

117TH CONGRESS
1ST SESSION

S. 3280

To establish the Office of Children in Family Security and an Ambassador at Large for Children in Family Security, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 30, 2021

Mr. BLUNT (for himself and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To establish the Office of Children in Family Security and an Ambassador at Large for Children in Family Security, 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 “Children in Family Security Act of 2021”.

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. Sense of Congress.
- Sec. 3. Definitions.

TITLE I—OFFICE OF CHILDREN IN FAMILY SECURITY AND
AMBASSADOR AT LARGE FOR CHILDREN IN FAMILY SECURITY

- Sec. 101. Office of Children in Family Security.
 Sec. 102. Ambassador at Large for Children in Family Security.
 Sec. 103. Amendments to the Intercountry Adoption Act of 2000.
 Sec. 104. Amendment to the Immigration and Nationality Act.

TITLE II—SUPPORTING CHILDREN IN ADVERSITY

- Sec. 201. Special Advisor for Children in Adversity.
 Sec. 202. Coordination with the Office of Children in Family Security.

TITLE III—FUNDING; RULES OF CONSTRUCTION; EFFECTIVE
DATE

- Sec. 301. Funding.
 Sec. 302. Rules of construction.
 Sec. 303. Effective date of title I.

1 SEC. 2. SENSE OF CONGRESS.

2 It is the sense of Congress that—

3 (1) the United States Government should be a
 4 source of support and encouragement for foreign
 5 child welfare systems interested in transitioning
 6 from institutional care to family care, according to
 7 the best interests of the child living without, or at
 8 risk of living without, family care;

9 (2) a foreign child welfare system that reflects
 10 the best interests of a child living without, or at risk
 11 of living without, family care should—

12 (A) while keeping siblings together when-
 13 ever possible—

14 (i) prioritize family preservation or re-
 15 unification;

1 (ii) when family preservation or reuniti-
 2 fication is not possible, ensure the timely
 3 provision of adoption or guardianship; and

4 (iii) use interim placement of foster
 5 care or kinship care if—

6 (I) such placement is imme-
 7 diately available; and

8 (II) there are ongoing efforts to
 9 transition the child to the other forms
 10 of family care described in clauses (i)
 11 and (ii);

12 (B) provide assistance for children with
 13 disabilities, who are disproportionately institu-
 14 tionalized, including—

15 (i) payment and support to adults
 16 providing family care; and

17 (ii) any other available assistance that
 18 promotes the welfare of such children; and

19 (C)(i) not rely on institutional care; or

20 (ii) if institutional care is currently relied
 21 upon, work to transition children to family care;

22 (3) children should grow up with permanent,
 23 safe, and nurturing families;

24 (4) many children do not have such families;

25 (5) institutional care—

1 (A) is used throughout the world to assist
2 the millions of children who are without family
3 care, but such care does not reflect the best in-
4 terests of such children; and

5 (B) presents the risk of neurological and
6 psychological harm to children, especially in-
7 fants and children with disabilities;

8 (6) there are children living in institutional care
9 who have at least 1 living parent who would other-
10 wise take care of them if the parent could meet the
11 needs of such children;

12 (7) some foreign governments lack the re-
13 sources or infrastructure to adequately develop a
14 child welfare system that reflects the best interests
15 of children living without family care and children at
16 risk of living without family care;

17 (8) the United States can assist children
18 around the world who are living without family care
19 or who are at risk of living without family care by
20 advocating for and providing technical assistance re-
21 lated to the implementation of laws, regulations,
22 policies, and procedures that—

23 (A) reflect the best interests of such chil-
24 dren in a child welfare system of a foreign gov-
25 ernment; and

1 (B) ensure that intercountry adoption is a
2 viable and fully developed option; and

3 (9) the implementation of United States foreign
4 policy can be enhanced by providing the assistance
5 described in paragraph (8) when—

6 (A) such assistance serves the foreign pol-
7 icy interests of the United States; and

8 (B) a foreign government lacking the re-
9 sources or infrastructure described in para-
10 graph (7) seeks such assistance from the
11 United States.

12 **SEC. 3. DEFINITIONS.**

13 In this Act:

14 (1) ADOPTION.—The term “adoption” means—

15 (A) adoptions within the United States;
16 and

17 (B) intercountry adoptions.

18 (2) AMBASSADOR.—The term “Ambassador”
19 means the Ambassador at Large for Children in
20 Family Security established under section 102(a) of
21 this Act.

22 (3) CENTRAL AUTHORITY.—The term “central
23 authority” has the meaning given such term in sec-
24 tion 3 of the Intercountry Adoption Act of 2000 (42
25 U.S.C. 14902).

1 (4) CHILD WELFARE SYSTEM.—The term
 2 “child welfare system” means a group of services de-
 3 signed to promote the well-being of children by en-
 4 suring safety, achieving permanency, and strength-
 5 ening families.

6 (5) CHILDREN IN ADVERSITY.—The term “chil-
 7 dren in adversity” means individuals who—

8 (A) have not attained 18 years of age; and

9 (B) are experiencing conditions of serious
 10 deprivation and danger, including individuals
 11 who are—

12 (i) living without, or at risk of living
 13 without, family care;

14 (ii) experiencing violence;

15 (iii) affected by, or emerging from,
 16 armed conflict or humanitarian crises;

17 (iv) living with disabilities;

18 (v) orphans; or

19 (vi) otherwise vulnerable, including
 20 because of human immunodeficiency virus
 21 and acquired immunodeficiency syndrome
 22 (commonly known as “HIV/AIDS”), acute
 23 illness, or premature birth.

1 (6) CONVENTION COUNTRY.—The term “Con-
2 vention country” means a country that is a party to
3 the Hague Adoption Convention.

4 (7) FAMILY CARE.—The term “family care” re-
5 fers to adoption, family preservation, reunification,
6 foster care, guardianship, or kinship care.

7 (8) FAMILY-LIKE GROUP HOME.—The term
8 “family-like group home” means an arrangement in
9 which a child is placed in a home—

10 (A) that houses a limited number of chil-
11 dren; and

12 (B) in which personalized caretaking is
13 provided only by one or more caregivers.

14 (9) FAMILY PRESERVATION.—The term “family
15 preservation” means measures taken to keep a child
16 within the care of his or her parent or parents.

17 (10) FOSTER CARE.—The term “foster care”
18 means an arrangement in which a child is placed
19 with at least 1 adult—

20 (A) who is not a relative;

21 (B) with whom the child does not have an
22 emotionally significant relationship; and

23 (C) who has been authorized by a child
24 welfare system to provide full-time care for the
25 child on a temporary basis.

1 (11) GUARDIANSHIP.—

2 (A) IN GENERAL.—The term “guardian-
3 ship” means a permanent legal relationship be-
4 tween an adult and a child, in which the adult
5 is lawfully vested with the power and charged
6 with the duty of taking care of the child.

7 (B) KINSHIP CARE; KEFALA ORDER.—The
8 terms “Kefala order”, which is issued by a
9 country that follows traditional Islamic law, and
10 “kinship care” include relationships that may
11 not qualify as permanent legal relationships
12 under United States law, but may be considered
13 forms of guardianship if such relationships are
14 considered appropriate under the circumstances
15 of a foreign child welfare system.

16 (12) HAGUE ADOPTION CONVENTION.—The
17 term “Hague Adoption Convention” means the Con-
18 vention on Protection of Children and Co-operation
19 in Respect of Intercountry Adoption, done at The
20 Hague May 29, 1993.

21 (13) INSTITUTIONAL CARE.—The term “institu-
22 tional care” means care for children provided in a
23 public or private residential setting that is—

24 (A) not family care;

1 (B) staffed by salaried or volunteer care-
 2 givers working pre-determined hours or shifts;
 3 and

4 (C) a collective living arrangement, includ-
 5 ing—

6 (i) orphanages;

7 (ii) places of safety or transit centers
 8 for emergency care used primarily as an
 9 alternative to family care;

10 (iii) children's homes;

11 (iv) children's villages or cottage com-
 12 plexes; and

13 (v) boarding schools or hospitals used
 14 primarily as an alternative to family care.

15 (14) INTERIM PLACEMENT.—The term “interim
 16 placement” means foster care or kinship care.

17 (15) KINSHIP CARE.—The term “kinship care”
 18 means an arrangement in which a child is placed
 19 with at least 1 adult who—

20 (A) is a relative, a member of a Tribe or
 21 clan, or related by marriage, or has an emotion-
 22 ally significant relationship with the child; and

23 (B) has been authorized by a child welfare
 24 system to provide full-time care for the child on
 25 a temporary basis.

1 (16) OFFICE.—The term “Office” means the
2 Office of Children in Family Security established
3 under section 101(a) of this Act.

4 (17) REUNIFICATION.—The term “reunifica-
5 tion” means the transition of a child, after being
6 separated from parental care, into the care or cus-
7 tody of the parent or parents of such child, including
8 the provision of access to appropriate services and
9 support that follows reunification and addresses the
10 reason for the initial separation.

11 (18) SPECIAL ADVISOR.—The term “Special
12 Advisor” means the Special Advisor for Children in
13 Adversity appointed pursuant to section 135(e) of
14 the Foreign Assistance Act of 1961 (22 U.S.C.
15 2152f(e)), as amended by section 201(4).

16 **TITLE I—OFFICE OF CHILDREN**
17 **IN FAMILY SECURITY AND**
18 **AMBASSADOR AT LARGE FOR**
19 **CHILDREN IN FAMILY SECU-**
20 **RITY**

21 **SEC. 101. OFFICE OF CHILDREN IN FAMILY SECURITY.**

22 (a) ESTABLISHMENT.—There is established, within
23 the Office of the Secretary of State, the Office of Children
24 in Family Security.

25 (b) RESPONSIBILITIES.—

1 (1) ELIGIBILITY TO PARTICIPATE IN INTER-
2 COUNTRY ADOPTIONS.—

3 (A) IN GENERAL.—The Director, in con-
4 sultation with other offices of the Department
5 of State and the Department of Homeland Se-
6 curity, shall determine, based on standardized
7 criteria, whether—

8 (i) a Convention country has met its
9 obligations under the Hague Adoption
10 Convention; and

11 (ii) such country is eligible to partici-
12 pate in intercountry adoptions in accord-
13 ance with United States law.

14 (B) NOTICE.—Not later than 30 days be-
15 fore the effective date of a determination under
16 subparagraph (A), except as otherwise provided
17 by the Office for good cause found and pub-
18 lished with the determination, the Director shall
19 publish a general notice in the Federal Register
20 of such determination, which shall include—

21 (i) a statement of the time, place, and
22 nature of the determination;

23 (ii) a reference to the specific legal
24 authority under which the determination is
25 made; and

1 (iii) the terms or substance of the de-
2 termination or a description of the subjects
3 and issues involved in making the deter-
4 mination.

5 (C) PUBLIC COMMENT.—After each notice
6 is published in accordance with subparagraph
7 (B), the public shall have an opportunity to
8 submit written data, views, or arguments, with
9 or without opportunity for oral presentation, re-
10 garding the determination that was the subject
11 of such notice.

12 (D) GENERAL STATEMENT.—After consid-
13 ering the data, views, and arguments submitted
14 in accordance with subparagraph (C), the Di-
15 rector shall incorporate in the determination a
16 concise general statement of the basis and pur-
17 pose of such determination.

18 (2) DEVELOPMENT OF PROCEDURES AND CRI-
19 TERIA.—The Director, in coordination with U.S.
20 Citizenship and Immigration Services, shall develop
21 a set of procedures and criteria that—

22 (A) governs suitability and eligibility deter-
23 minations for prospective adoptive parents seek-
24 ing to adopt internationally, regardless of

1 whether the child to be adopted is from a Con-
2 vention country;

3 (B) governs the determination of eligibility
4 of a child for adoption, regardless of whether
5 such child is from a Convention country; and

6 (C) is consistent with the best interests of
7 the child determination described in section
8 303(a)(1)(C) of the Intercountry Adoption Act
9 of 2000 (42 U.S.C. 14932(a)(1)(C)).

10 (3) DIVISIONS.—There is established within the
11 Office—

12 (A) a division for executing oversight re-
13 sponsibilities of the Hague Adoption Conven-
14 tion, including the obligations of—

15 (i) the Ambassador at Large for Chil-
16 dren in Family Security (referred to in this
17 paragraph as the “Ambassador”); and

18 (ii) the Office of Children’s Issues of
19 the Department of State;

20 (B) a division for executing bilateral re-
21 sponsibilities of the Hague Adoption Conven-
22 tion, including—

23 (i) executing the obligations of the
24 Ambassador and the Office described in ti-
25 tles I, III, IV, and V of the Intercountry

1 Adoption Act of 2000 (42 U.S.C. 14901 et
2 seq.), as amended by this Act, except for
3 the obligations expressly assigned to the
4 Ambassador under section 102(e)(3)(C) of
5 this Act;

6 (ii) transmitting any intercountry
7 adoption-related case information received
8 from the central authority of another Con-
9 vention country to the Secretary of Home-
10 land Security, upon the request of the Sec-
11 retary of Homeland Security; and

12 (iii) transmitting any intercountry
13 adoption-related case information re-
14 quested by the Secretary of Homeland Se-
15 curity to the central authority of another
16 Convention country; and

17 (C) a division for promoting best practices
18 for foreign child welfare systems, which shall
19 advise foreign child welfare systems, on such
20 terms and conditions as the Ambassador deems
21 appropriate, regarding—

22 (i) drafting, disseminating, and imple-
23 menting legislation, regulations, policies,
24 procedures, and other governmental meas-
25 ures;

- 1 (ii) establishing public, private, and
- 2 faith- and community-based partnerships;
- 3 (iii) developing workforce training for
- 4 governmental and nongovernmental staff;
- 5 and
- 6 (iv) identifying and documenting the
- 7 number and needs of children who are liv-
- 8 ing without, or are at risk of living with-
- 9 out, family care.

10 (c) DIRECTOR.—

11 (1) IN GENERAL.—The Office shall be headed

12 by a Director who shall be appointed by the Sec-

13 retary of State.

14 (2) QUALIFICATIONS FOR APPOINTMENT.—The

15 Director shall have—

16 (A) a strong professional background in

17 consular affairs;

18 (B) personal experience in international

19 adoptions; or

20 (C) professional experience in international

21 adoptions or child services.

22 (3) RESPONSIBILITIES.—The Director shall—

23 (A) oversee the Office and its divisions;

24 and

1 (B) ensure long-term continuity in the
2 management and policy matters of the Office.

3 (d) RECORDS.—Not later than 1 year after the date
4 of establishment of the Office, and annually thereafter, the
5 Director shall submit to Congress, with any other relevant
6 annual report mandated by law—

7 (1) a description of the implementation of sub-
8 section (b)(3)(C);

9 (2) a record of the date of consultation and the
10 agency consulted pursuant to subsection (b)(1)(A);

11 (3) a record of the date of consultation or co-
12 ordination and the agency with which the Office con-
13 sulted or coordinated pursuant to section 102(c)(3);
14 and

15 (4) a record of the date of coordination and the
16 agency with which the Office coordinated pursuant
17 to section 102(c)(4).

18 **SEC. 102. AMBASSADOR AT LARGE FOR CHILDREN IN FAM-**
19 **ILY SECURITY.**

20 (a) ESTABLISHMENT.—There is established, within
21 the Office of the Secretary of State, an Ambassador at
22 Large for Children in Family Security, who shall be ap-
23 pointed by the President, by and with the advice and con-
24 sent of the Senate.

25 (b) QUALIFICATIONS.—The Ambassador shall—

1 (1) have experience in advocating in foreign
2 countries for the development and implementation of
3 laws, regulations, policies, and procedures that re-
4 flect the policy described in section 2; and

5 (2) be knowledgeable of, and committed to, pro-
6 moting the policy described in section 2.

7 (c) RESPONSIBILITIES.—The Ambassador shall—

8 (1) advocate for laws, regulations, policies, and
9 procedures that reflect the policy described in sec-
10 tion 2;

11 (2) report directly to the Secretary of State and
12 serve as a primary advisor to the President in all
13 matters relevant to children in foreign countries who
14 are living without family care or are at risk of living
15 without family care;

16 (3) subject to the direction of the President and
17 the Secretary of State, and in consultation and co-
18 ordination with the Administrator of the United
19 States Agency for International Development, the
20 Secretary of Homeland Security, and the Special
21 Advisor, represent the United States in matters rel-
22 evant to children in foreign countries who are living
23 without, or are at risk of living without, family
24 care—

1 (A) in contacts with foreign governments,
 2 nongovernmental organizations, intergovern-
 3 mental agencies, specialized agencies of the
 4 United Nations, and other international organi-
 5 zations of which the United States is a member;
 6 and

7 (B) in multilateral conferences and meet-
 8 ings; and

9 (4) coordinate with the Secretary of Homeland
 10 Security, the Administrator of the United States
 11 Agency for International Development, and the Spe-
 12 cial Advisor to maintain consistency in United
 13 States foreign policy and operations with respect to
 14 children in foreign countries who are living without,
 15 or are at risk of living without, family care.

16 **SEC. 103. AMENDMENTS TO THE INTERCOUNTRY ADOP-**
 17 **TION ACT OF 2000.**

18 The Intercountry Adoption Act of 2000 (42 U.S.C.
 19 14901 et seq.) is amended—

20 (1) in section 3 (42 U.S.C. 14902)—

21 (A) by amending paragraph (16) to read
 22 as follows:

23 “(16) **AMBASSADOR.**—The term ‘Ambassador’
 24 means the Ambassador at Large for Children in

1 Family Security established under section 102 of the
 2 Children in Families Act of 2021.”;

3 (B) by redesignating paragraph (17) as
 4 paragraph (18); and

5 (C) by inserting after paragraph (16) the
 6 following:

7 “(17) OFFICE.—The term ‘Office’ means the
 8 Office of Children in Family Security established
 9 under section 101 of the Children in Families Act of
 10 2021.”;

11 (2) by amending section 101 (42 U.S.C. 14911)
 12 to read as follows:

13 **“SEC. 101. DESIGNATION OF CENTRAL AUTHORITY.**

14 “(a) IN GENERAL.—For purposes of the Convention
 15 and this Act—

16 “(1) the Office shall serve as the central au-
 17 thority of the United States; and

18 “(2) the Ambassador shall serve as the head of
 19 the central authority of the United States.

20 “(b) PERFORMANCE OF CENTRAL AUTHORITY FUNC-
 21 TIONS.—Except as otherwise provided in this Act, the Of-
 22 fice shall be responsible for the performance of all central
 23 authority functions for the United States under the Con-
 24 vention and this Act.

1 “(c) QUALIFICATIONS FOR OFFICE PERSONNEL.—

2 All personnel of the Office performing central authority
3 functions shall have—

4 “(1) a strong background in consular affairs;

5 “(2) personal experience in international adop-
6 tions; or

7 “(3) professional experience in international
8 adoptions or child services.

9 “(d) AUTHORITY OF AMBASSADOR.—Except as oth-
10 erwise provided in this Act, the Ambassador may prescribe
11 such regulations as may be necessary to carry out central
12 authority functions on behalf of the United States.”;

13 (3) in sections 102, 104, 202, 203, 204, 303,
14 401, 403, and 503, by striking “Secretary” in each
15 place such term appears and inserting “Ambas-
16 sador”;

17 (4) in section 204 (42 U.S.C. 14924)—

18 (A) in the section heading, by striking

19 **“SECRETARIAL OVERSIGHT OF ACCREDI-
20 TATION AND APPROVAL”** and inserting

21 **“OVERSIGHT OF ACCREDITATION AND AP-
22 PROVAL”**;

23 (B) in subsection (b)(1), in the paragraph
24 heading, by striking “SECRETARY’S AUTHOR-
25 ITY” and inserting “AUTHORITY”;

1 (C) in subsection (c)(1), in the paragraph
 2 heading, by striking “SECRETARY’S AUTHOR-
 3 ITY” and inserting “AUTHORITY”; and

4 (D) in subsection (c)(2), by striking “Sec-
 5 retary’s debarment” and inserting “debar-
 6 ment”;

7 (5) in section 301 (42 U.S.C. 14931)—

8 (A) in subsection (a)(1)—

9 (i) by striking “, if the Secretary of
 10 State—” and inserting “if the Office—”;
 11 and

12 (ii) in subparagraph (B) by striking
 13 “Act” and inserting “chapter”; and

14 (B) in subsections (b) and (c), by striking
 15 “the Secretary of State” in each place such
 16 term appears and inserting “the Ambassador”;

17 (6) in section 303 (42 U.S.C. 14933), by strik-
 18 ing “the Secretary of State” in each place such term
 19 appears and inserting “the Ambassador”; and

20 (7) in section 403 (42 U.S.C. 14943), by
 21 amending subsection (b)(3) to read as follows:

22 “(b) ASSESSMENT OF FEES.—

23 “(1) IN GENERAL.—The Ambassador may
 24 charge a fee for new or enhanced services that will

1 be undertaken by the Office to meet the require-
 2 ments of this Act with respect to—

3 “(A) intercountry adoptions under the
 4 Convention; and

5 “(B) comparable services with respect to
 6 other intercountry adoptions.

7 “(2) FEES.—Any fee charged in accordance
 8 with paragraph (1)—

9 “(A) shall be prescribed by regulation and
 10 shall not exceed the cost of such services; and

11 “(B) shall be retained and deposited as an
 12 offsetting collection to any appropriation for the
 13 Office to recover the costs of providing such
 14 services.”.

15 **SEC. 104. AMENDMENT TO THE IMMIGRATION AND NATION-**
 16 **ALITY ACT.**

17 Section 204(d)(2) of the Immigration and Nationality
 18 Act (8 U.S.C. 1154(d)(2)) is amended by striking “Sec-
 19 retary of State” and inserting “Ambassador at Large for
 20 Children in Family Security”.

21 **TITLE II—SUPPORTING**
 22 **CHILDREN IN ADVERSITY**

23 **SEC. 201. SPECIAL ADVISOR FOR CHILDREN IN ADVERSITY.**

24 Section 135 of the Foreign Assistance Act of 1961
 25 (22 U.S.C. 2152f) is amended—

1 (1) in subsection (b)—

2 (A) by redesignating paragraphs (3), (4),
3 and (5) as paragraphs (4), (5), and (6), respec-
4 tively; and

5 (B) by inserting after paragraph (2) the
6 following:

7 “(3) CHILDREN IN ADVERSITY.—The term
8 ‘children in adversity’ means children who are expe-
9 riencing conditions of serious deprivation and dan-
10 ger, including children who are—

11 “(A) living without, or at risk of living
12 without, family care;

13 “(B) experiencing violence;

14 “(C) affected by, or emerging from, armed
15 conflict or humanitarian crises;

16 “(D) living with disabilities;

17 “(E) orphans; or

18 “(F) otherwise vulnerable, including be-
19 cause of HIV/AIDS, acute illness, or premature
20 birth.”;

21 (2) in subsection (c)—

22 (A) by striking “orphans and other vulner-
23 able children” each place such phrase appears
24 and inserting “children in adversity”; and

1 (B) in paragraph (5), by striking “or-
 2 phans, other vulnerable children,” and inserting
 3 “children in adversity”;

4 (3) in subsection (d)(1), by striking “orphans
 5 and other vulnerable children.” and inserting “chil-
 6 dren in adversity.”; and

7 (4) in subsection (e)—

8 (A) in the subsection heading, by striking
 9 “**SPECIAL ADVISOR FOR ASSISTANCE TO**
 10 **ORPHANS AND VULNERABLE CHILDREN**”
 11 and inserting “**SPECIAL ADVISOR FOR CHIL-**
 12 **DREN IN ADVERSITY**”;

13 (B) in paragraphs (1) and (2), by striking
 14 “Special Advisor for Assistance to Orphans and
 15 Vulnerable Children” each place such phrase
 16 appears and inserting “Special Advisor for Chil-
 17 dren in Adversity”; and

18 (C) in paragraph (2), by striking “orphans
 19 and other vulnerable children” each place such
 20 phrase appears and inserting “children in ad-
 21 versity”.

22 **SEC. 202. COORDINATION WITH THE OFFICE OF CHILDREN**
 23 **IN FAMILY SECURITY.**

24 Section 137(a)(4)(A) of the Foreign Assistance Act
 25 of 1961 (22 U.S.C. 2152k(a)(4)(A)) is amended by insert-

1 ing “, including the Office of Children in Family Security”
2 before the semicolon.

3 **TITLE III—FUNDING; RULES OF**
4 **CONSTRUCTION; EFFECTIVE**
5 **DATE**

6 **SEC. 301. FUNDING.**

7 (a) IN GENERAL.—This Act, and the amendments
8 made by this Act, shall be carried out using appropriations
9 authorized under section 403 of the Intercountry Adoption
10 Act of 2000 (42 U.S.C. 14943) and using amounts other-
11 wise available for the purposes of this Act, including unob-
12 ligated balances of funds appropriated to carry out activi-
13 ties under the Foreign Assistance Act of 1961 (22 U.S.C.
14 2151 et seq.). Nothing in this Act may be construed as
15 prohibiting the appropriation of funds to carry out this
16 Act or any amendments made by this Act.

17 (b) LIMITATIONS ON USE OF FUNDS.—No funds ob-
18 ligated or appropriated in accordance with this Act may
19 be provided for advocating for building, renovating, or re-
20 furbishing residential facilities that provide institutional
21 care or family-like group homes.

22 **SEC. 302. RULES OF CONSTRUCTION.**

23 Nothing in this Act may be construed—

24 (1) to preclude advocacy for the provision of
25 funds obligated or appropriations for in-kind assist-

1 ance, stipends, or subsidies for the care of children
2 in adversity, children with disabilities, or other chil-
3 dren requiring increased levels of care, including
4 children with chronic antisocial behavior, emotional
5 disturbance, and delinquency;

6 (2) to be related to locations such as correc-
7 tional facilities to the extent that the situation of the
8 children concerned, the deprivation of liberty con-
9 sequent to alleged or proven violation of the law, is
10 covered by juvenile justice standards;

11 (3) to abrogate or amend the meaning of “resi-
12 dential care” as defined in section 137(a) of the
13 Foreign Assistance Act of 1961 (22 U.S.C. 2152k);
14 or

15 (4) to be related to any provision of Federal law
16 or regulation regarding international abduction in
17 effect at the date of the enactment of this Act.

18 **SEC. 303. EFFECTIVE DATE OF TITLE I.**

19 Title I and the amendments made by title I take ef-
20 fect on the date that is 1 year after the date of the enact-
21 ment of this Act.

○