

46. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Smith, Christopher OF New Jersey, OR HIS
DESIGNEE, DEBATABLE FOR 10 MINUTES:

Rew 91

**AMENDMENT TO H.R. 2647, AS REPORTED
OFFERED BY MR. SMITH OF NEW JERSEY**

At the end of subtitle H of title V (page 175, after line 11), add the following new section:

1 **SEC. 586. SENSE OF CONGRESS AND REPORT ON INTRA-FAMILIAL ABDUCTION OF CHILDREN OF MILITARY PERSONNEL.**

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4 (a) SENSE OF CONGRESS.—It is the sense of Congress that the intra-familial abduction to foreign countries of children of members of the Armed Forces constitutes a grave violation of the rights of military parents whose children are abducted and poses a significant threat to the psychological well-being and development of the abducted children.

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11 (b) REPORT ON INTRA-FAMILIAL CHILD ABDUCTION EFFECTING ACTIVE DUTY MILITARY PERSONNEL.—

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13 (1) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, and not later than December 31 of calendar year 2010 and each December 31 thereafter, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the programs, projects, and activities

1 carried out by the Department of Defense to assist
2 members of the Armed Forces whose children are
3 abducted.

4 (2) CONTENTS.—The report required under
5 paragraph (1) shall include information concerning
6 the following:

7 (A) The total number of children abducted
8 from military parents, with a breakdown of the
9 number of children abducted to each country
10 that is a party to the Hague Convention on the
11 Civil Aspects of International Child Abduction
12 (the “Hague Convention”) and each country
13 that is not a party to the Hague Convention.

14 (B) The total number of children abducted
15 from military parents who were returned to
16 their military parent, with a breakdown of the
17 number of children returned from each country
18 that is a party to the Hague Convention and
19 each country that is not a party to the Hague
20 Convention, including the average length of
21 time per country that the children spent sepa-
22 rated from their military parent, whether the
23 Department of Defense helped facilitate any of
24 the returns, specific actions taken to facilitate
25 the return, and other Departments involved.

1 (C) Whether these numbers are shared
2 with the Department of State for inclusion in
3 the Report on Compliance with the Hague Con-
4 vention on the Civil Aspects of International
5 Child Abduction.

6 (D) An assessment as to how international
7 child abductions impact the force readiness of
8 affected military personnel.

9 (E) An assessment of the effectiveness of
10 the centralized office within the Department of
11 Defense responsible for implementing measures
12 to prevent international child abductions and to
13 provide assistance to military personnel, includ-
14 ing—

15 (i) the coordination of international
16 child abduction-related issues between the
17 relevant agencies and departments with the
18 Department of Defense;

19 (ii) the education of appropriate per-
20 sonnel;

21 (iii) the coordination with family sup-
22 port offices and other applicable agencies,
23 both within the United States and in host
24 countries, to implement mechanisms for
25 assistance to left behind parents;

1 (iv) the coordination with the Depart-
2 ment of State and National Center for
3 Missing and Exploited Children to provide
4 assistance to left behind parents in obtain-
5 ing the return of their children; and

6 (v) the collection of the data required
7 by subparagraphs (A) and (B).

8 (F) An assessment of the current avail-
9 ability of, and additional need for assistance, in-
10 cluding general information, psychological coun-
11 seling, financial assistance, leave for travel,
12 legal services, and the contact information for
13 the office identified in subparagraph (E), pro-
14 vided by the Department of Defense to left be-
15 hind military parents for the purpose of obtain-
16 ing the return of their abducted children and
17 ensuring the force readiness of military per-
18 sonnel.

19 (G) The means through which available
20 services, information, and activities relating to
21 international child abductions are commu-
22 nicated to left behind military parents.

23 (H) The proportion of identified left be-
24 hind military parents who utilize the services
25 and activities referred to in subparagraph (F).

1 (I) Measures taken by the Department of
2 Defense, including any written policy guidelines,
3 to prevent the abduction of children.

4 (J) The means by which military personnel
5 are educated on the risks of international child
6 abduction, particularly when they first arrive on
7 a base abroad or when the military receives notice
8 that the personnel is considering marriage
9 or divorce abroad.

10 (K) The training provided to those who
11 supply legal assistance to military personnel, in
12 particular the Armed Forces Legal Assistance
13 Offices, on the legal aspects of international
14 child abduction and legal options available to
15 left behind military parents, including the risks
16 of conferring jurisdiction on the host country
17 court system by applying for child custody in
18 the host country court system.

19 (L) Which of the Status of Forces Agree-
20 ments negotiated with host countries, if any,
21 are written to protect the ability of a member
22 of the Armed Forces to have international child
23 abduction cases adjudicated in the member's
24 State of legal residence.

1 (M) The feasibility of including in present
2 and future Status of Forces Agreements a
3 framework for the expeditious and just resolu-
4 tion of intra-familial child abduction.

5 (N) Identification of potential strategies
6 for engagement with host countries with high
7 incidences of military international child abduc-
8 tions.

9 (O) Whether the Department of Defense
10 has engaged in joint efforts with the State De-
11 partment to provide a forum, such as a con-
12 ference, for left behind military parents to
13 share their experiences, network, and develop
14 best practices for securing the return of ab-
15 ducted children, and the assistance provided for
16 left behind parents to attend such an event.

17 (P) Whether the Department of Defense
18 currently partners with, or intends to partner
19 with, civilian experts on International Child Ab-
20 duction, to understand the psychological and so-
21 cial implications of this issue upon Department
22 of Defense personnel, and to help develop an ef-
23 fective awareness campaign and training.

