil Aspects of Child
19 Abduction for Return or the request for
20 assistance in returning the child; or

21 “(iii) the left-behind parent submits to
22 the Department of State a written with-
23 drawal of the application for the organiza-
24 tion of rights of Access under the Hague
25 Convention on the Civil Aspects of Inter-

1 national Child Abduction or the request for
2 assistance in obtaining access to the child.

3 “(D) FAILED TO RETURN; CASE
4 CLOSED.—An abduction case shall be consid-
5 ered to be resolved as ‘failed to return; case
6 closed’ if—

7 “(i) the judicial or administrative
8 branch, as applicable, of the government of
9 the country in which the child is located—

10 “(I) has implemented, and is
11 complying with, the provisions of the
12 Hague Abduction Convention or other
13 bilateral procedures, as applicable;

14 “(II) has denied with finality the
15 Petition for return of the child under
16 the Convention or request under other
17 bilateral procedure, as applicable; and

18 “(III) has determined that the
19 child need not be returned to the left-
20 behind parent;

21 “(ii) the Department of State cannot
22 locate the left-behind parent for one year
23 despite the documented efforts of the De-
24 partment to locate the parent;

25 “(iii) the child is deceased;

1 “(iv) the left-behind parent is de-
2 ceased and no amended petition has been
3 filed; or

4 “(v) the abducted child attains the
5 age of 18.”;

6 (F) by redesignating paragraphs (5)
7 through (23) (as amended) as paragraphs (6)
8 through (24), respectively; and

9 (G) by inserting the following new para-
10 graph after paragraph (4):

11 “(5) AMBASSADOR-AT-LARGE TO MONITOR AND
12 COMBAT CHILD ABDUCTIONS.—

13 “(A) IN GENERAL.—The term ‘Ambas-
14 sador-at-Large to Monitor and Combat Child
15 Abductions’ means the Ambassador-at-Large to
16 Monitor and Combat Child Abductions ap-
17 pointed pursuant to section 201(a) of the Admi-
18 ral James W. Nance and Meg Donovan Foreign
19 Relations Authorization Act, Fiscal Years 2000
20 and 2001 (22 U.S.C. 9009).

21 “(B) DUTIES.—The duties and responsibil-
22 ities of the Ambassador-at-Large to Monitor
23 and Combat Child Abductions shall be carried
24 out, during any period in which such Ambas-

sador has not been duly appointed and confirmed, by—

“(i) the Director of the Office of Children’s Issues of the Department of State, as provided in section 201(a)(2)(B) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001; or

“(ii) if such Director has also not been appointed or confirmed, the Secretary of State.”.

SEC. 3. ANNUAL REPORT ON INTERNATIONAL CHILD ABDUCTION EXPANDED.

Section 101 of the Sean and David Goldman International Child Abduction Prevention and Return Act of 2014 (22 U.S.C. 9111) is amended as follows:

(1) In subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking “abduction and”

after “of such new”; and

(II) by striking “, respectively,”

and inserting “as were”;

(ii) in subparagraph (G), by striking

“; and” and inserting a semicolon;

1 (iii) by redesignating subparagraphs
2 (A) through (H) as subparagraphs (C)
3 through (J), respectively;

4 (iv) by inserting the following new
5 subparagraphs before subparagraph (C)
6 (as so redesignated):

7 “(A) the number of children abducted from
8 the United States and the number of children
9 returned to the United States with respect to
10 such country for each year of the 10-year pe-
11 riod ending on the date of the submission of the
12 report;

13 “(B) the total number of children abducted
14 from the United States and the total number of
15 children returned to the United States with re-
16 spect to such country during the period begin-
17 ning January 1, 1994, and the ending on the
18 date of the submission of the report;” and

19 (v) by adding at the end the following:

20 “(K) the number of cases resolved with a
21 return to the United States;

22 “(L) for cases resolved without a return,
23 the number resolved with respect to which the
24 left-behind parent—

1 “(i) reached a voluntary arrangement
2 with the other parent or custodian of the
3 child;

4 “(ii) submitted to the Department of
5 State a written withdrawal of the applica-
6 tion under the Hague Abduction Conven-
7 tion for the return of, or requesting assist-
8 ance in returning, the child; or

9 “(iii) submitted to the Department of
10 State a written withdrawal of the applica-
11 tion for organization of rights of access
12 under the Hague Abduction Convention or
13 requesting for assistance in obtaining ac-
14 cess to the child; and

15 “(M) for cases closed with a failure to re-
16 turn, the number of cases with respect to
17 which—

18 “(i) the judicial or administrative
19 branch, as applicable, of the government of
20 the country in which the child is located—

21 “(I) has implemented, and is
22 complying with, the provisions of the
23 Hague Abduction Convention or other
24 bilateral procedures, as applicable;

1 “(II) has denied with finality the
2 petition for return of the child under
3 the Convention, or request under
4 other bilateral procedure, as applica-
5 ble; and

6 “(III) has determined that the
7 child need not be returned to the left-
8 behind parent;

9 “(ii) the Department of State cannot
10 locate the left-behind parent for one year
11 despite the documented efforts of the De-
12 partment to locate the parent;

13 “(iii) the child is deceased;

14 “(iv) the left-behind parent is de-
15 ceased and no amended petition has been
16 filed; or

17 “(v) the victim of the abduction is
18 now over 18 years old.”;

19 (B) in paragraph (9), by striking “and” at
20 the end;

21 (C) in paragraph (10), by striking the pe-
22 riod at the end and inserting a semicolon; and

23 (D) by adding at the end the following new
24 paragraphs:

1 “(11) the total number of children abducted
2 from the United States and the total number of chil-
3 dren returned to the United States with respect to
4 all countries, for each year in the 10-year period
5 ending on the date of the submission of the report;

6 “(12) the total number of children abducted
7 from each State with respect to all countries during
8 the period beginning January 1, 1994, and the end-
9 ing on the date of the submission of the report; and

10 “(13) the total number of children abducted
11 from the United States and the total number of chil-
12 dren returned to the United States with respect to
13 all countries during the period beginning January 1,
14 1994, and the ending on the date of the submission
15 of the report.”.

16 (2) In subsection (d)—

17 (A) in paragraph (4), by striking “; and”
18 at the end and inserting a semicolon;

19 (B) in paragraph (5), by striking the pe-
20 riod at the end and inserting a semicolon; and

21 (C) by adding at the end the following new
22 paragraphs:

23 “(6) a section that includes—

24 “(A) a ‘tier 1’ list of countries and terri-
25 tories—

1 “(i) with respect to which there are
2 one or more pending or unresolved abduction
3 cases; and

4 “(ii) the governments of which the
5 Secretary of State determines have neither
6 engaged in a persistent failure described in
7 section 3(20)(B) nor in a pattern of non-
8 compliance, as defined in section 3(20)(A);

9 “(B) a ‘tier 2’ list of countries and terri-
10 tories the governments of which the Secretary
11 of State determines have engaged in a per-
12 sistent failure described in section 3(20)(B),
13 but are making significant efforts to bring
14 themselves into compliance with those stand-
15 ards, and with respect to which—

16 “(i) the estimated number of unre-
17 solved abduction and access cases is very
18 significant or is significantly increasing
19 and the country is not taking proportional
20 concrete actions; or

21 “(ii) there is a failure to provide evi-
22 dence of increasing efforts to resolve unre-
23 solved abduction and access cases from the
24 previous year; and

1 “(C) a ‘tier 3’ list of countries and terri-
2 tories the governments of which the Secretary
3 of State determines have engaged in both a per-
4 sistent failure described in section 3(20)(B) as
5 well as a pattern of noncompliance, as defined
6 in section 3(20)(A); and

7 “(7) a section describing the status of legal pro-
8 tections for victims of domestic violence and their
9 children, with appropriate links to substantive inter-
10 governmental reports (such as a United States coun-
11 try report documenting issues of domestic violence
12 against vulnerable populations within the country),
13 including—

14 “(A) a description of the ability of a victim
15 of domestic abuse to obtain urgent protective
16 and restraining measures with respect to such
17 victim and any child of such victim;

18 “(B) an indication of where victims of do-
19 mestic violence may obtain access to justice and
20 essential services;

21 “(C) whether official findings of domestic
22 or family violence are available outside of the
23 criminal process, and are considered evidential
24 in child custody cases;

1 “(D) whether evidentiary standards and
 2 burdens of proof in legal proceedings are con-
 3 sistent with United States judicial proceedings;
 4 and

5 “(E) whether foreign court and law en-
 6 forcement will honor orders containing arrange-
 7 ments for the protection of a child.”.

8 (3) By striking subsection (e) and redesignating
 9 subsection (f) as subsection (e).

10 **SEC. 4. AMENDMENTS TO STANDARDS AND ASSISTANCE.**

11 Section 102 of the Sean and David Goldman Inter-
 12 national Child Abduction Prevention and Return Act of
 13 2014 (22 U.S.C. 9112) is amended—

14 (1) by striking “**SEC. 102. STANDARDS AND**
 15 **ASSISTANCE.**—The Secretary of State shall—” and
 16 inserting the following:

17 **“SEC. 102. STANDARDS AND ASSISTANCE.**

18 “(a) IN GENERAL.—The Secretary of State shall—
 19 ”; and

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

21 “(b) ADDITIONAL ACTIONS BY SECRETARY OF
 22 STATE.—

23 “(1) ACTION PLAN FOR TIER 3 COUNTRIES.—

24 “(A) IN GENERAL.—Not later than 180
 25 days after the submission of each annual report

1 required by section 101, the Secretary of State,
2 acting through the Ambassador-at-Large to
3 Monitor and Combat Child Abductions and the
4 Assistant Secretary of the appropriate regional
5 bureau, shall—

6 “(i) prepare an action plan for each
7 country upgraded from the ‘tier 3’ list de-
8 scribed in subparagraph (C) of section
9 101(d)(6) to the ‘tier 2’ list described in
10 subparagraph (B) of such section, to fur-
11 ther improve such country’s tier ranking;
12 and

13 “(ii) present the relevant action plan
14 to the government of each such country.

15 “(B) CONSULTATION.—In preparing the
16 plan required by subparagraph (A), the Sec-
17 retary of State shall seek to consult with the
18 Central Authority from the government of each
19 applicable country with the assistance of the
20 United States ambassador to or chargé d’af-
21 faires for such country.

22 “(2) TRANSMISSION OF INFORMATION TO TIER
23 3 COUNTRIES.—Not less frequently than annually,
24 the Secretary of State shall provide to the foreign
25 minister of each country that has been downgraded

1 to the ‘tier 3’ list described in subparagraph (C) of
2 section 101(d)(6) in the most recent report sub-
3 mitted in accordance with such section—

4 “(A) a copy of the Annual Report on
5 International Child Abductions; and

6 “(B) information pertinent to that coun-
7 try’s downgrade, including—

8 “(i) confirmation of the country’s in-
9 clusion in such ‘tier 3’ list;

10 “(ii) the factors that contributed to
11 the downgrade; and

12 “(iii) the steps that the country must
13 take to be considered for an upgrade in
14 status of designation.

15 “(c) ASSISTANCE PROVIDED BY THE OFFICE OF
16 CHILDREN’S ISSUES.—

17 “(1) DOCUMENTATION RELATING TO DOMESTIC
18 VIOLENCE.—For each application that the Director
19 of the Office of Children’s Issues transmits to a
20 Central Authority, the Director shall include docu-
21 mentation of—

22 “(A) domestic violence protections under
23 the laws of the country from which the child
24 has been removed; and

1 “(B) the availability of such protections to
2 a parent alleged to have fled the United States
3 due to domestic violence.

4 “(2) VOLUNTEER NATIONAL ATTORNEY NET-
5 WORK.—The Director of the Office of Children’s
6 Issues shall take such steps as may be necessary to
7 expand its volunteer national attorney network—

8 “(A) to provide attorneys willing to rep-
9 resent a responding parent in an incoming ab-
10 duction case on a pro bono or reduced fee basis,
11 with respect to which—

12 “(i) the parent is advancing the de-
13 fense that such parent is a victim of do-
14 mestic violence; or

15 “(ii) in an incoming case brought
16 under the International Child Abduction
17 Remedies Act (22 U.S.C. 9001 et seq.),
18 with respect to which a defense of domestic
19 violence has been made; and

20 “(B) to assist parents, on a pro bono or
21 reduced fee basis, in outgoing cases, with—

22 “(i) an application for return or ac-
23 cess under the Hague Abduction Conven-
24 tion to be transmitted by the Secretary of
25 State to a foreign Central Authority;

1 “(ii) referrals to foreign counsel, or
2 judicial or administrative officials, willing
3 to represent the interests of the child in
4 proceedings in the courts of foreign coun-
5 tries to secure the entry and enforcement
6 of any undertaking orders entered by the
7 foreign court to facilitate access to that
8 child or that child’s return; or

9 “(iii) obtaining, where appropriate,
10 protective orders related to allegations or
11 findings of domestic violence, until the
12 court of competent jurisdiction in the
13 United States can address the child cus-
14 tody case on the merits.”.

15 **SEC. 5. AMENDMENTS RELATING TO NOTIFICATION RE-**
16 **QUIRED TO BE PROVIDED TO CONGRES-**
17 **SIONAL REPRESENTATIVES.**

18 Section 104 of the Sean and David Goldman Inter-
19 national Child Abduction Prevention and Return Act of
20 2014 (22 U.S.C. 9114) is amended—

21 (1) by striking subsection (a) and inserting the
22 following:

23 “(a) NOTIFICATION.—The Secretary of State shall
24 submit written notification to the Member of Congress and
25 Senators, or Resident Commissioner or Delegate, as ap-

1 appropriate, representing the legal residence of a left-behind
2 parent if such parent reports an abduction to the Central
3 Authority of the United States (without regard to whether
4 such report occurred before, on, or after the date of the
5 enactment of this subsection).”; and

6 (2) by striking subsection (b) and inserting the
7 following:

8 “(b) TIMING.—The notification required under sub-
9 section (a) shall be provided—

10 “(1) not later than 90 days after the date of
11 the enactment of such subsection, with respect to a
12 report from a left-behind parent that was made on
13 or before such date of enactment; or

14 “(2) not later than 90 days after the date of a
15 report from a left-behind parent made after such
16 date of enactment.”.

17 **SEC. 6. AMENDMENTS TO AUTHORITIES TO RESPOND TO**
18 **INTERNATIONAL CHILD ABDUCTIONS.**

19 Section 201 of the Sean and David Goldman Inter-
20 national Child Abduction Prevention and Return Act of
21 2014 (22 U.S.C. 9121) is amended as follows:

22 (1) By amending subsection (b) to read as fol-
23 lows:

24 “(b) ACTIONS IN RESPONSE TO UNRESOLVED
25 CASES.—

1 “(1) DETERMINATION OF ACTION.—For each
2 abduction or access case relating to a child whose
3 habitual residence is in the United States that re-
4 mains pending after the Central Authority of the
5 United States or the parent submits such case to a
6 foreign country, the Secretary of State shall deter-
7 mine whether the government of such foreign coun-
8 try has failed to take appropriate steps to resolve
9 the case. If such determination is affirmative that
10 such failure occurred, the Secretary should, as expe-
11 ditiously as practicable—

12 “(A) take 3 or more of the actions de-
13 scribed in subsections (d) and (e) of section
14 202; and

15 “(B) direct the chief of mission in that for-
16 eign country to address the resolution of the
17 case with senior officials in the foreign govern-
18 ment.

19 “(2) AUTHORITY FOR DELAY OF ACTION.—The
20 Secretary of State may delay any action described in
21 paragraph (1) for up to 1 year if the Secretary de-
22 termines that such additional time will substantially
23 assist in resolving the case.

24 “(3) REPORT.—If the Secretary of State deter-
25 mines to delay an action pursuant to paragraph (2)

1 or decides not to take any action described in sub-
2 section (d) or (e) of section 202 after making the de-
3 termination described in paragraph (1), the Sec-
4 retary shall provide a report to the appropriate con-
5 gressional committees, not later than 15 days after
6 such delay or decision, that describes the reasons for
7 such delay or decision.

8 “(4) CONGRESSIONAL BRIEFINGS.—At the re-
9 quest of the appropriate congressional committees,
10 the Secretary of State shall provide a briefing, in-
11 cluding a written report, if requested, on actions
12 taken to resolve a case or the cause for delay.”.

13 (2) By amending subsection (c) to read as fol-
14 lows:

15 “(c) IMPLEMENTATION.—

16 “(1) SENSE OF CONGRESS.—In carrying out
17 subsection (b), the Secretary of State should—

18 “(A) take 3 or more actions pursuant to
19 subparagraph (A) of subsection (b)(1) that
20 most appropriately respond to the nature and
21 severity of the governmental failure to resolve
22 the unresolved abduction case; and

23 “(B) seek, to the fullest extent possible—

1 “(i) to initially respond to such a fail-
2 ure by communicating with the Central
3 Authority of the country; and

4 “(ii) if such communication is unsuc-
5 cessful in addressing the failure, to target
6 subsequent actions—

7 “(I) as narrowly as practicable,
8 with respect to the agencies or instru-
9 mentalities of the foreign government
10 that are responsible for such failures;
11 and

12 “(II) in ways that respect the
13 separation of powers and independ-
14 ence of the judiciary of the foreign
15 country, as applicable.

16 “(2) ADDITIONAL GUIDELINES FOR ACTIONS
17 UNDER SECTION 202.—In addition to the guidelines
18 under paragraph (1), in determining whether to take
19 1 or more actions under paragraphs (5) through (7)
20 of section 202(d) or section 202(e) pursuant to sub-
21 paragraph (A) of subsection (b)(1), the Secretary of
22 State shall seek to minimize any adverse impact
23 on—

1 “(A) the population of the country the gov-
2 ernment of which is targeted by the action or
3 actions;

4 “(B) the humanitarian activities of United
5 States and nongovernmental organizations in
6 the country; and

7 “(C) the national security interests of the
8 United States.”.

9 (3) By adding at the end the following:

10 “(d) ACTION IN THE CASE OF ABDUCTED CHILDREN
11 WHO REACH THE AGE OF 16.—When an individual who
12 is an abducted child attains 16 years of age, a consular
13 officer from a United States diplomatic mission in the
14 country in which such individual resides shall, until either
15 the parent seeking assistance or the individual (after at-
16 taining 18 years of age) requests the officer to cease, an-
17 nually—

18 “(1) attempt to contact such individual, engag-
19 ing other agencies and foreign counterparts as nec-
20 essary to obtain a verified location;

21 “(2) advise such individual of applicable rights
22 under section 51.28 of title 22, Code of Federal
23 Regulations, including with respect to executing an
24 application for a passport on the individual’s own
25 behalf; and

1 “(3) advise such individual of applicable rights
 2 under sections 3301 through 3327 of title 38,
 3 United States Code.”.

4 **SEC. 7. AMENDMENTS TO ACTIONS IN RESPONSE TO PAT-**
 5 **TERNS OF NONCOMPLIANCE.**

6 Section 202 of the Sean and David Goldman Inter-
 7 national Child Abduction Prevention and Return Act of
 8 2014 (22 U.S.C. 9122) is amended as follows:

9 (1) In the section heading, by striking “**BY**
 10 **THE SECRETARY OF STATE**”.

11 (2) In subsection (c)—

12 (A) in the heading, by striking “BY THE
 13 SECRETARY OF STATE”; and

14 (B) by amending paragraph (4) to read as
 15 follows:

16 “(4) REPORTS.—

17 “(A) IN GENERAL.—Not later than 90
 18 days after the submission of the Annual Report,
 19 the Secretary of State shall submit a report to
 20 Congress on the specific actions taken against
 21 countries determined to have engaged in a pat-
 22 tern of noncompliance under this section.

23 “(B) BRIEFING.—The Secretary of State
 24 shall annually brief the appropriate congres-

1 sional committees on the report described in
2 subparagraph (A).”.

3 (3) In subsection (d), by striking “subsection
4 (f)” and inserting “subsection (g)”.

5 (4) In subsection (e), by striking paragraphs
6 (1) and (2) and inserting the following:

7 “(1) IN GENERAL.—Except as provided in sub-
8 section (g), the Secretary of State may substitute
9 any other action authorized by law for any action
10 described in subsection (d) if the Secretary deter-
11 mines that such action—

12 “(A) is commensurate in effect to the ac-
13 tion substituted; and

14 “(B) would substantially further the pur-
15 poses of this Act.

16 “(2) NOTIFICATION.—If commensurate action
17 is taken pursuant to this subsection, the Secretary
18 of State shall submit to the appropriate congres-
19 sional committees a report that—

20 “(A) describes such action;

21 “(B) explains the reasons for taking such
22 action; and

23 “(C) specifically describes the basis for the
24 Secretary’s determination under paragraph (1)
25 that such action—

1 “(i) is commensurate with the action
2 substituted; and

3 “(ii) substantially furthers the pur-
4 poses of this Act.”.

5 (5) By inserting the following new subsections
6 after subsection (g):

7 “(h) STUDY ON INTERNATIONAL PARENTAL CHILD
8 ABDUCTION.—

9 “(1) STUDY REQUIRED.—Not later than 1 year
10 after the date of the enactment of this subsection,
11 the Secretary of State shall seek to enter into an
12 agreement with an appropriate nongovernmental or-
13 ganization to study and publish a report on the
14 grave harm to abducted children and left-behind
15 parents as a result of international parental child
16 abduction.

17 “(2) AUTHORIZATION OF APPROPRIATIONS.—
18 There is authorized to be appropriated \$1,000,000
19 for each of fiscal years 2023 and 2024 to carry out
20 the study described in paragraph (1).

21 “(3) APPROPRIATE NONGOVERNMENTAL ORGA-
22 NIZATION.—In this subsection, the term ‘appropriate
23 nongovernmental organization’ means a nongovern-
24 mental organization that has significant expertise in

1 the trauma associated with international parental
2 abductions.

3 “(i) AUDIT OF EFFORTS.—The Secretary of State
4 shall perform an annual audit of the efforts of the Depart-
5 ment of State to monitor and combat international child
6 abductions. Upon the completion of the first such audit,
7 the Secretary shall submit to the appropriate congres-
8 sional committees the results of the audit, specifically de-
9 scribing the effects of actions taken under subsections (d)
10 and (e).

11 “(j) REPORT.—Not later than 90 days after the Sec-
12 retary of State submits the first Annual Report required
13 to be submitted after the date of the enactment of this
14 subsection, the Secretary of State shall submit to the ap-
15 propriate committees a report that contains the following:

16 “(1) A description of the activities undertaken
17 to conduct the study required by subsection (h).

18 “(2) An update on the progress of the audit re-
19 quired by subsection (i).”.

20 **SEC. 8. AMENDMENTS RELATING TO TRAINING.**

21 Title III of the Sean and David Goldman Inter-
22 national Child Abduction Prevention and Return Act of
23 2014 is amended—

24 (1) by repealing section 301;

1 (2) by redesignating section 302 (as amended
2 by subsection (a)) as section 301; and
3 (3) by adding at the end the following:

4 **“SEC. 302. ADDITIONAL INTERNATIONAL PARENTAL CHILD**
5 **ABDUCTION TRAINING.**

6 “(a) IN GENERAL.—The Secretary of State shall
7 make training available on international parental child ab-
8 ductions to domestic and foreign professionals employed
9 in the judicial, family court, or law enforcement profes-
10 sions.

11 “(b) AUTHORIZATIONS OF APPROPRIATIONS.—There
12 is authorized to be appropriated \$1,000,000 for each fiscal
13 year to carry out the training described in subsection
14 (a).”.

15 **SEC. 9. MODIFICATIONS TO THE OFFICE OF CHILDREN’S**
16 **ISSUES OF THE DEPARTMENT OF STATE.**

17 (a) ESTABLISHMENT OF UNITED STATES AMBAS-
18 SADOR-AT-LARGE TO MONITOR AND COMBAT CHILD AB-
19 DUCTIONS.—Section 201(a) of the Admiral James W.
20 Nance and Meg Donovan Foreign Relations Authorization
21 Act, Fiscal Years 2000 and 2001 (22 U.S.C. 9009) is
22 amended to read as follows:

23 “(a) AMBASSADOR-AT-LARGE TO MONITOR AND
24 COMBAT CHILD ABDUCTIONS.—

1 “(1) APPOINTMENT.—The Office of Children’s
2 Issues of the Department of State (in this section
3 referred to as the ‘Office’) shall be led by an Amba-
4 sador-at-Large to Monitor and Combat Child Abduc-
5 tions (in this section referred to as the ‘Ambas-
6 sador’), who shall be appointed by the President by
7 and with the advice and consent of the Senate and
8 who shall report directly to the Secretary of State.

9 “(2) DIPLOMATIC REPRESENTATION.—Subject
10 to the direction of the President and the Secretary
11 of State, the Ambassador is authorized to represent
12 the United States—

13 “(A) in matters and cases relevant to child
14 abduction affairs, through—

15 “(i) contacts with foreign govern-
16 ments, intergovernmental organizations,
17 specialized agencies of the United Nations,
18 and other international organizations of
19 which the United States is a member; and

20 “(ii) multilateral conferences and
21 meetings relating to international child ab-
22 ductions; and

23 “(B) in matters and cases relevant to
24 inter-country adoptions.

1 “(3) ADDITIONAL DUTIES AND RESPONSIBIL-
2 ITIES.—The Ambassador shall also be responsible
3 for carrying out the duties and responsibilities as-
4 signed to the Secretary of State under the Sean and
5 David Goldman International Child Abduction Pre-
6 vention and Return Act of 2014 (22 U.S.C. 9101 et
7 seq.).

8 “(4) DIRECTOR REQUIREMENTS.—

9 “(A) IN GENERAL.—The Secretary of
10 State shall appoint to the position of Director
11 of the Office of the Department of State an in-
12 dividual described in subparagraph (B) who can
13 ensure long-term continuity in the management
14 and policy matters of the Office. Such Director
15 shall report directly to the Ambassador.

16 “(B) QUALIFIED APPOINTEES.—An indi-
17 vidual described in this subparagraph is an in-
18 dividual—

19 “(i) of senior rank in the Department
20 of State;

21 “(ii) who is serving, at the time of the
22 appointment, as a foreign affairs civil serv-
23 ice officer; and

24 “(iii) who has a strong background in
25 consular affairs.

1 “(C) ASSIGNMENT OF DUTIES.—During
2 any period in which an Ambassador has not
3 been appointed and confirmed pursuant to
4 paragraph (1), the Director of the Office shall
5 carry out all duties and responsibilities other-
6 wise assigned to the Ambassador.”.

7 (b) EXPANSION OF DUTIES.—Section 201 of the Ad-
8 miral James W. Nance and Meg Donovan Foreign Rela-
9 tions Authorization Act, Fiscal Years 2000 and 2001 (22
10 U.S.C. 9009) is amended by adding at the end the fol-
11 lowing:

12 “(e) FORMAL REQUEST REQUIREMENTS.—

13 “(1) IN GENERAL.—The Director of the Office
14 shall ensure that with respect to any abduction case
15 relating to a non-Convention country, a formal re-
16 quest by the Central Authority of the United States
17 to the Central Authority of such country for the re-
18 turn of the abducted child and for rights of contact
19 with the abducted child—

20 “(A) is submitted within 30 days of a case
21 being opened by a parent with the Office; and

22 “(B) is renewed, or the Central Authority
23 of the non-Convention country is otherwise ap-
24 propriately re-engaged, every 90 days thereafter
25 until the case is resolved.

1 “(2) ACCESSION TO CONVENTION.—In the case
2 of a case relating to a non-Convention country that
3 subsequently accedes to the Hague Abduction Con-
4 vention, the Director of the Office shall ensure that
5 a formal request described in paragraph (1) that is
6 submitted prior to such date of entry is renewed or
7 re-submitted in accordance with the requirements of
8 the Convention, or the Central Authority of such
9 country continues to otherwise be appropriately re-
10 engaged, and the case continues to be pursued until
11 resolved.

12 “(f) ASSISTANCE FOR PARENTS.—In addition to the
13 matters described in subsection (d), the Director of the
14 Office shall ensure that parents are provided—

15 “(1) information about domestic reporting and
16 remedies, the existence of humanitarian case assist-
17 ance through Interpol, and the availability of welfare
18 and whereabouts visits in foreign countries;

19 “(2) assistance in—

20 “(A) locating internationally abducted chil-
21 dren, including with respect to coordination be-
22 tween United States and foreign law enforce-
23 ment officials or other foreign authorities;

24 “(B) serving process on an abducting par-
25 ent through a diplomatic or consular post or

1 through engagement with United States offi-
2 cials at such posts;

3 “(C) requesting in-person welfare and
4 whereabouts visits to be conducted by a consular
5 officer at a diplomatic or consular post, includ-
6 ing seeking cooperation from the abducting par-
7 ent or from appropriate foreign authorities; and

8 “(D) obtaining reports of the results of
9 such visits; and

10 “(3) liaison assistance with appropriate coun-
11 terparts of the Department of Justice to facilitate—

12 “(A) the entry of a child into the National
13 Crime Information Center database;

14 “(B) the issuance and maintenance of
15 Interpol Red or Yellow notices; and

16 “(C) appropriate Federal criminal prosecu-
17 tion.

18 “(g) IN-PERSON WELFARE AND WHEREABOUTS VIS-
19 ITS.—Upon receiving an one-time request from a parent,
20 a consular officer at a diplomatic or consular post shall
21 conduct in-person welfare and whereabouts visits described
22 in subsection (f)(2)(C) every 90 days. Such visits may be
23 discontinued only upon the written notice to discontinue
24 such visits at the election of the non-abducting parent.”.

1 (c) CONFORMING AMENDMENTS.—Section 433 of the
 2 Homeland Security Act of 2002 (6 U.S.C. 241) is amend-
 3 ed by striking “Secretary of State” each place it appears
 4 and inserting “Secretary of State (acting through the Am-
 5 bassador-at-Large to Monitor and Combat Child Abduc-
 6 tions of the Department of State)”.

7 (d) SENSE OF CONGRESS.—It is the sense of Con-
 8 gress that, in addition to the authorities provided by the
 9 amendments made by this section, the Secretary of State,
 10 acting through the Ambassador-at-Large to Monitor and
 11 Combat Child Abductions, should exercise to the fullest
 12 extent all authorities available to the Secretary, such as
 13 through mutual legal assistance treaties and other bilat-
 14 eral or multilateral treaties and agreements, to—

15 (1) repatriate abducted children; and

16 (2) extradite abducting parents.

17 **SEC. 10. INCREASING SENTENCING GUIDELINE FOR INTER-**
 18 **NATIONAL PARENTAL KIDNAPPING.**

19 Section 1204 of title 18, United States Code, is
 20 amended—

21 (1) in subsection (a), by striking “3” and in-
 22 serting “10”; and

23 (2) in subsection (b)(1), by striking “16” and
 24 inserting “18”.

1 **SEC. 11. CLERICAL AMENDMENTS.**

2 (a) **WAIVER.**—Section 204 of the Sean and David
3 Goldman International Child Abduction Prevention and
4 Return Act of 2014 (22 U.S.C. 9124) is amended by strik-
5 ing the heading and inserting “**WAIVER.**”.

6 (b) **TERMINATION OF ACTIONS.**—Section 205 of the
7 Sean and David Goldman International Child Abduction
8 Prevention and Return Act of 2014 (22 U.S.C. 9125) is
9 amended by striking the heading and inserting “**TERMI-**
10 **NATION OF ACTIONS.**”.

11 (c) **TABLE OF CONTENTS.**—Section 1(b) of the Sean
12 and David Goldman International Child Abduction Pre-
13 vention and Return Act of 2014 (22 U.S.C. 9101 note)
14 is amended to read as follows:

15 “(b) **TABLE OF CONTENTS.**—The table of contents
16 for this Act is as follows:

“Sec. 1. Short title and table of contents.

“Sec. 2. Findings; sense of Congress; purposes.

“Sec. 3. Definitions.

“**TITLE I—DEPARTMENT OF STATE ACTIONS**

“Sec. 101. Annual report.

“Sec. 102. Standards and assistance.

“Sec. 103. Bilateral procedures, including memoranda of understanding.

“Sec. 104. Report to congressional representatives.

“**TITLE II—ACTIONS BY THE SECRETARY OF STATE**

“Sec. 201. Response to international child abductions.

“Sec. 202. Actions in response to patterns of noncompliance in cases of inter-
national child abductions.

“Sec. 203. Consultations with foreign governments.

“Sec. 204. Waiver.

“Sec. 205. Termination of actions.

“**TITLE III—PREVENTION OF INTERNATIONAL CHILD ABDUCTION**

“Sec. 301. Authorization for judicial training on international parental child abduction.

“Sec. 302. Additional international parental child abduction training.”.

1 **SEC. 12. EXPANDING NOTIFICATION REQUIREMENTS FOR**
2 **MISSING CHILDREN.**

3 Subsection (a) of section 3701 of the Crime Control
4 Act of 1990 (34 U.S.C. 41307) is amended to read as
5 follows:

6 “(a) REQUIREMENT.—

7 “(1) IN GENERAL.—Each Federal, State, and
8 local law enforcement agency shall report each case
9 of a missing child under the age of 21 reported to
10 such agency to the National Crime Information Cen-
11 ter of the Department of Justice, except that in the
12 case of an international parental child abduction,
13 such agency shall report the case to the Federal Bu-
14 reau of Investigation.

15 “(2) INTERNATIONAL PARENTAL CHILD ABDUC-
16 TIONS.—

17 “(A) REQUIREMENT ON FBI.—In each case
18 of international parental child abduction, the
19 Federal Bureau of Investigation shall—

20 “(i) report each case of a missing
21 child under the age of 21 reported to such
22 agency to the National Crime Information
23 Center of the Department of Justice; and

1 “(ii) request that the United States
2 National Central Bureau, as the official
3 United States representative to the Inter-
4 national Criminal Police Organization
5 (INTERPOL), issue a Yellow Notice.

6 “(B) APPLICATION TO PREVIOUSLY AB-
7 DUCTED CHILDREN.—Not later than 30 days
8 after the date of enactment of the Bring Ab-
9 ducted Children Home Amendments Act, for
10 each covered international parental child abduc-
11 tion—

12 “(i) the Federal Bureau of Investiga-
13 tion shall comply with the requirements
14 under subparagraph (A); and

15 “(ii) the Office of Children’s Issues
16 shall provide information to left-behind
17 parents of the resources and authorities
18 available pursuant to the amendments
19 made by such Act and assist them by
20 liaising with the Department of Justice to
21 ensure that the Federal Bureau of Inves-
22 tigation complies with the requirements
23 under subparagraph (A).

24 “(C) REMOVAL FROM THE NCIC.—A child
25 who is the victim of an international parental

1 child abduction who is entered into the National
2 Crime Information Center database of the De-
3 partment of Justice may not be removed from
4 such database until the child—

5 “(i) is returned to the left-behind par-
6 ent; or

7 “(ii) after reaching the age of 21, re-
8 quests their removal in person to a United
9 States consular official or Federal law en-
10 forcement officer.

11 “(D) INTERPOL YELLOW NOTICE.—A
12 Yellow Notice issued by the United States Na-
13 tional Central Bureau with respect to a child
14 who is the victim of an international parental
15 abduction shall remain active until the child—

16 “(i) is returned to the left-behind par-
17 ent; or

18 “(ii) after reaching the age of 21, re-
19 quests their removal in person to a United
20 States consular official or Federal law en-
21 forcement officer.

22 “(3) DEFINITIONS.—In this subsection:

23 “(A) The term ‘international parental child
24 abduction’ has the meaning given the term ‘ab-
25 duction’ in section 3 of the Sean and David

1 Goldman International Child Abduction Preven-
2 tion and Return Act of 2014 (22 U.S.C. 9101),
3 to the extent that the perpetrator of such ab-
4 duction is a parent of the child.

5 “(B) The term ‘left-behind parent’ has the
6 meaning given such term in section 3 of the
7 Sean and David Goldman International Child
8 Abduction Prevention and Return Act of 2014
9 (22 U.S.C. 9101).

10 “(C) The term ‘covered international pa-
11 rental child abduction’ means an international
12 parental child abduction—

13 “(i) that occurred prior to the date of
14 enactment of the Bring Abducted Children
15 Home Amendments Act—

16 “(I) with respect to which para-
17 graph (1) would apply if such abduc-
18 tion were to have occurred on or after
19 the date of enactment of such Act; or

20 “(II) that was reported to the
21 Office of Children’s Issues of the De-
22 partment of State; and

23 “(ii) with respect to which the child
24 who was abducted has not been returned
25 to the left-behind parent.”.

1 **SEC. 13. LEGAL EXPENSE GRANTS FOR VICTIMS OF INTER-**
2 **NATIONAL PARENTAL CHILD ABDUCTION.**

3 Section 1403 of the Victims of Crime Act of 1984
4 (34 U.S.C. 20102) is amended—

5 (1) in subsection (b)(1)—

6 (A) in the matter preceding subparagraph
7 (A), by striking “including drunk driving and
8 domestic violence” and inserting “including
9 international parental child abduction, drunk
10 driving, and domestic violence”;

11 (B) in subparagraph (B), by striking
12 “and” at the end;

13 (C) in subparagraph (C), by adding “and”
14 at the end; and

15 (D) by inserting after subparagraph (C)
16 the following:

17 “(D) legal expenses in United States and
18 foreign countries attributable to efforts to repa-
19 triate a victim of international parental child
20 abduction resulting from a compensable
21 crime;”;

22 (2) in subsection (d)—

23 (A) in paragraph (3), by inserting “that
24 constitute international parental child abduc-
25 tion,” after “that are described in section 247
26 of title 18, United States Code,”;

1 (B) in paragraph (4), by striking “and” at
2 the end;

3 (C) in paragraph (5), by striking the pe-
4 riod at the end and inserting a semicolon; and

5 (D) by adding at the end the following:

6 “(6) the term ‘international parental child ab-
7 duction’ has the meaning given such term in section
8 3701 of the Crime Control Act of 1990 (34 U.S.C.
9 41307)); and

10 “(7) the term ‘left-behind parent’ has the
11 meaning given such term in section 3 of the Sean
12 and David Goldman International Child Abduction
13 Prevention and Return Act of 2014 (22 U.S.C.
14 9101).”; and

15 (3) by adding at the end the following:

16 “(f) RULE OF CONSTRUCTION.—For purposes of this
17 section, a left-behind parent shall be considered a victim
18 of international parental child abduction.”.

○