

115TH CONGRESS
1ST SESSION

S. 1178

To realign structures and reallocate resources in the Federal Government in keeping with the core belief that families are the best protection for children and the bedrock of any society to bolster United States diplomacy targeted at ensuring that every child can grow up in a permanent, safe, nurturing, and loving family, and to ensure that intercountry adoption to the United States becomes a viable and fully developed option for providing families for children in need, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 18, 2017

Mr. BLUNT (for himself, Ms. KLOBUCHAR, Mr. WICKER, Mr. BURR, Mr. COCHRAN, Mr. INHOFE, Mr. COTTON, Ms. WARREN, Mr. KING, and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To realign structures and reallocate resources in the Federal Government in keeping with the core belief that families are the best protection for children and the bedrock of any society to bolster United States diplomacy targeted at ensuring that every child can grow up in a permanent, safe, nurturing, and loving family, and to ensure that intercountry adoption to the United States becomes a viable and fully developed option for providing families for children in need, 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 “Vulnerable Children and Families Act of 2017”.

6 (b) **TABLE OF CONTENTS.**—The table of contents is
 7 as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings; purposes.

Sec. 3. Definitions.

**TITLE I—REALIGNMENT OF CERTAIN INTERNATIONAL CHILD
 WELFARE RESPONSIBILITIES AND FUNCTIONS**

Sec. 101. Redesignation of Office of Children’s Issues as Office of Vulnerable
 Children and Family Security.

TITLE II—ANNUAL REPORTING

Sec. 201. Annual report on implementation of action plan.

**TITLE III—PROMOTION OF A COMPREHENSIVE APPROACH FOR
 CHILDREN IN ADVERSITY**

Sec. 301. USAID obligations for coordinating with Office of Vulnerable Chil-
 dren and Family Security.

**TITLE IV—FUNDING, RULE OF CONSTRUCTION, AND EFFECTIVE
 DATES**

Sec. 401. Authorization of appropriations.

Sec. 402. Rule of construction.

Sec. 403. Effective dates.

8 **SEC. 2. FINDINGS; PURPOSES.**

9 (a) **FINDINGS.**—Congress makes the following find-
 10 ings:

11 (1) The people of the United States recognize
 12 and believe that children should grow up in perma-
 13 nent, safe, and nurturing families in order to develop
 14 and thrive.

1 (2) Science shows that children, and particu-
2 larly infants, living in impersonal, socially deprived
3 institutions may suffer lasting, and in many cases,
4 irreversible damage, including—

5 (A) reduced brain activity and brain size;

6 (B) lower intelligence quotients;

7 (C) serious behavioral and emotional prob-
8 lems; and

9 (D) disturbed relationships with others.

10 (3) Governments in other countries seek models
11 that promote the placement of children who are liv-
12 ing outside family care in permanent, safe, and nur-
13 turing families, rather than in foster care or institu-
14 tions; but many governments lack the resources or
15 infrastructure to adequately address this need.

16 (4) Despite the efforts of countless governments
17 and nongovernmental organizations, millions of chil-
18 dren remain uncounted and outside of the protec-
19 tion, nurturing care, permanence, safety, and love of
20 a family.

21 (5) No reliable data currently exists to define
22 and document the number and needs of children in
23 the world currently living without families, but avail-
24 able evidence demonstrates that there are millions of
25 children in this situation needing immediate help.

1 (6) The Action Plan on Children in Adversity
2 commits the United States Government to achieving
3 a world in which all children grow up within protec-
4 tive family care and free from deprivation, exploi-
5 tation, and danger. To effectively and efficiently ac-
6 complish this goal, it is necessary to realign the
7 United States Government’s current operational sys-
8 tem for assisting orphans and vulnerable children
9 and processing intercountry adoptions.

10 (7) Significant resources are already dedicated
11 to international assistance for orphans and vulner-
12 able children, and a relatively small portion of these
13 resources can be reallocated to achieve more timely,
14 effective, nurturing, and permanent familial solu-
15 tions for children living without families, resulting in
16 fewer children worldwide living in institutions or on
17 the streets, more families preserved or reunified, and
18 increased domestic and international adoptions.

19 (b) PURPOSES.—The purposes of this Act are—

20 (1) to support the core value that families are
21 the bedrock of any society;

22 (2) to protect the fundamental human right of
23 all children to grow up within the loving care of per-
24 manent, safe, and nurturing families;

1 (3) to address a critical gap in United States
2 foreign policy implementation by authorizing a
3 whole-of-government strategic approach to ensure
4 coordination within and among the relevant Federal
5 agencies for international policy and operational
6 structures so that seeking permanent families for
7 children living without families receives more promi-
8 nence, focus, and resources (through the reallocation
9 of existing personnel and resources);

10 (4) to harness the diplomatic and operational
11 power of the United States Government in the inter-
12 national sphere by helping to identify and implement
13 timely, permanent, safe, and nurturing familial solu-
14 tions for children living without families through ef-
15 fective implementation of the three core and three
16 supporting objectives of the Action Plan on Children
17 in Adversity;

18 (5) to ensure that intercountry adoption by
19 United States citizens becomes a viable and fully de-
20 veloped option for creating permanent families for
21 children who need them;

22 (6) to protect against abuses of children; and

23 (7) to harmonize and strengthen existing inter-
24 country adoption processes under United States
25 law—

1 (A) by ensuring that the same set of proce-
2 dures and criteria govern suitability and eligi-
3 bility determinations for prospective adoptive
4 parents seeking to complete intercountry adop-
5 tions, whether or not the child is from a foreign
6 state that is a party to the Hague Adoption
7 Convention; and

8 (B) by aligning the definitions of eligible
9 children for Convention adoptions and non-Con-
10 vention adoptions to the maximum extent pos-
11 sible.

12 **SEC. 3. DEFINITIONS.**

13 In this Act:

14 (1) ACTION PLAN ON CHILDREN IN ADVER-
15 SITY.—The term “Action Plan on Children in Adver-
16 sity” means the policy document entitled “United
17 States Government Action Plan on Children in Ad-
18 versity: A Framework for International Assistance:
19 2012–2017”, released on December 19, 2012.

20 (2) AMBASSADOR-AT-LARGE.—The term “Am-
21 bassador-at-Large” means the individual appointed
22 pursuant to section 101(b).

23 (3) APPROPRIATE, PROTECTIVE, AND PERMA-
24 NENT FAMILY CARE.—The term “appropriate, pro-
25 tective, and permanent family care” means a nur-

1 turing, lifelong, commitment to a child by an adult,
2 or adults with parental roles and responsibilities
3 that—

4 (A) provides physical and emotional sup-
5 port;

6 (B) provides the child with a sense of be-
7 longing; and

8 (C) generally involves full legal recognition
9 of the child’s status as child of the parents and
10 of the parents’ rights and responsibilities re-
11 garding the child.

12 (4) CENTRAL AUTHORITY.—The term “central
13 authority” has the meaning given the term in sec-
14 tion 3 of the Intercountry Adoption Act of 2000 (42
15 U.S.C. 14902).

16 (5) CHILDREN IN ADVERSITY.—The term “chil-
17 dren in adversity” means children and youth—

18 (A) who are younger than 18 years of age;

19 (B) who live outside of family care; and

20 (C) whose safety, well-being, growth, and
21 development are at significant risk due to inad-
22 equate care, protection, or access to essential
23 services.

24 (6) CONVENTION ADOPTION.—The term “Con-
25 vention adoption” has the meaning given the term in

1 section 3 of the Intercountry Adoption Act of 2000
2 (42 U.S.C. 14902).

3 (7) CONVENTION COUNTRY.—The term “Con-
4 vention country” has the meaning given the term in
5 section 3 of the Intercountry Adoption Act of 2000
6 (42 U.S.C. 14902) and for which the Hague Adop-
7 tion Convention has entered into force.

8 (8) GUARDIANSHIP.—

9 (A) IN GENERAL.—The term “guardian-
10 ship” means a permanent legal relationship be-
11 tween an adult and a child, in which the adult
12 is lawfully invested with the power, and charged
13 with the duty, of taking care of the child.

14 (B) PERMANENT GUARDIANSHIP.—While
15 some forms of guardianship are not truly per-
16 manent, the form of guardianship referred to
17 and supported under this Act is permanent
18 guardianship.

19 (C) KEFALA ORDER.—A Kefala order
20 issued by a country that follows traditional Is-
21 lamic law does not qualify as an adoption under
22 United States law, but may be a form of guard-
23 ianship in some circumstances.

24 (D) FAMILY-LIKE GROUP HOMES.—Indi-
25 vidual parent-child relationships in a small,

1 family-like group home in which caretaking is
2 provided only by one or more unpaid caretakers
3 might, in some circumstances, qualify as a
4 guardianship if legalized in that form.

5 (E) PAID GUARDIANSHIP.—The term
6 guardianship does not include a paid guardian-
7 ship.

8 (9) HABITUAL RESIDENCE DETERMINATION.—
9 The term “habitual residence determination” means
10 a factual determination of where a prospective adop-
11 tive parent (or parents) resides and where the child
12 resides for purposes of an intercountry adoption
13 case.

14 (10) HAGUE ADOPTION CONVENTION.—The
15 term “Hague Adoption Convention” means the Con-
16 vention of Protection of Children and Cooperation in
17 Respect of Intercountry Adoption, concluded at The
18 Hague May 29, 1993.

19 (11) INSTITUTIONAL CARE.—The term “institu-
20 tional care” means care provided in any nonfamily-
21 based group setting, including—

22 (A) orphanages;

23 (B) transit or interim care centers;

24 (C) children’s homes;

1 (D) children’s villages or cottage com-
2 plexes; and

3 (E) boarding schools used primarily for
4 care purposes as an alternative to a children’s
5 home.

6 (12) KINSHIP CARE.—The term “kinship
7 care”—

8 (A) means the full-time care, nurturing,
9 and protection of children by relatives, members
10 of their tribes or clans, godparents, stepparents,
11 or any adult who has a kinship bond with a
12 child, if such persons have the capacity and
13 commitment to function as true parents for the
14 child on a permanent basis; and

15 (B) does not include paid kinship foster
16 care.

17 (13) NON-CONVENTION ADOPTION.—The term
18 “non-Convention adoption” means—

19 (A) an adoption by United States parents
20 of a child from a non-Convention country in ac-
21 cordance with subparagraph (F) of section
22 101(b)(1) of the Immigration and Nationality
23 Act (8 U.S.C. 1101(b)(1));

24 (B) an adoption by United States parents
25 of a child under the laws of the child’s country

1 of origin (generally when the parents are living
2 in the child’s country of origin and therefore
3 able legally to complete a domestic adoption); or
4 (C) in certain circumstances (generally
5 with respect to relative adoptions or adoptions
6 by dual national parents), an adoption by
7 United States parents of a child from a Con-
8 vention country if that country allows legal and
9 valid adoptions to take place outside the scope
10 of the Convention.

11 (14) NON-CONVENTION COUNTRY.—The term
12 “non-Convention country” means a country in which
13 the Hague Adoption Convention has not entered into
14 force, regardless of whether or not that country has
15 signed the Convention.

16 (15) SPECIAL ADVISOR.—The term “Special
17 Advisor” means the Special Advisor for Assistance
18 to Orphans and Vulnerable Children appointed pur-
19 suant to section 135(e) of the Foreign Assistance
20 Act of 1961 (22 U.S.C. 2152f(e)), who is also re-
21 ferred to as the Senior coordinator for the USAID
22 Administrator on Children in Adversity and who
23 leads the Center of Excellence for Children in Adver-
24 sity.

1 (16) UNPARENTED CHILDREN.—The term
 2 “unparented children” means children lacking the
 3 legally recognized, permanent, safe, and nurturing
 4 care of a parental figure or figures, either inside
 5 their country of origin, in the country of their habit-
 6 ual residence, or elsewhere.

7 **TITLE I—REALIGNMENT OF CER-**
 8 **TAIN INTERNATIONAL CHILD**
 9 **WELFARE RESPONSIBILITIES**
 10 **AND FUNCTIONS**

11 **SEC. 101. REDESIGNATION OF OFFICE OF CHILDREN’S**
 12 **ISSUES AS OFFICE OF VULNERABLE CHIL-**
 13 **DREN AND FAMILY SECURITY.**

14 (a) REDESIGNATION.—The Office of Children’s
 15 Issues of the Department of State is hereby redesignated
 16 as the Office of Vulnerable Children and Family Security
 17 (referred to in this Act as the “VCFS”).

18 (b) APPOINTMENT OF AMBASSADOR-AT-LARGE.—
 19 The President, acting through the Secretary, shall appoint
 20 an Ambassador-at-Large to promote and support the fol-
 21 lowing activities:

22 (1) Oversight of the Office of Vulnerable Chil-
 23 dren and Family Security.

24 (2) The development and implementation in for-
 25 eign countries of child welfare laws, regulations,

1 policies, best practices, and procedures in keeping
2 with the goals articulated in the Action Plan on
3 Children in Adversity, including—

4 (A) the sound development of children
5 through the integration of health, nutrition, and
6 family support;

7 (B) supporting and enabling families to
8 care for children through family preservation,
9 reunification, and support of kinship care,
10 guardianship, and domestic and intercountry
11 adoption;

12 (C) facilitating the efforts of national gov-
13 ernments and partners to prevent, respond to,
14 and protect children from violence, exploitation,
15 abuse, and neglect;

16 (D) supporting partners to build and
17 strengthen holistic and integrated models to
18 promote the best interests of the child;

19 (E) building and maintaining strong evi-
20 dence base on which future activities to reach
21 and assist the most vulnerable children can be
22 effectively planned and implemented; and

23 (F) integrating this plan with United
24 States Government departments and agencies.

1 (3) Addressing the gap in United States Gov-
2 ernment diplomacy, policy, and operations with re-
3 spect to promoting appropriate, protective, and per-
4 manent family care for children living without fami-
5 lies by leading the development and implementation
6 of policies that will ensure the timely provision of
7 appropriate, protective, and permanent family care
8 for children living without families through the full
9 continuum of permanence solutions, including family
10 preservation and reunification, kinship care, guard-
11 ianship, and domestic and intercountry adoption.

12 (c) QUALIFICATIONS OF AMBASSADOR-AT-LARGE.—
13 The Ambassador-at-Large shall—

14 (1) have experience in the development of poli-
15 cies and systems and the implementation of pro-
16 grams that promote the goals of the Action Plan on
17 Children in Adversity;

18 (2) be knowledgeable of international child wel-
19 fare, family permanence, and family creation
20 through domestic and intercountry adoption; and

21 (3) be committed to developing an integrated
22 United States Government approach to international
23 child welfare that places equal emphasis on—

24 (A) early childhood survival and develop-
25 ment;

1 (B) family permanence; and

2 (C) protection from abuse and exploitation.

3 (d) FUNCTIONS.—

4 (1) ADVISORY.—The Ambassador-at-Large
5 shall serve as a primary advisor to the Secretary of
6 State and the President in all matters related to vul-
7 nerable children and family security in foreign coun-
8 tries.

9 (2) DIPLOMATIC REPRESENTATION.—Subject to
10 the direction of the President and the Secretary of
11 State, and in consultation and coordination with the
12 Administrator of the United States Agency for
13 International Development and the Secretary of
14 Homeland Security, the Ambassador-at-Large shall
15 represent the United States in matters relevant to
16 international child welfare, family preservation and
17 reunification, and provision of permanent, safe pa-
18 rental care through kinship, domestic and inter-
19 country adoption in—

20 (A) contacts with foreign governments,
21 nongovernmental organizations, intergovern-
22 mental agencies, and specialized agencies of the
23 United Nations and other international organi-
24 zations of which the United States is a member;

1 (B) multilateral conferences and meetings
2 relevant to family preservation, reunification,
3 and creating appropriate, protective, and per-
4 manent care for unparented children; and

5 (C) fulfillment of the diplomatic respon-
6 sibilities designated to the central authority
7 under title I of the Intercountry Adoption Act
8 of 2000 (42 U.S.C. 14911 et seq.).

9 (3) POLICY DEVELOPMENT WITH RESPECT TO
10 PERMANENCE FOR UNPARENTED CHILDREN.—

11 (A) IN GENERAL.—The Ambassador-at-
12 Large shall—

13 (i) develop and advocate for policies
14 and practices to ensure that children in
15 foreign countries who are living without
16 families find appropriate, protective, and
17 permanent family care;

18 (ii) give consideration to family pres-
19 ervation and reunification, kinship care,
20 guardianship, and domestic and inter-
21 country adoption; and

22 (iii) seek to develop and implement
23 policies that lead to the use of all options
24 for providing appropriate, protective, and

1 permanent family care to children living
2 without families as quickly as possible.

3 (B) ADVOCATE FOR CONCURRENT PLAN-
4 NING.—

5 (i) IN GENERAL.—In developing poli-
6 cies and programs under this Act, the Am-
7 bassador-at-Large shall advocate that all
8 options for providing appropriate, protec-
9 tive, and permanent family care to children
10 living without families must be considered
11 concurrently and permanent solutions must
12 be put in place as quickly as possible. Solu-
13 tions include family preservation and re-
14 unification, kinship care, guardianship, do-
15 mestic and intercountry adoption, and
16 other culturally acceptable forms of care
17 that will result in appropriate, protective,
18 and permanent family care. Preference
19 should be given to options that optimize
20 the child's well-being, which generally
21 means options which provide children with
22 fully protected legal status and parents
23 with full legal status as parents, including
24 full parental rights and responsibilities.
25 The principle of subsidiarity, which gives

1 preference to in-country solutions, should
2 be implemented within the context of a
3 concurrent planning strategy, exploring in-
4 and out-of-country options simultaneously.
5 If an in-country placement providing ap-
6 propriate, protective, and permanent care
7 is not quickly available, and such an inter-
8 national home is available, encourage poli-
9 cies that allow the child to be placed in an
10 international home without delay.

11 (ii) INTERIM PLACEMENTS.—Nothing
12 in this subsection may be construed to pre-
13 clude interim placements, including in kin-
14 ship care, foster care, and small group
15 homes, to temporarily improve children’s
16 living conditions in individual cir-
17 cumstances in which—

18 (I) a permanent solution is not
19 immediately available if ongoing ef-
20 forts are made to move the child from
21 interim to permanent placement as
22 soon as possible; and

23 (II) the child’s best interests will
24 be served.

1 (iii) EXCEPTIONS.—Exceptions to the
2 general rule set forth in clauses (i) and (ii)
3 may be made, as needed in individual
4 cases, to serve the child’s best interests, in-
5 cluding the following:

6 (I) Permanent guardianship may
7 be preferable to adoption in certain
8 cases where the child has developed a
9 powerful bond to a loving guardian
10 who prefers not to adopt because of
11 the child’s ties to birth parents who
12 love the child, but are not in a posi-
13 tion to provide appropriate nurturing.

14 (II) Options generally viewed as
15 interim solutions, such as foster care
16 and small group homes, may be pref-
17 erable to family reunification when
18 the parents are not in a position to
19 provide appropriate nurturing.

20 (III) For children with disabil-
21 ities, solutions to prevent institu-
22 tionalization and to assist with re-
23 integration into the community from
24 institutions, include payment and sup-

1 port to families, substitute families,
2 small group homes, or kinship care.

3 (C) BEST PRACTICES.—In developing poli-
4 cies and programs under this Act, the Amba-
5 sador-at-Large shall identify and utilize evi-
6 dence-based programs and best practices in
7 family preservation and reunification and provi-
8 sion of permanent parental care through guard-
9 ianship, kinship care, and domestic and inter-
10 country adoption as derived from a wide variety
11 of domestic, foreign, and global policies and
12 practices.

13 (D) TECHNICAL ASSISTANCE.—The Am-
14 bassador-at-Large, in consultation with other
15 appropriate Federal agencies, shall provide
16 technical assistance to governments of foreign
17 countries to help build their child welfare capac-
18 ities, particularly pertaining to family-based
19 permanence. Such assistance should aim to
20 strengthen family preservation and reunification
21 and the provision of appropriate, protective, and
22 permanent family care through kinship care,
23 guardianship, and domestic and intercountry
24 adoption, including assistance with—

- 1 (i) drafting, disseminating, and imple-
2 menting legislation;
- 3 (ii) developing implementing systems
4 and procedures;
- 5 (iii) establishing public, private, and
6 faith- and community-based partnerships;
- 7 (iv) developing workforce training for
8 governmental and nongovernmental staff;
9 and
- 10 (v) infrastructure development and
11 data collection techniques necessary to
12 identify and document the number and
13 needs of children living without appro-
14 priate, protective, and permanent family
15 care.

16 (4) RESPONSIBILITIES WITH RESPECT TO
17 INTERCOUNTRY ADOPTION.—

18 (A) IN GENERAL.—The VCFS, in coordi-
19 nation with other offices of the Department of
20 State and U.S. Citizenship and Immigration
21 Services, shall have lead responsibility for rep-
22 resenting the United States Government in dis-
23 cussions, negotiations, and diplomatic contacts
24 pertaining to intercountry adoptions.

1 (B) CENTRAL AUTHORITY RESPONSIBILITY
2 UNDER THE INTERCOUNTRY ADOPTION ACT OF
3 2000.—Section 101(b)(2) of the Intercountry
4 Adoption Act of 2000 (42 U.S.C. 14911(b)(2))
5 is amended by striking “Office of Children’s
6 Issues” and inserting “Office of Vulnerable
7 Children and Family Security”.

8 (C) DETERMINATIONS OF HAGUE ADOPT-
9 TION CONVENTION COMPLIANCE.—The VCFS,
10 in consultation with other offices of the Depart-
11 ment of State, and the Department of Home-
12 land Security, shall have lead responsibility for
13 determining whether a Convention partner
14 country has met its obligations under the
15 Hague Adoption Convention and is eligible to
16 participate in intercountry adoptions in accord-
17 ance with United States law. Such determina-
18 tions shall be documented in writing, based on
19 standardized criteria, and available for public
20 review and comment.

21 (5) POLICY COORDINATION.—The Ambassador-
22 at-Large shall coordinate with the Secretary of
23 Homeland Security and the Administrator of the
24 United States Agency for International Development
25 to maintain consistency in United States foreign and

1 domestic policy and operations with respect to chil-
2 dren living outside family care in foreign countries.

3 (6) INFORMATION COORDINATION.—The Am-
4 bassador-at-Large shall transmit—

5 (A) any intercountry adoption related case
6 information received from the Central Authority
7 of another Convention country to the Secretary
8 of Homeland Security; and

9 (B) any intercountry adoption related case
10 information that the Secretary of Homeland Se-
11 curity requests to the central authority of an-
12 other Convention country.

13 **TITLE II—ANNUAL REPORTING**

14 **SEC. 201. ANNUAL REPORT ON IMPLEMENTATION OF AC-** 15 **TION PLAN.**

16 Not later than 180 days after the date of the enact-
17 ment of this Act, and annually thereafter, the Amba-
18 sador-at-Large, in coordination with the Special Advisor,
19 shall submit to Congress a report on implementation of
20 the Action Plan on Children in Adversity, including the
21 technical assistance provided under section 101(d)(3)(D).

1 **TITLE III—PROMOTION OF A**
2 **COMPREHENSIVE APPROACH**
3 **FOR CHILDREN IN ADVER-**
4 **SITY**

5 **SEC. 301. USAID OBLIGATIONS FOR COORDINATING WITH**
6 **OFFICE OF VULNERABLE CHILDREN AND**
7 **FAMILY SECURITY.**

8 (a) OBJECTIVES.—The Special Advisor shall work in
9 consultation with the Ambassador-at-Large to promote
10 greater United States Government coherence and account-
11 ability for whole-of-government assistance to children in
12 adversity and ensure that United States foreign assistance
13 and development programs are focused on—

14 (1) the sound development of children through
15 the integration of health, nutrition, and family sup-
16 port;

17 (2) supporting and enabling families to care for
18 children through family preservation, reunification,
19 and support of kinship care, guardianship, and do-
20 mestic and intercountry adoption;

21 (3) facilitating the efforts of national govern-
22 ments and partners to prevent, respond to, and pro-
23 tect children from violence, exploitation, abuse, and
24 neglect;

1 (4) supporting partners to build and strengthen
2 holistic and integrated child welfare and protection
3 systems to promote the best interests of the child;

4 (5) building and maintaining a strong evidence
5 base on which future activities to reach and assist
6 the most vulnerable children can be effectively
7 planned and implemented; and

8 (6) integrating the objectives set forth in para-
9 graphs (1) through (5) with Federal departments
10 and agencies.

11 (b) APPROACH.—The Special Advisor shall ensure
12 that efforts to assist children in adversity through the Ac-
13 tion Plan on Children in Adversity are coordinated with
14 the efforts by the Ambassador-at-Large in implementing
15 its adoption strategy in priority countries.

16 (c) REPEAL.—Section 135 of the Foreign Assistance
17 Act of 1961 (22 U.S.C. 2152f) is repealed.

18 **TITLE IV—FUNDING, RULE OF**
19 **CONSTRUCTION, AND EFFEC-**
20 **TIVE DATES**

21 **SEC. 401. AUTHORIZATION OF APPROPRIATIONS.**

22 (a) PROHIBITION ON NEW APPROPRIATIONS.—

23 (1) IN GENERAL.—Nothing in this Act may be
24 construed as authorizing additional funds to be ap-

1 appropriated to carry out this Act or any amendments
2 made by this Act.

3 (2) USE OF EXISTING FUNDS.—This Act, and
4 the amendments made by this Act, shall be carried
5 out using amounts otherwise available for such pur-
6 poses, including unobligated balances of funds made
7 available to carry out activities under the Foreign
8 Assistance Act of 1961 (22 U.S.C. 2151 et seq.).

9 (b) LIMITATIONS ON USE OF FUNDS.—

10 (1) SEGREGATED SERVICES.—No funds obli-
11 gated in accordance with this Act may be awarded
12 for building, renovating, or refurbishing residential
13 facilities that segregate children with disabilities
14 from society. The limitation under this paragraph
15 does not prohibit funding for small, community-
16 based group homes that house up to six children.

17 (2) ADMINISTRATIVE EXPENSES.—Not more
18 than two percent of the amounts described in sub-
19 section (a)(2) may be used for administrative ex-
20 penses.

21 (c) FOCUS OF ASSISTANCE.—Assistance provided
22 under this Act—

23 (1) shall focus primarily on promoting inter-
24 national child welfare, as set forth in this Act, for
25 all children in adversity; and

1 (2) may be provided on such terms and condi-
2 tions as the President determines appropriate.

3 **SEC. 402. RULE OF CONSTRUCTION.**

4 Nothing in this Act shall be construed as precluding
5 the provision of stipends or subsidies to those caring for
6 children with disabilities.

7 **SEC. 403. EFFECTIVE DATES.**

8 (a) **EFFECTIVE UPON ENACTMENT.**—Sections 104
9 and 201 and titles III and IV shall take effect on the date
10 of the enactment of this Act.

11 (b) **DELAYED EFFECTIVE DATE.**—Sections 101,
12 102, and 103 shall take effect on the date that is 1 year
13 after the date of the enactment of this Act.

○