

Legislation on International Child Abduction Congressman Christopher Smith

Section 101: Establishes the position of Ambassador at Large for International Child Abductions and the Office on International Child Abductions.

Section 102: Requires an Annual Report from the Office on International Child Abductions. This report will include the Hague Compliance Report, other needed information, and similar reporting on abductions to countries with which the United States has memorandum of understanding or no agreements on process of resolution. The report will also discuss thematic issues, such as the training of U.S. judges, best practices for reduction in the use of airlines in international child abduction, and the issues of international child abduction particularly affecting the armed services.

Section 201: Requires presidential actions in response to countries the president designates as countries with patterns of non-cooperation in cases of international child abduction.

Section 202: Requires consultations with foreign governments and left-behind parents in the United States and other interested parties before the imposition of sanctions or other measures.

Section 203: Requires a report to Congress on presidential actions in response to countries with patterns of non-cooperation.

Section 204: Lays out a variety of actions the President may employ in response to a country demonstrating a pattern of non-cooperation.

Section 205: Allows the President to not apply or maintain any presidential action that compromises procurement of defense articles.

Section 206: Allows for presidential waiver of actions where the country has resolved the unresolved cases and taken steps to prevent a recurrence of unresolved cases, or where waiver would further the goals of the Act.

Section 207: Requires presidential determinations and actions to be published in the federal register.

Section 208: Describes the termination of presidential actions.

Section 209: Precludes judicial review of any presidential determination under the Act.

Section 210: Amends the Foreign Assistance Act of 1961 to include a pattern of non-cooperation and the Ambassador at Large for International Child Abduction in determinations of prohibition on economic assistance and on military assistance.

Section 211: Amends the International Financial Institutions Act to include a pattern of non-cooperation in determinations of whether the country engages in a pattern of gross violations of internationally recognized human rights.

Section 212: Amends the Generalized System of Preferences to exclude from eligibility countries that engage in patterns of non-cooperation.

Section 301: Amends the restriction for the issuance of passports for children under age 14 to allow for issuance passports in limited situations involving joint custody abroad.

Section 302: Authorizes appropriation of such sums as may be necessary 2010-2013.