#### 111TH CONGRESS 1ST SESSION H.R. 3240

To ensure compliance with the 1980 Hague Convention on the Civil Aspects of International Child Abduction by countries with which the United States enjoys reciprocal obligations, to establish procedures for the prompt return of children abducted to other countries, and for other purposes.

#### IN THE HOUSE OF REPRESENTATIVES

#### JULY 16, 2009

Mr. SMITH of New Jersey (for himself, Mr. POE of Texas, Mr. MOLLOHAN, Mr. SENSENBRENNER, Mr. WOLF, Mr. INGLIS, Ms. LORETTA SANCHEZ of California, and Mr. FORTENBERRY) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, Financial Services, the Judiciary, and Oversight and Government Reform, 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 ensure compliance with the 1980 Hague Convention on the Civil Aspects of International Child Abduction by countries with which the United States enjoys reciprocal obligations, to establish procedures for the prompt return of children abducted to other countries, 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,

#### 1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the "International Child3 Abduction Prevention Act of 2009".

#### 4 SEC. 2. FINDINGS; SENSE OF CONGRESS; PURPOSES.

5 (a) FINDINGS.—Congress finds the following:

6 (1) The Department of State's Office of Chil-7 dren's Issues, which serves as the Central Authority 8 for the United States for the operation of 1980 Hague Convention on the Civil Aspects of Inter-9 10 national Child Abduction, is currently handling ap-11 proximately 1,900 open cases involving more than 12 2,800 children abducted by a parent or legal guard-13 ian from the United States to other countries. For 14 a variety of reasons reflecting the legal and factual 15 complexity of parental abduction cases and the sig-16 nificant obstacles to recovery, only a percentage of all cases are reported to the Department of State. 17

18 (2) In fiscal year 2008, the Central Authority 19 for the United States responded to cases involving 20 776 children abducted from the United States to 21 countries with which the United States enjoys recip-22 rocal obligations under the Hague Convention, but 23 during that same time period only 248 children were 24 returned from Hague Convention countries to the 25 United States. Also in 2008, the United States Cen-26 tral Authority reported 344 newly filed Hague Con-•HR 3240 IH

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vention applications involving 484 children wrongly
 removed to or retained in the United States. Two
 hundred ten children were returned under the Con vention to their country of habitual residence.

5 (3) The number of outgoing international child 6 abductions reported to the Central Authority for the 7 United States increased by about 60 percent in the 8 last three years, and by about 40 percent in 2008 9 alone.

10 (4) In evaluating the obstacles to recovering 11 children abducted from a parent in the United 12 States, the first difficulty is presented by countries 13 who are signatories to the Hague Convention, but 14 have not acted in compliance with the responsibil-15 ities of the Convention. According to the Central Au-16 thority for the United States, Honduras has not 17 acted in compliance with the terms it agreed to as 18 a party to the Hague Convention, and Brazil, Chile, 19 Greece, Mexico, Slovakia, Switzerland, and Ven-20 ezuela have demonstrated patterns of noncompli-21 ance. The failure of these countries to meet their ob-22 ligations is found in the actions of their designated 23 central authorities, the performance of their judi-24 ciaries, as reflected in the legal process and decisions 25 rendered to enforce or effectuate the Hague Convention, or the ability and willingness of law enforce ment to insure the swift enforcement of orders ren dered pursuant to the Hague Convention.

(5) The United States and other State Signato-4 5 ries to the Hague Convention have expressed their 6 desire, through the Convention, "to protect children 7 internationally from the harmful effects of their 8 wrongful removal or retention and to establish pro-9 cedures to ensure their prompt return to the State 10 of their habitual residence, as well as to secure pro-11 tection for rights of access.".

12 (6) In evaluating and assessing the problem of 13 the abduction of children from the United States, 14 the Central Authority for the United States in fiscal 15 year 2008 reported that it had been provided notice 16 of 306 cases of parental abductions involving 455 17 children taken from the United States to countries 18 with which the United States does not enjoy an 19 agreement related to the treatment of parental ab-20 duction cases and that are not signatories to the 21 Hague Convention, currently including a cumulative 22 total of 101 children in Japan, 67 children in India, 23 and 37 children in Russia. The number of reported 24 cases likely represents an even smaller percentage of 25 the total number of United States children impacted

as the process for the location and recovery of ab ducted children differs significantly with each coun try, and there is currently no formal protocol for in tervening in such cases.

5 (7) According to the Department of State's 6 April 2008 Report on Compliance with the Hague 7 Convention on the Civil Aspects of International 8 Child Abduction, "parental child abduction jeopard-9 izes the child and has substantial long-term con-10 sequences for both the child and the left-behind par-11 ent.".

(8) Abducted children are at risk of serious
emotional and psychological problems and have been
found to experience anxiety, eating problems, nightmares, mood swings, sleep disturbances, aggressive
behavior, resentment, guilt and fearfulness, and as
adults may struggle with identity issues, their own
personal relationships, and parenting.

(9) Left behind parents may encounter substantial psychological, emotional, and financial problems,
and the majority have no means to generate the
enormous financial resources required to pursue individual civil or criminal remedies to attempt to secure the return of their children, even if such remedies were available or effective in foreign courts or

political systems. Left-behind parents also often have
 to pursue child custody and other protective orders
 through expensive litigation at home.

4 (b) SENSE OF CONGRESS.—It is the sense of Con5 gress that the United States should set a strong example
6 for other Hague Convention countries in the timely loca7 tion and return of children wrongly removed from and re8 tained in the United States.

9 (c) PURPOSES.—The purposes of this Act are to— 10 (1) protect United States children from the 11 harmful effects of international child abduction and 12 to protect the right of children to exercise parental 13 access with their parents in a safe and predictable 14 way, wherever located;

(2) provide parents, their advocates, and judges
the information they need to enhance the resolution
of family disputes through established legal procedures, the tools for assessing the risk of wrongful removal and retention of children, and the practical
means for overcoming obstacles to recovering abducted children;

(3) establish effective mechanisms to provide
assistance to and aggressive advocacy on behalf of
parents whose children have been abducted from the
United States to a foreign country, from a foreign

1	country to the United States, and on behalf of mili-
2	tary parents stationed abroad;
3	(4) promote an international consensus that the
4	best interests of children are of paramount impor-
5	tance in matters relating to their custody, and that
6	it is in the best interest of a child to have issues of
7	custody determined in the State of their habitual
8	residence immediately prior to the abduction;
9	(5) provide the necessary training for military
10	officials and training and assistance to military fam-
11	ilies to address the unique circumstances of the reso-
12	lution of child custody disputes which occur abroad,
13	or occur when a parent is serving abroad;
14	(6) facilitate the creation and effective imple-
15	mentation of international mechanisms, particularly
16	the 1980 Hague Convention on the Civil Aspects of
17	International Child Abduction, to protect children
18	from the harmful effects of their wrongful removal
19	and retention; and
20	(7) facilitate the compliance of the United
21	States with reciprocal obligations contained in the
22	Hague Convention regarding children wrongfully re-
23	moved to or retained in the United States.
24	SEC. 3. DEFINITIONS.
25	In this Act:

(1) AMBASSADOR AT LARGE.—The term "Am bassador at Large" means the Ambassador at Large
 for International Child Abductions appointed under
 section 101.

5 (2) ANNUAL REPORT.—The term "Annual Re6 port" means the Annual Report on International
7 Child Abductions required under section 102.

8 (3) APPROPRIATE CONGRESSIONAL COMMIT-9 TEES.—Except as otherwise provided, the term "ap-10 propriate congressional committees" means the 11 Committee on Foreign Affairs of the House of Rep-12 resentatives and the Committee on Foreign Rela-13 tions of the Senate.

(4) CENTRAL AUTHORITY FOR THE UNITED
STATES.—The term "Central Authority for the
United States" has the meaning given such term in
article 6 of the Convention on the Civil Aspects of
International Child Abduction, done at The Hague
on October 25, 1980.

(5) HAGUE CONVENTION.—The term "Hague
Convention" means the Convention on the Civil Aspects of International Child Abduction, done at The
Hague on October 25, 1980.

24 (6) HAGUE CONVENTION COMPLIANCE RE25 PORT.—The term "Hague Convention compliance

1	report" means the annual report on compliance with
2	the Hague Convention required to be submitted by
3	the Department of State to Congress under section
4	2803 of the Foreign Affairs Reform and Restruc-
5	turing Act of 1998 (42 U.S.C. 11611).
6	(7) HAGUE CONVENTION SIGNATORY.—The
7	term "Hague Convention signatory" means a coun-
8	try that has signed or acceded to the Convention
9	and with which the United States has entered into
10	a reciprocal agreement pursuant to the Convention.
11	(8) MOU.—The term "MOU" means a memo-
12	randum of understanding.
13	(9) MOU COUNTRY.—The term "MOU coun-
14	try" means a country or entity with which the
15	United States has entered into a memorandum of
16	understanding to resolve cases of international child
17	abduction. Such MOU's shall include—
18	(A) identification of a specific protocol de-
19	signed to establish and effectuate the urgent re-
20	turn of children abducted from the United
21	States not later than six weeks after the date
22	of the application for return of the child having
23	been received by the agency authorized for such
24	purposes;

1	(B) identification of a specific protocol for
2	the establishment and protection of the rights
3	of both interim and ongoing parental access be-
4	tween children and their parents;
5	(C) identification of an official entity with-
6	in the government possessing the authority to
7	facilitate the resolution of child abduction cases
8	in cooperation with the Office on International
9	Child Abductions and left-behind parents in the
10	United States;
11	(D) identification of the judicial or admin-
12	istrative agency possessing the authority to fa-
13	cilitate the prompt adjudication of a request for
14	the return of an abducted child to the United
15	States;
16	(E) identification of a law enforcement
17	agency and available mechanisms and proce-
18	dures to investigate and assist in the location,
19	protection, and retrieval of an abducted child
20	and to ensure the immediate enforcement of or-
21	ders entered by the court in the habitual resi-
22	dence to return an abducted child to the United
23	States;

(F) establishment of welfare and where-1 2 abouts visits between a United States embassy 3 and a wrongfully removed or retained child; and 4 (G) additional requisite elements that shall 5 be satisfied and maintained for purposes of sec-6 tion 201(b) as determined by the Secretary of 7 State. 8 (10)Nonsignatory COUNTRY.—The term 9 "nonsignatory country" means a country which is 10 neither a Hague Convention signatory nor a MOU 11 country to which a United States child has been ab-12 ducted or in which a United States child remains 13 wrongfully retained. 14 (11) OFFICE.—The term "Office" means the 15 Office on International Child Abductions established 16 pursuant to section 101. 17 PATTERN OF NONCOOPERATION.—The (12)18 term "pattern of noncooperation" means a national 19 government's systemic failure, evidenced by the ex-20 istence of ten or more parental child abduction cases 21 which, after having been properly prepared and 22 transmitted by the Central Authority for the United 23 States remain unresolved within its borders after 18 24 months or, where there are fewer than ten unre-25 solved cases, any cases still unresolved after nine months from the time of receipt and transmittal by
the Central Authority for the United States of a request to fulfill its international obligations with respect to the prompt resolution of cases of child abduction.

6 (13) RIGHTS OF ACCESS.—The term "rights of
7 access" means the rights of a parent and child to
8 enjoy reasonable unfettered contact both within and
9 outside the State of the child's habitual residence.

10 UNRESOLVED ABDUCTION CASE.—The (14)11 term "unresolved abduction case" means an abduc-12 tion case which has been properly documented to es-13 tablish that pursuant to the law of the State of ha-14 bitual residence of a minor child, an international 15 abduction or wrongful retention of such child whose 16 habitual residence immediately prior to the abduc-17 tion was the United States, remains unresolved more 18 than two months following the date of the receipt 19 and transmittal by the Central Authority for the 20 United States of the request for return of such child.

(15) UNRESOLVED ACCESS CASE.—The term
"unresolved access case" means an application for
the establishment of rights of parental access on either an interim or permanent basis, or the request
for the enforcement of rights of parental access

(contact orders) which have been previously established by a court of competent jurisdiction, which remain unresolved more than two months following the date of the receipt and transmittal by the Central

5 Authority for the United States of a request for as-6 sistance in the organization of rights of access.

# 7 TITLE I—DEPARTMENT OF 8 STATE ACTIVITIES

9 SEC. 101. OFFICE ON INTERNATIONAL CHILD ABDUCTIONS;

## 10AMBASSADOR AT LARGE FOR INTER-11NATIONAL CHILD ABDUCTIONS.

(a) ESTABLISHMENT OF OFFICE.—There is estab13 lished within the Department of State an Office on Inter14 national Child Abductions that shall be headed by the Am15 bassador at Large for International Child Abductions ap16 pointed under subsection (b).

(b) APPOINTMENT.—The Ambassador at Large shallbe appointed by the President, by and with the advice andconsent of the Senate.

20 (c) DUTIES.—The Ambassador at Large shall have21 the following responsibilities:

(1) IN GENERAL.—The primary responsibility
of the Ambassador at Large shall be to—

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1	(A) promote measures to prevent the inter-
2	national abduction of children from the United
3	States;
4	(B) advocate on behalf of children whose
5	habitual residence is the United States and who
6	have been abducted to another country;
7	(C) assist left-behind parents in the resolu-
8	tion of abduction or refusal of access cases; and
9	(D) advance mechanisms to prevent and
10	resolve cases of international child abduction
11	abroad.
12	(2) Advisory Role.—The Ambassador at
13	Large shall be a principal adviser to the President
14	and the Secretary of State regarding matters of
15	international child abduction and refusals of rights
16	of access, and shall make recommendations regard-
17	ing—
18	(A) the policies of the United States Gov-
19	ernment toward governments with a pattern of
20	noncooperation with respect to cases of inter-
21	national child abduction;
22	(B) coordination with other United States
23	agencies regarding criminal prosecutions,
24	Interpol assistance in the issuance of warrants
25	and alerts, pending cases, training for United

1	States forces, and the negotiation of agree-
2	ments to protect United States forces stationed
3	abroad;
4	(C) policies to address international child
5	abduction globally;
6	(D) the position of the United States Gov-
7	ernment on cases establishing the future func-
8	tioning of the Hague Convention in the country
9	at issue; and
10	(E) the position of the United States Gov-
11	ernment on a request to accept an accession to
12	the Hague Convention.
13	(3) DIPLOMATIC REPRESENTATION.—Subject to
14	the direction of the President and the Secretary of
15	State, the Ambassador at Large is authorized to
16	represent the United States in matters and cases
17	relevant to international child abduction and refusals
18	of rights to access in—
19	(A) contacts with foreign governments, the
20	World Organization for Cross-border Co-oper-
21	ation in Civil and Commercial Matters, the
22	Hague Conference on Private International
23	Law, and other international organizations of
24	which the United States is a member;

1	(B) multilateral conferences and meetings
2	relevant to international child abduction; and
3	(C) advocating accession to the Hague
4	Convention, or, where accession to the Hague
5	Convention is not possible, negotiating MOU's.
6	(4) Reporting Responsibilities.—The Am-
7	bassador at Large shall have the reporting respon-
8	sibilities described in section 102.
9	(5) CASE FILE MANAGEMENT SYSTEM AND IN-
10	FORMATION PROTOCOL.—The Ambassador at Large
11	shall establish a case file management system within
12	the Office to ensure the maintenance of accurate,
13	complete, and timely information, to the extent
14	available, on all cases of international child abduc-
15	tion or refusal of access about which the Office is
16	notified, as well as a protocol for the receipt and up-
17	dating of such information with actions taken by the
18	Office and responses by the respective country, as
19	well as deadlines required by the Hague Convention
20	or the MOU at issue.
21	(6) Uniform case intake procedures.—The
22	Ambassador at Large shall establish uniform case
23	intake procedures, which also make note of deadlines
24	for responses pursuant to the Hague Convention or

25 MOU, where applicable.

1	(7) CIVIL SERVICE EMPLOYEES.—The Ambas-
2	sador at Large, in cooperation with the Secretary of
3	State, shall ensure that a majority of the personnel
4	of the Office are composed of civil service employees
5	or members of the Service (as such term is described
6	in section 103 of the Foreign Service Act of 1980
7	(22 U.S.C. 3903)) who shall be permitted to remain
8	with the Office for at least four years.
9	(8) LEGAL ADVICE.—The Ambassador at Large
10	shall make available legal advice to case managers of
11	the Central Authority of the United States on an as-
12	needed basis to address country-specific legal issues
13	and to provide such case managers with information
14	that can be disseminated generally on questions fre-
15	quently asked by left behind parents.
16	(9) User friendly resources.—The Ambas-
17	sador at Large shall establish user-friendly re-
18	sources, including—
19	(A) a toll free number that goes directly to
20	the Office; and
21	(B) a language line for left behind parents
22	who do not speak English.
23	(10) Assistance to judges.—The Ambas-
24	sador at Large shall—

1	(A) be responsible for producing and dis-
2	seminating a training course for United States
3	Federal and State judges likely to receive
4	Hague Convention cases; and
5	(B) retain not fewer than four specially
6	trained judges available on an as needed basis
7	to advise United States Federal and State
8	judges handling Hague Convention cases.
9	(d) FUNDING.—The Secretary of State shall provide
10	the Ambassador at Large with such funds as may be nec-
11	essary for—
12	(1) the hiring of staff for the Office;
13	(2) the conduct of investigations by the Office;
14	(3) the establishment of a case file management
15	system;
16	(4) the translation of case documents in cases
17	that may have systemic effect in the country in
18	question;
19	(5) the development of training materials; and
20	for
21	(6) necessary travel to carry out the provisions
22	of this section.
23	SEC. 102. ANNUAL REPORT.
24	(a) IN GENERAL.—Not later than March 31 of each
25	year or the first day thereafter on which the appropriate

1	House of Congress is in session, the Secretary of State,
2	with the assistance of the Ambassador at Large, shall sub-
3	mit to Congress an Annual Report on International Child
4	Abduction by providing detailed information with respect
5	to unresolved cases about which the Central Authority for
6	the United States has been notified. Each Annual Report
7	shall contain the following:
8	(1) HAGUE CONVENTION SIGNATORY COUN-
9	TRIES.—Information on the following:
10	(A) A current list of those countries with
11	which the United States has reciprocal obliga-
12	tions under the Hague Convention.
13	(B) A current list of those countries that
14	have requested the United States to accept
15	their accession to the Hague Convention.
16	(C) The number of pending cases of al-
17	leged abduction of or refusal of access to chil-
18	dren from the United States in each the coun-
19	tries referred to in subparagraphs (A) and (B),
20	broken-out by type with date of original appli-
21	cation and country of detention.
22	(D) The proportion of cases of abduction
23	of or refusal of access to children from the
24	United States resolved in each country since the
25	advent of reciprocal Hague Convention obliga-

1	tions and the length of time each such case was
2	pending.
3	(E) For each pending unresolved case, in-
4	cluding the current reporting year and previous
5	years—
6	(i) the date of the alleged abduction
7	or wrongful retention;
8	(ii) the date any administrative or ju-
9	dicial application pursuant to the Hague
10	Convention was brought, if applicable;
11	(iii) detailed information about each
12	such case, including in the case of judicial
13	application having been filed, the court
14	handling the matter and the procedural
15	history, the specific actions taken by the
16	United States chief of mission in the coun-
17	try to which the child is alleged to have
18	been wrongfully removed or retained, and
19	the date of submission of documents re-
20	quired by the application process; and
21	(iv) detailed information and an as-
22	sessment of the lack of resolution about
23	each such case together with a determina-
24	tion of any systemic issues related to the
25	Hague Convention signatory country as

1	well as recommendation to enhance the
2	protocol for the improvement of the resolu-
3	tion of future cases.
4	(F) A description of the efforts of the Sec-
5	retary of State to encourage Hague Convention
6	signatory countries to facilitate the work within
7	such respective countries of nongovernmental
8	organizations that assist parents seeking the re-
9	turn of children under the Hague Convention.
10	(G) Whether a state of reciprocity no
11	longer exists between the United States and a
12	Hague Convention signatory country such that
13	United States parents, advocates, and judges
14	should, in assessing the risk of wrongful re-
15	moval or retention, require strong protective
16	and preventative measures.
17	(H) All reporting requirements contained
18	in the Hague Convention compliance report.
19	(2) MOU COUNTRIES.—Information on the fol-
20	lowing:
21	(A) A list of those countries that are MOU
22	countries.
23	(B) A description of the basic elements of
24	the memorandum of understanding entered into

1	with each country specified in subparagraph
2	(A).
3	(C) Whether each such country is moving
4	toward accession to the Hague Convention.
5	(D) The number of unresolved cases of
6	wrongful removal or retentions of or refusal of
7	access to children from the United States in
8	each such country.
9	(E) The proportion of cases of abduction
10	of or refusal of access to children from the
11	United States resolved in each such country
12	since the applicable MOU went into force.
13	(F) For each unresolved abduction or ac-
14	cess case—
15	(i) the date of the alleged abduction
16	or wrongful retention;
17	(ii) the date of any administrative or
18	judicial process that was brought seeking
19	the return of a minor child to the United
20	States, or brought seeking rights of access
21	to such child, and in the case of judicial
22	process, the court in which the matter has
23	been brought and the procedural history;

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1	(iii) whether the protocols established
2	pursuant to the applicable MOU have been
3	followed;
4	(iv) detailed information about each
5	such case, including the specific actions
6	taken by the United States chief of mission
7	in the country to which the child is alleged
8	to have been wrongfully removed or re-
9	tained and actions by the Central Author-
10	ity for the United States;
11	(v) detailed information on and an as-
12	sessment of the lack of resolution as well
13	as a determination of any systemic issues
14	related to the MOU country with specific
15	attention regarding any failure of any of
16	the requisite elements of the MOU; and
17	(vi) recommendations to amend the
18	applicable MOU to improve the resolution
19	of cases and ameliorate any systemic
20	issues.
21	(3) NONSIGNATORY COUNTRIES.—Information
22	on the following:
23	(A) A list of those countries that are nei-
24	ther Hague Convention signatory countries nor
25	MOU countries.

1	(B) Information on efforts by the Depart-
2	ment of State to encourage each such nonsigna-
3	tory country to become a Hague Convention
4	signatory country or MOU country.
5	(C) For each unresolved abduction or ac-
6	cess case—
7	(i) the date of the alleged abduction
8	or wrongful retention;
9	(ii) the date of any administrative or
10	judicial process that was brought seeking
11	the return of a minor child to the United
12	States, or brought seeking rights of access
13	to such child, and in the case of judicial
14	process, the court in which the matter has
15	been brought and the procedural history;
16	(iii) detailed information about each
17	such case, including the specific actions
18	taken by the United States chief of mission
19	in the country to which the child is alleged
20	to have been wrongfully removed or re-
21	tained and any other action taken by the
22	Central Authority for the United States;
23	(iv) detailed information on and an
24	assessment of the reasons for the lack of
25	a resolution in each such case as well as a

- review of the systemic issues in the host
   country which may contribute to or en hance the wrongful removal or retention of
   children; and
   (v) recommendations for specific ac tions which may be taken by the United
   States Government to improve the resolu-
  - States Government to improve the resolution of cases and ameliorate any systemic issues.

10 (b) EXCEPTION.—Each Annual Report required under this section may not include names of parties or 11 12 of minor children. Other potentially party-identifying in-13 formation shall also be excluded in cases in which the parent remaining in the United States or on a United States 14 15 military installation has submitted a request in writing to the Central Authority for the United States that such in-16 formation not be publicized. Information that is subject 17 to attorney-client privilege may be provided with an exe-18 19 cuted waiver.

20 (c) ADDITIONAL THEMATIC SECTIONS.—Each An21 nual Report under this section shall also include—

(1) information on the number of unresolved
cases affecting parents who are members of the
Armed Forces and a summary of assistance offered
to such left behind parents;

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1 (2) information on the use of airlines in inter-2 national child abduction, including which airlines are 3 most commonly used in abduction, voluntary airline 4 practices to prevent international child abduction, 5 and recommendations for best airline practices; and 6 (3) information on actions taken by the Central 7 Authority for the United States to train domestic 8 and foreign judges in application of the Hague Convention. 9

10 (d) STANDARDS AND ASSISTANCE.—The Secretary of State shall ensure that United States diplomatic and con-11 12 sular missions abroad maintain a consistent reporting 13 standard with respect to cases of international child abductions from the United States to the country in which 14 15 each such mission is located, provide appropriate assistance to parents from the United States who are visiting 16 17 such country to obtain the return, rights of access to, or 18 visitation rights with an abducted child, and remain in-19 formed of developments in cases of children abducted from 20 the United States to the country in which such mission 21 is located.

(e) TERMINATION.—Upon publication of the first Annual Report required under this section, the requirement
for the Secretary of State to submit the Hague Convention

1	compliance report, in addition to the Annual Report, shall
2	terminate.
3	TITLE II—PRESIDENTIAL
4	ACTIONS
5	SEC. 201. PRESIDENTIAL ACTIONS IN RESPONSE TO PAT-
6	TERNS OF NONCOOPERATION IN CASES OF
7	INTERNATIONAL CHILD ABDUCTIONS.
8	(a) Response to International Child Abduc-
9	TIONS.—
10	(1) UNITED STATES POLICY.—It shall be the
11	policy of the United States to—
12	(A) promote the best interest of children in
13	matters relating to their custody or rights of
14	access by protecting them internationally from
15	the harmful effects of their wrongful removal or
16	retention;
17	(B) oppose practices or policies of the gov-
18	ernments of foreign countries that fail to ensure
19	children's prompt return to the United States
20	in cases of international child abduction or the
21	wrongful retention of a child, where the United
22	States is the child's habitual residence imme-
23	diately prior to such abduction, through the ac-
24	tions described in subsection (b); and

(C) oppose practices or policies of the gov ernments of foreign countries that fail to ensure
 children's continued contact with their parents
 by providing for rights of access.

5 REQUIREMENT OF PRESIDENTIAL (2)AC-6 TION.—Whenever the President determines that the 7 government of a foreign country has engaged in a 8 pattern of noncooperation, the President shall pro-9 mote the resolution of the unresolved cases through 10 one or more of the actions described in section 11 204(a).

12 (b) DESIGNATIONS OF COUNTRIES WITH PATTERNS
13 OF NONCOOPERATION IN CASES OF INTERNATIONAL
14 CHILD ABDUCTION.—

15 (1) ANNUAL REVIEW.—

16 (A) IN GENERAL.—Not later than March 17 31 of each year, the President shall review the 18 status of unresolved cases in each foreign coun-19 try to determine whether the government of 20 each such country has engaged in a pattern of 21 noncooperation during the preceding 12 months 22 or since the date of the last review of each such 23 country under this paragraph, whichever is 24 longer. The President shall designate each 25 country the government of which the President

has determined has engaged in a pattern of noncooperation as a Country With a Pattern of Noncooperation.

4 (B) BASIS OF REVIEW.—Each review con-5 ducted under subparagraph (A) shall be based 6 upon information regarding government re-7 sponses to unresolved cases of international 8 child abduction with respect to each such coun-9 try, including the number of cases and the 10 length of time such cases have been pending, as 11 described in the latest Annual Report and on 12 any other evidence available with respect to 13 each such country.

14 (C) IMPLEMENTATION.—Any review under
15 subparagraph (A) of a country may take place
16 singly or jointly with the review of one or more
17 countries.

18 (2) DETERMINATIONS OF RESPONSIBLE PAR19 TIES.—For the government of each country des20 ignated as a Country With a Pattern of Noncoopera21 tion under paragraph (1)(A), the President shall
22 seek to determine the agency or instrumentality
23 thereof that is responsible for the pattern of non24 cooperation by such government in order to appro-

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priately target Presidential actions under this sec tion in response.
 (3) CONGRESSIONAL NOTIFICATION.—Whenever

the President designates a country as a Country
With a Pattern of Noncooperation under paragraph
(1)(A), the President shall, as soon as practicable
after such designation is made, transmit to the appropriate congressional committees information relating to—

10 (A) the designation of the country, signed11 by the President; and

(B) one or more of the Presidential actions
described in paragraphs (10) through (16) of
section 204(a) carried out against such country.
(c) PRESIDENTIAL ACTIONS WITH RESPECT TO A
COUNTRY WITH A PATTERN OF NONCOOPERATION.—

17 (1) IN GENERAL.—Subject to paragraphs (2), 18 (3), and (4) with respect to each Country With a 19 Pattern of Noncooperation designated under sub-20 section (b)(1)(A), the President shall, after the re-21 quirements of sections 202 and 203 have been satis-22 fied, but not later than 90 days (or 180 days in case 23 of a delay under paragraph (2)) after the date of 24 such designation of a country under such subsection,

1	carry out one or more of the following actions under
2	subparagraph (A) or (B):
3	(A) Presidential actions.—One or
4	more of the Presidential actions described in
5	paragraphs (10) through (16) of section 204(a).
6	(B) Commensurate actions.—Commen-
7	surate action in substitution to any action re-
8	ferred to in subparagraph (A).
9	(2) AUTHORITY FOR DELAY OF PRESIDENTIAL
10	ACTIONS.—If, on or before the date that the Presi-
11	dent is required to take action under paragraph (1)
12	with respect to a Country With a Pattern of Non-
13	cooperation, the President determines and certifies
14	to Congress that a single, additional period of time
15	not to exceed 90 days is necessary—
16	(A) for a continuation of negotiations that
17	have been commenced with the government of
18	such country to bring about a cessation of the
19	pattern of noncooperation by such country, or
20	(B)(i) for a review of corrective action
21	taken by such country after designation of such
22	country as a Country With a Pattern of Non-
23	appropriation or

23 cooperation, or

1	(ii) in anticipation that corrective action
2	will be taken by such country during such 90-
3	day period,
4	the President shall not be required to take such
5	action until the expiration of such period of
6	time.
7	(3) EXCEPTION FOR ONGOING PRESIDENTIAL
8	ACTION.—The President shall not be required to
9	take action under this paragraph (1) with respect to
10	a Country With a Pattern of Noncooperation if with
11	respect to such country the following apply:
12	(A) The President has taken action pursu-
13	ant to such paragraph in a preceding year.
14	(B) Such action is in effect at the time
15	such country is designated as a Country with a
16	Pattern of Noncooperation under subsection
17	(b)(1)(A).
18	(C) The President reports to Congress the
19	information described in paragraphs $(1)$ , $(2)$ ,
20	(3), and (4) of section 203(a) regarding the ac-
21	tions in effect with respect to such country.
22	(D) At the time the President designates a
23	country as a Country With a Pattern of Non-
24	cooperation, if such country is already subject
25	to multiple, broad-based sanctions imposed in

significant part in response to human rights 1 2 abuses, and such sanctions are ongoing, the 3 President may determine that one or more of 4 such sanctions also satisfies the requirements of 5 this subsection. In a report to Congress pursu-6 ant to paragraphs (1), (2), (3), and (4) of sec-7 tion 203(a), the President shall specify the spe-8 cific sanction or sanctions that the President 9 determines satisfy the requirements of this sub-10 section. Such specified sanctions shall remain in 11 effect subject to section 208.

12 RULE OF CONSTRUCTION.—A determination (d) 13 under this Act, or any amendment made by this Act, that a foreign country has engaged in a pattern of noncoopera-14 15 tion shall not be construed to require the termination of assistance or other activities with respect to such country 16 under any other provision of law, including section 116 17 18 or 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 19 2151(n) and 2304).

#### 20 SEC. 202. CONSULTATIONS.

21 (a) NOTIFICATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), in accordance with existing law and regulation, the Secretary of State shall notify in writing
the member of the House of Representatives rep-

resenting the district of a left behind parent when

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2 such parent reports an international child abduction to the Department of State. The Secretary shall 3 4 maintain a computerized data tracking system to 5 track and monitor such reported international child 6 abduction cases. 7 (2)EXCEPTION.—Paragraph (1) shall not 8 apply if the left behind parent does not consent to 9 the notification described in such paragraph. 10 (b) DUTY TO CONSULT WITH FOREIGN GOVERN-11 MENTS.—The President shall— 12 (1) request consultation with the government of 13 a country to which a child is alleged to have been 14 wrongfully removed or retained, regarding the pat-15 tern of noncooperation giving rise to action under 16 section 204; and 17 (2) if agreed to, enter into such consultations, 18 privately or publicly. 19 (c) DUTY TO CONSULT WITH LEFT BEHIND PAR-ENTS IN THE UNITED STATES.—The President shall con-20 21 sult with left behind parents of children in the foreign 22 countries, or appropriate representatives or representative 23 groups of such parents, concerning the potential impact 24 of United States policies to promote the resolution of unre-

25 solved cases in countries described in subsection (a).

(d) DUTY TO CONSULT WITH OTHER UNITED
 STATES INTERESTED PARTIES.—The President shall, as
 appropriate, consult with other United States interested
 parties regarding the potential impact of intended action
 in countries described in subsection (a) on economic or
 other interests of the United States.

#### 7 SEC. 203. REPORT TO CONGRESS.

8 At such time as the President decides to take action 9 under section 204 in response to a country that the Presi-10 dent has designated as a Country With a Pattern of Non-11 cooperation and the President decides to take action under 12 paragraphs (10) through (16) of section 204, the Presi-13 dent shall transmit to the appropriate congressional com-14 mittees a report on the following:

(1) IDENTIFICATION OF PRESIDENTIAL ACTIONS.—An identification of the action or actions
described in paragraphs (10) through (16) of section
204 (or commensurate action in substitution thereto) to be taken with respect to such country.

20 (2) DESCRIPTION OF VIOLATIONS.—A descrip21 tion of the unresolved cases of child abduction giving
22 rise to the action or actions to be taken by the
23 President.

1	(3) Purpose of presidential actions.—A
2	description of the purpose of the Presidential action
3	or actions.
4	(4) EVALUATION.—
5	(A) DESCRIPTION.—An evaluation, in con-
6	sultation with the Secretary of State, the Am-
7	bassador at Large, the parties described in sub-
8	sections (c) and (d) of section 202, and other
9	parties the President determines appropriate,
10	of—
11	(i) the impact upon such unresolved
12	cases in such country;
13	(ii) the impact upon the government
14	of such country;
15	(iii) the impact upon the population of
16	such country; and
17	(iv) the impact upon the United
18	States economy and other interested par-
19	ties.
20	(B) AUTHORITY TO WITHHOLD DISCLO-
21	SURE.—The President may withhold part or all
22	of such evaluation from the public, if classified,
23	but shall provide the entire evaluation to Con-
24	gress.

1 (5) STATEMENT OF POLICY OPTIONS.—A state-2 ment that noneconomic policy options designed to 3 bring about a resolution of the pattern of non-4 cooperation in such country have reasonably been 5 exhausted, including the consultations required in 6 accordance with section 202.

# 7 SEC. 204. PRESIDENTIAL ACTIONS.

8 (a) DESCRIPTION OF PRESIDENTIAL ACTIONS.—Ex-9 cept as provided in subsection (c), the President may take 10 the following actions with respect to a country that the 11 President has designated as a Country With a Pattern of 12 Noncooperation under section 201:

13 (1) A private demarche.

14 (2) An official public demarche.

15 (3) A statement of nonreciprocity under the16 Hague Convention.

17 (4) A public condemnation.

18 (5) A public condemnation within one or more19 multilateral fora.

20 (6) The delay or cancellation of one or more21 scientific exchanges.

22 (7) The delay or cancellation of one or more23 cultural exchanges.

24 (8) The denial of one or more working, official,25 or state visits.

1	(9) The delay or cancellation of one or more
2	working, official, or state visits.
3	(10) The restriction of the number of visas
4	issued to nationals of such country pursuant to sub-
5	paragraphs (F), (J), or (M) of section $101(a)(15)$ of
6	the Immigration and Nationality Act (8 U.S.C.
7	1101(a)(15)).
8	(11) The withdrawal, limitation, or suspension
9	of United States development assistance in accord-
10	ance with section 116 of the Foreign Assistance Act
11	of 1961 (22 U.S.C. 2151n).
12	(12) Directing the Export-Import Bank of the
13	United States, the Overseas Private Investment Cor-
14	poration, or the Trade and Development Agency not
15	to approve the issuance of any (or a specified num-
16	ber of) guarantees, insurance, extensions of credit,
17	or participation in the extension of credit with re-
18	spect to such government or the agency or instru-
19	mentality of such government determined by the
20	President to be responsible for such pattern of non-
21	cooperation.
22	(13) The withdrawal, limitation, or suspension
23	of United States security assistance in accordance
24	with section 502B of the Foreign Assistance Act of
25	1961 (22 U.S.C. 2304).

1	(14) In accordance with section 701 of the
2	International Financial Institutions Act of $1977$ (22
3	U.S.C. 262d), directing the United States executive
4	directors of international financial institutions to op-
5	pose and vote against loans primarily benefitting the
6	such government or the agency or instrumentality of
7	such government determined by the President to be
8	responsible for such pattern of noncooperation.
9	(15) The denial, withdrawal, suspension, or lim-
10	itation of benefits provided pursuant to title V of the
11	Trade Act of 1974 (19 U.S.C. 2461 et seq.), relat-
12	ing to the Generalized System of Preferences.
13	(16) Ordering the heads of the appropriate
14	United States agencies not to issue any (or a speci-
15	fied number of) specific licenses, and not to grant
16	any other specific authority (or a specified number
17	of authorities), to export any goods or technology to
18	such government or to the agency or instrumentality
19	of such government determined by the President to
20	be responsible for such pattern of noncooperation,
21	under—
22	(A) the Export Administration Act of
23	1979;
24	(B) the Arms Export Control Act;
25	(C) the Atomic Energy Act of 1954; or

(D) any other statute that requires the prior review and approval of the United States Government as a condition for the export or reexport of goods or services.

5 (17) Prohibiting any United States financial in-6 stitution from making loans or providing credits to-7 taling more than \$10,000,000 in any 12-month pe-8 riod to such government or to the agency or instru-9 mentality of such government or determined by the 10 President to be responsible for such pattern of non-11 cooperation.

(18) Prohibiting the United States Government
from procuring, or entering into any contract for the
procurement of, any goods or services from such
government or from the agency or instrumentality of
such government determined by the President to be
responsible for such pattern of noncooperation.

18 (b) COMMENSURATE ACTION.—Except as provided in 19 subsection (c), the President may substitute any other ac-20 tion authorized by law for any action described in para-21 graphs (1) through (16) of subsection (a) if such action 22 is commensurate in effect to the action substituted and 23 if such action would further the purposes of this Act as 24 specified in section 2(c). The President shall seek to take 25 all appropriate and feasible actions authorized by law to

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obtain the cessation of such pattern of noncooperation. If
 commensurate action is taken under this subsection, the
 President shall transmit to the appropriate congressional
 committees a report on such action, together with an ex planation for taking such action.

6 (c) EXCEPTIONS.—Any action taken pursuant to sub7 section (a) or (b) may not prohibit or restrict the provision
8 to such country of medicine, medical equipment, or sup9 plies, food, or other humanitarian assistance.

## 10 SEC. 205. EFFECTS ON EXISTING CONTRACTS.

11 The President shall not be required to apply or main-12 tain any action under this section 204—

13 (1) in the case of procurement of defense arti14 cles or defense services—

15 (A) under existing contracts or sub16 contracts, including the exercise of options for
17 production quantities, to satisfy requirements
18 essential to the national security of the United
19 States;

(B) if the President determines in writing
and transmits to Congress a report that the
government of a foreign country or the agency
or instrumentality of such government to which
such action would otherwise be applied is a sole
source supplier of such defense articles or serv-

ices, that such defense articles or services are
 essential, and that alternative sources are not
 readily or reasonably available; or
 (C) if the President determines in writing

and transmits to Congress a report that such
defense articles or services are essential to the
national security of the United States under defense co-production agreements; or

9 (2) to products or services provided under con-10 tracts entered into before the date on which the 11 President publishes in the Federal Register notice of 12 such action in accordance with section 207.

## 13 SEC. 206. PRESIDENTIAL WAIVER.

14 (a) IN GENERAL.—Subject to subsection (b), the 15 President may waive the application of any of the actions described in paragraphs (10) through (16) of section 16 17 204(a) (or commensurate action in substitution thereto) with respect to a country that the President has des-18 19 ignated as a Country With a Pattern of Noncooperation under section 201, if the President determines and so re-20 21 ports to the appropriate congressional committees that—

(1) the government of such has satisfactorily
resolved the unresolved cases giving rise to the application of any of such actions and—

1	(A) if such country is a Hague Convention
2	signatory country, such country has taken
3	measures to ensure future compliance with the
4	provisions of the Hague Convention;
5	(B) if such country is an MOU country,
6	such country has taken measures to ensure fu-
7	ture compliance with the provisions of the MOU
8	at issue; or
9	(C) if such country is a Nonsignatory
10	country at the time the abductions or retentions
11	resulting in the unresolved cases occurred, such
12	country has become a Hague Convention signa-
13	tory country or a MOU country;
14	(2) the exercise of such waiver authority would
15	further the purposes of this Act; or
16	(3) the important national interest of the
17	United States requires the exercise of such waiver
18	authority.
19	(b) Congressional Notification.—Not later than
20	the date of the exercise of a waiver under subsection (a),
21	the President shall notify the appropriate congressional
22	committees of such waiver or the intention to exercise such
23	waiver, together with a detailed justification thereof.

#### 1 SEC. 207. PUBLICATION IN FEDERAL REGISTER.

2 (a) IN GENERAL.—Subject to subsection (b), the
3 President shall ensure publication in the Federal Register
4 of the following:

5 (1)DETERMINATIONS OF GOVERNMENTS, 6 AGENCIES. **INSTRUMENTALITIES** OF COUNTRIES 7 WITH PATTERNS OF NONCOOPERATION.—Any des-8 ignation of a country that the President has des-9 ignated as a Country With a Pattern of Noncoopera-10 tion under section 201, together with, when applica-11 ble and to the extent practicable, the identities of 12 agencies, instrumentalities, or officials determined to 13 be responsible for such pattern of noncooperation.

14 (2) PRESIDENTIAL ACTIONS.—A description of 15 any action under paragraphs (10) through (16) of 16 section 204(a) (or commensurate action in substi-17 tution thereto) and the effective date of such action. 18 (3)TRANSMITTAL OF DELAYS IN PRESI-19 DENTIAL ACTION REPORTS.—Any delay in trans-20 mittal of a report required under in section 203.

21 (4) WAIVERS.—Any waiver issued under section
22 206.

23 (b) LIMITED DISCLOSURE OF INFORMATION.—The
24 President may limit publication of information under this
25 section in the same manner and to the same extent as
26 the President may limit the publication of findings and
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determinations described in section 654(c) of the Foreign
 Assistance Act of 1961 (22 U.S.C. 2414(c)), if the Presi dent determines that the publication of such informa tion—

5 (1) would be harmful to the national security of6 the United States; or

7 (2) would not further the purposes of this Act.
8 SEC. 208. TERMINATION OF PRESIDENTIAL ACTIONS.

9 Any action taken under this Act or any amendment
10 made by this Act with respect to a foreign country shall
11 terminate on the earlier of the following dates:

12 (1) Not later than two years after the effective
13 date of such action unless expressly reauthorized by
14 law.

(2) Upon the determination by the President, in
consultation with the Office, and certification to
Congress that the government of such country has
taken substantial and verifiable steps to correct the
pattern of noncooperation at issue that gave rise to
such action.

## 21 SEC. 209. PRECLUSION OF JUDICIAL REVIEW.

No court shall have jurisdiction to review any Presidential determination or agency action under this Act or
any amendment made by this Act.

# 1 SEC. 210. UNITED STATES ASSISTANCE.

2	(a) Implementation of Prohibition on Eco-
3	NOMIC ASSISTANCE.—Section 116(c) of the Foreign As-
4	sistance Act of 1961 (22 U.S.C. 2151n(c)) is amended—
5	(1) in matter preceding paragraph (1), by in-
6	serting "and in consultation with the Ambassador at
7	Large for International Child Abduction" after
8	"Freedom";
9	(2) in paragraph (3)(B), by striking the period
10	at the end and inserting "; and"; and
11	(3) by adding at the end the following new
12	paragraph:
13	"(4) whether the government—
14	"(A) has engaged in a pattern of non-
15	cooperation regarding unresolved cases of al-
16	leged international child abduction or denial of
17	rights of access, as such terms are defined in
18	the International Child Abduction Prevention
19	Act of 2009; or
20	"(B) has failed to undertake serious and
21	sustained efforts to locate children allegedly ab-
22	ducted to the country when such efforts could
23	have been reasonably undertaken.".
24	(b) Implementation of Prohibition on Military
25	Assistance.—Section 502B(a)(4) of the Foreign Assist-
26	ance Act of 1961 (22 U.S.C. 2304(a)(4)) is amended—
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1	(1) in subparagraph (A), by striking "or" at
2	the end;
3	(2) in subparagraph (B), by striking the period
4	at the end and inserting "; or"; and
5	(3) by adding at the end the following new sub-
6	paragraphs:
7	"(C) has engaged in a pattern of non-
8	cooperation regarding unresolved cases of al-
9	leged international child abduction or denial of
10	rights of access, as such terms are defined in
11	the International Child Abduction Protection
12	Act of 2009; or
13	"(D) has failed to undertake serious and
14	sustained efforts to locate children allegedly ab-
15	ducted to the country when such efforts could
16	have been reasonably undertaken.".
17	(c) EXPANDED CONSULTATION.—Section 502B(b) of
18	the Foreign Assistance Act of 1961 (22 U.S.C. 2304(b))
19	is amended, in the first sentence, by inserting "and with
20	the assistance of the Ambassador at Large for Inter-
21	national Child Abduction," after "the Ambassador at
22	Large for International Religious Freedom,".

#### SEC. 211. MULTILATERAL ASSISTANCE.

2 Section 701 of the International Financial Institu3 tions Act (22 U.S.C. 262d) is amended by adding at the
4 end the following new subsection:

5 "(h) In determining whether the government of a 6 country engages in a pattern of gross violations of inter-7 nationally recognized human rights, as described in sub-8 section (a), the President shall give particular consider-9 ation to whether such government—

"(1) has engaged in a pattern of noncooperation regarding unresolved cases of alleged international child abduction or denial of rights of access,
as such terms are defined in the International Child
Abduction Prevention Act of 2009; or

15 "(2) has failed to undertake serious and sus16 tained efforts to locate children allegedly abducted to
17 such country when such efforts could have been rea18 sonably undertaken.".

19 SEC. 212. AMENDMENT TO GENERALIZED SYSTEM OF PREF-

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# ERENCES ELIGIBILITY FOR GENERALIZED

21 SYSTEM OF PREFERENCES.

22 Section 502(b)(2) of the Trade Act of 1974 (19
23 U.S.C. 2462(b)(2)) is amended—

24 (1) by inserting after subparagraph (H) the fol-25 lowing new subparagraph:

1	"(I) Such country is a country with a pat-
2	tern of noncooperation regarding unresolved
3	cases of alleged international child abduction or
4	denial of rights of access, as such terms are de-
5	fined in the International Child Abduction Pre-
6	vention Act of 2009."; and
7	(2) in the flush left matter after subparagraph
8	(I)—
9	(A) by striking "and (H)" and inserting
10	"(H)"; and
11	(B) by inserting after "D))" the following:
12	"and (I)".
13	TITLE III—MISCELLANEOUS
13	
14	PROVISIONS
14	PROVISIONS
14 15	<b>PROVISIONS</b> SEC. 301. AMENDMENT OF RESTRICTION FOR THE
14 15 16	PROVISIONS SEC. 301. AMENDMENT OF RESTRICTION FOR THE ISSUANCE OF PASSPORTS FOR CHILDREN
14 15 16 17	PROVISIONS SEC. 301. AMENDMENT OF RESTRICTION FOR THE ISSUANCE OF PASSPORTS FOR CHILDREN UNDER AGE 14.
14 15 16 17 18	PROVISIONS         SEC. 301. AMENDMENT OF RESTRICTION FOR THE         ISSUANCE OF PASSPORTS FOR CHILDREN         UNDER AGE 14.         Section 236(a)(2)(B) of the Admiral James W.
14 15 16 17 18 19	PROVISIONSSEC. 301. AMENDMENT OF RESTRICTION FOR THEISSUANCE OF PASSPORTS FOR CHILDRENUNDER AGE 14.Section 236(a)(2)(B) of the Admiral James W.Nance and Meg Donovan Foreign Relations Authorization
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> </ol>	PROVISIONS SEC. 301. AMENDMENT OF RESTRICTION FOR THE ISSUANCE OF PASSPORTS FOR CHILDREN UNDER AGE 14. Section 236(a)(2)(B) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 is amended—
14 15 16 17 18 19 20 21	PROVISIONS SEC. 301. AMENDMENT OF RESTRICTION FOR THE ISSUANCE OF PASSPORTS FOR CHILDREN UNDER AGE 14. Section 236(a)(2)(B) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 is amended— (1) in clause (ii), by striking "or" at the end;
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> </ol>	PROVISIONS SEC. 301. AMENDMENT OF RESTRICTION FOR THE ISSUANCE OF PASSPORTS FOR CHILDREN UNDER AGE 14. Section 236(a)(2)(B) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 is amended— (1) in clause (ii), by striking "or" at the end; (2) in clause (iii), by striking the period at the
<ol> <li>14</li> <li>15</li> <li>16</li> <li>17</li> <li>18</li> <li>19</li> <li>20</li> <li>21</li> <li>22</li> <li>23</li> </ol>	PROVISIONS SEC. 301. AMENDMENT OF RESTRICTION FOR THE ISSUANCE OF PASSPORTS FOR CHILDREN UNDER AGE 14. Section 236(a)(2)(B) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 is amended— (1) in clause (ii), by striking "or" at the end; (2) in clause (iii), by striking the period at the end and inserting "; or"; and

"(iv) in cases in which the child is liv ing outside the United States, such person
 is a United States citizen, has joint cus tody over the child, and is executing the
 application for issuance of a passport out side the United States.".

# 7 SEC. 302. AUTHORIZATION OF APPROPRIATIONS.

8 There is authorized to be appropriated such sums as 9 may be necessary for each of fiscal years 2010 through 10 2013 to carry out this Act and the amendments made by 11 this Act.

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