

107TH CONGRESS
2^D SESSION

H. R. 5715

To amend the Immigration and Nationality Act to render inadmissible to the United States the extended family of international child abductors, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 13, 2002

Mr. BURTON of Indiana (for himself, Mrs. MALONEY of New York, and Mr. OSE) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to render inadmissible to the United States the extended family of international child abductors, 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. INADMISSIBILITY OF ALIENS SUPPORTING**
4 **INTERNATIONAL CHILD ABDUCTORS AND**
5 **RELATIVES OF SUCH ABDUCTORS.**

6 (a) IN GENERAL.—Section 212(a)(10)(C)(ii) of the
7 Immigration and Nationality Act (8 U.S.C.
8 1182(a)(10)(C)(ii)) is amended—

1 (1) in subclause (I), by striking the comma at
2 the end and inserting a semicolon;

3 (2) in subclause (II), by striking “, or” at the
4 end and inserting a semicolon;

5 (3) by amending subclause (III) to read as fol-
6 lows:

7 “(III) is a spouse (other than the
8 spouse who is the parent of the ab-
9 ducted child), child (other than the
10 abducted child), parent, sibling, cous-
11 in, uncle, aunt, nephew, niece, or
12 grandparent of an alien described in
13 clause (i), is an agent of such an
14 alien, or is a principal employing such
15 an alien as an agent, if such person
16 has been designated by the Secretary
17 of State at the Secretary’s sole and
18 unreviewable discretion; or” and

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

20 “(IV) is a spouse of the abducted
21 child described in clause (i), if such
22 person has been designated by the
23 Secretary of State at the Secretary’s
24 sole and unreviewable discretion,

1 is inadmissible until such child is surren-
2 dered to the person granted custody by the
3 order described in that clause, and such
4 custodian and child are permitted to return
5 to the United States or such custodian's
6 place of residence.”.

7 (b) IDENTIFICATION OF ALIENS SUPPORTING AB-
8 DUCTORS AND RELATIVES OF ABDUCTORS; NOTICE TO
9 CUSTODIAL PARENTS AND GUARDIANS; ANNUAL REPORT;
10 DEFINITIONS.—Section 212(a)(10)(C) of the Immigration
11 and Nationality Act (8 U.S.C. 1182(a)(10)(C)) is amend-
12 ed by adding at the end the following:

13 “(iv) IDENTIFICATION OF ALIENS
14 SUPPORTING ABDUCTORS AND RELATIVES
15 OF ABDUCTORS.—In all instances in which
16 an alien commits an act described in clause
17 (i), the Secretary of State shall take appro-
18 priate action to identify the individuals
19 who are inadmissible under clause (ii).

20 “(v) NOTICE TO CUSTODIAL PARENTS
21 AND GUARDIANS.—In all instances in
22 which an alien commits an act described in
23 clause (i), the Secretary of State shall,
24 upon request of the person granted custody
25 of the child concerned, inform the person

1 of whether, and when, any individual who
2 is inadmissible under clause (ii) by reason
3 of such act has been issued a visa or other-
4 wise authorized to enter the United States.

5 “(vi) ANNUAL REPORT.—The Sec-
6 retary of State annually shall submit to
7 the Committee on International Relations,
8 the Committee on Government Reform,
9 and the Committee on the Judiciary of the
10 United States House of Representatives,
11 and the Committee on Foreign Relations,
12 the Committee on Governmental Affairs,
13 and the Committee on the Judiciary of the
14 United States Senate, a report that pro-
15 vides, with respect to the preceding year,
16 an accounting of the number of cases
17 known to the Secretary of State,
18 disaggregated according to the nationality
19 of the alien concerned—

20 “(I) in which an authority under
21 this subparagraph was exercised (and
22 with respect to each such case, the
23 specific ground for inadmissibility
24 shall be specified); and

1 “(II) in which an authority under
2 this subparagraph has not been exer-
3 cised but in which an alien, after
4 entry of an order by a court in the
5 United States granting custody to a
6 person of a United States citizen
7 child, detained or retained the child,
8 or withheld custody of the child, out-
9 side the United States from the per-
10 son granted custody by that order.

11 “(vii) DEFINITIONS.—For purposes of
12 this subparagraph—

13 “(I) the term ‘child’ means an in-
14 dividual who was a child at the time
15 the individual was detained or re-
16 tained, or at the time custody of the
17 individual was withheld, as described
18 in clause (i), regardless of the age or
19 marital status of the individual after
20 such time; and

21 “(II) the term ‘sibling’ includes a
22 step-sibling or half-sibling.”.

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