

114TH CONGRESS  
2D SESSION

# S. 3279

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.

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## IN THE SENATE OF THE UNITED STATES

JULY 14, 2016

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

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## 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 2016”.

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. Inclusion in annual country reports on human rights practices of in-  
 formation on children living without families.

Sec. 202. 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-

1       nent, safe, and nurturing families in order to develop  
2       and thrive.

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

7                       (A) reduced brain activity and brain size;

8                       (B) lower intelligence quotients;

9                       (C) serious behavioral and emotional prob-  
10       lems; and

11                      (D) disturbed relationships with others.

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

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

23               (5) No reliable data currently exists to define  
24       and document the number and needs of children in  
25       the world currently living without families, but avail-

1       able evidence demonstrates that there are millions of  
2       children in this situation needing immediate help.

3               (6) The December 2012 Action Plan for Chil-  
4       dren in Adversity commits the United States Gov-  
5       ernment to achieving a world in which all children  
6       grow up within protective family care and free from  
7       deprivation, exploitation, and danger. To effectively  
8       and efficiently accomplish this goal, it is necessary  
9       to realign the United States Government's current  
10      operational system for assisting orphans and vulner-  
11      able children and processing intercountry adoptions.

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

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

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

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

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

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

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

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

1 (7) to harmonize and strengthen existing inter-  
2 country adoption processes under United States  
3 law—

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

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

15 **SEC. 3. DEFINITIONS.**

16 In this Act:

17 (1) ACTION PLAN ON CHILDREN IN ADVER-  
18 SITY.—The term “Action Plan on Children in Adver-  
19 sity” means the policy document entitled “United  
20 States Government Action Plan on Children in Ad-  
21 versity: A Framework for International Assistance:  
22 2012–2017”, released on December 19, 2012.

23 (2) 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 (3) 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 (4) 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 (5) 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 (6) 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 (7) 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 (8) 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 (9) HAGUE ADOPTION CONVENTION.—The term  
15 “Hague Adoption Convention” means the Conven-  
16 tion of Protection of Children and Cooperation in  
17 Respect of Intercountry Adoption, concluded at The  
18 Hague May 29, 1993.

19 (10) 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 (11) 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 (12) 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 (13) 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 (14) UNPARENTED CHILDREN.—The term  
17 “unparented children” means children lacking the  
18 legally recognized, permanent, safe, and nurturing  
19 care of a parental figure or figures, either inside  
20 their country of origin, in the country of their habit-  
21 ual residence, or elsewhere.

1 **TITLE I—REALIGNMENT OF CER-**  
2 **TAIN INTERNATIONAL CHILD**  
3 **WELFARE RESPONSIBILITIES**  
4 **AND FUNCTIONS**

5 **SEC. 101. REDESIGNATION OF OFFICE OF CHILDREN’S**  
6 **ISSUES AS OFFICE OF VULNERABLE CHIL-**  
7 **DREN AND FAMILY SECURITY.**

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

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

16 (1) Oversight of the Office of Vulnerable Chil-  
17 dren and Family Security.

18 (2) The development and implementation in for-  
19 eign countries of child welfare laws, regulations,  
20 policies, best practices, and procedures in keeping  
21 with the goals articulated in the Action Plan for  
22 Children in Adversity, including—

23 (A) the sound development of children  
24 through the integration of health, nutrition, and  
25 family support;

1 (B) supporting and enabling families to  
2 care for children through family preservation,  
3 reunification, and support of kinship care,  
4 guardianship, and domestic and intercountry  
5 adoption;

6 (C) facilitating the efforts of national gov-  
7 ernments and partners to prevent, respond to,  
8 and protect children from violence, exploitation,  
9 abuse, and neglect;

10 (D) supporting partners to build and  
11 strengthen holistic and integrated models to  
12 promote the best interests of the child;

13 (E) building and maintaining strong evi-  
14 dence base on which future activities to reach  
15 and assist the most vulnerable children can be  
16 effectively planned and implemented; and

17 (F) integrating this plan with United  
18 States Government departments and agencies.

19 (3) Addressing the gap in United States Gov-  
20 ernment diplomacy, policy, and operations with re-  
21 spect to promoting appropriate, protective, and per-  
22 manent family care for children living without fami-  
23 lies by leading the development and implementation  
24 of policies that will ensure the timely provision of  
25 appropriate, protective, and permanent family care

1 for children living without families through the full  
2 continuum of permanence solutions, including family  
3 preservation and reunification, kinship care, guard-  
4 ianship, and domestic and intercountry adoption.

5 (c) QUALIFICATIONS OF AMBASSADOR-AT-LARGE.—

6 The Ambassador-at-Large shall—

7 (1) have experience in the development of poli-  
8 cies and systems and the implementation of pro-  
9 grams that promote the goals of the Action Plan for  
10 Children in Adversity;

11 (2) be knowledgeable of international child wel-  
12 fare, family permanence, and family creation  
13 through domestic and intercountry adoption; and

14 (3) be committed to developing an integrated  
15 United States Government approach to international  
16 child welfare that places equal emphasis on—

17 (A) early childhood survival and develop-  
18 ment;

19 (B) family permanence; and

20 (C) protection from abuse and exploitation.

21 (d) FUNCTIONS.—

22 (1) ADVISORY.—The Ambassador-at-Large  
23 shall serve as a primary advisor to the Secretary of  
24 State and the President in all matters related to vul-

1       nerable children and family security in foreign coun-  
2       tries.

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

14              (A) contacts with foreign governments,  
15              nongovernmental organizations, intergovern-  
16              mental agencies, and specialized agencies of the  
17              United Nations and other international organi-  
18              zations of which the United States is a member;

19              (B) multilateral conferences and meetings  
20              relevant to family preservation, reunification,  
21              and creating appropriate, protective, and per-  
22              manent care for unparented children; and

23              (C) fulfillment of the diplomatic respon-  
24              sibilities designated to the central authority  
25              under title I of the Intercountry Adoption Act

1 of 2000 (42 U.S.C. 14911 et seq.), as amended  
2 by this Act.

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

5 (A) IN GENERAL.—The Ambassador-at-  
6 Large shall—

7 (i) develop and advocate for policies  
8 and practices to ensure that children in  
9 foreign countries who are living without  
10 families find appropriate, protective, and  
11 permanent family care;

12 (ii) give consideration to family pres-  
13 ervation and reunification, kinship care,  
14 guardianship, and domestic and inter-  
15 country adoption; and

16 (iii) seek to develop and implement  
17 policies that lead to the use of all options  
18 for providing appropriate, protective, and  
19 permanent family care to children living  
20 without families as quickly as possible.

21 (B) ADVOCATE FOR CONCURRENT PLAN-  
22 NING.—

23 (i) IN GENERAL.—In developing poli-  
24 cies and programs under this Act, the Am-  
25 bassador-at-Large shall advocate that all



1 options for providing appropriate, protec-  
2 tive, and permanent family care to children  
3 living without families must be considered  
4 concurrently and permanent solutions must  
5 be put in place as quickly as possible. Solu-  
6 tions include family preservation and re-  
7 unification, kinship care, guardianship, do-  
8 mestic and intercountry adoption, and  
9 other culturally acceptable forms of care  
10 that will result in appropriate, protective,  
11 and permanent family care. Preference  
12 should be given to options that optimize  
13 the child's well-being, which generally  
14 means options which provide children with  
15 fully protected legal status and parents  
16 with full legal status as parents, including  
17 full parental rights and responsibilities.  
18 The principle of subsidiarity, which gives  
19 preference to in-country solutions, should  
20 be implemented within the context of a  
21 concurrent planning strategy, exploring in-  
22 and out-of-country options simultaneously.  
23 If an in-country placement providing ap-  
24 propriate, protective, and permanent care  
25 is not quickly available, and such an inter-

1 national home is available, encourage poli-  
2 cies that allow the child to be placed in an  
3 international home without delay.

4 (ii) INTERIM PLACEMENTS.—Nothing  
5 in this subsection may be construed to pre-  
6 clude interim placements, including in kin-  
7 ship care, foster care, and small group  
8 homes, to temporarily improve children's  
9 living conditions in individual cir-  
10 cumstances in which—

11 (I) a permanent solution is not  
12 immediately available if ongoing ef-  
13 forts are made to move the child from  
14 interim to permanent placement as  
15 soon as possible; and

16 (II) the child's best interests will  
17 be served.

18 (iii) EXCEPTIONS.—Exceptions to the  
19 general rule set forth in clauses (i) and (ii)  
20 may be made, as needed in individual  
21 cases, to serve the child's best interests, in-  
22 cluding the following:

23 (I) Permanent guardianship may  
24 be preferable to adoption in certain  
25 cases where the child has developed a

1 powerful bond to a loving guardian  
2 who prefers not to adopt because of  
3 the child's ties to birth parents who  
4 love the child, but are not in a posi-  
5 tion to provide appropriate nurturing.

6 (II) Options generally viewed as  
7 interim solutions, such as foster care  
8 and small group homes, may be pref-  
9 erable to family reunification when  
10 the parents are not in a position to  
11 provide appropriate nurturing.

12 (III) For children with disabil-  
13 ities, solutions to prevent institu-  
14 tionalization and to assist with re-  
15 integration into the community from  
16 institutions, include payment and sup-  
17 port to families, substitute families,  
18 small group homes, or kinship care.

19 (C) BEST PRACTICES.—In developing poli-  
20 cies and programs under this Act, the Amba-  
21 sador-at-Large shall identify and utilize evi-  
22 dence-based programs and best practices in  
23 family preservation and reunification and provi-  
24 sion of permanent parental care through guard-  
25 ianship, kinship care, and domestic and inter-

1 country adoption as derived from a wide variety  
2 of domestic, foreign, and global policies and  
3 practices.

4 (D) TECHNICAL ASSISTANCE.—The Am-  
5 bassador-at-Large, in consultation with other  
6 appropriate Federal agencies, shall provide  
7 technical assistance to governments of foreign  
8 countries to help build their child welfare capac-  
9 ities, particularly pertaining to family-based  
10 permanence. Such assistance should aim to  
11 strengthen family preservation and reunification  
12 and the provision of appropriate, protective, and  
13 permanent family care through kinship care,  
14 guardianship, and domestic and intercountry  
15 adoption, including assistance with—

16 (i) the drafting, disseminating, and  
17 implementing of legislation;

18 (ii) the development of implementing  
19 systems and procedures;

20 (iii) the establishment of public, pri-  
21 vate, and faith- and community-based  
22 partnerships;

23 (iv) the development of workforce  
24 training for governmental and nongovern-  
25 mental staff; and

1 (v) infrastructure development and  
2 data collection techniques necessary to  
3 identify and document the number and  
4 needs of children living without appro-  
5 priate, protective, and permanent family  
6 care.

7 (4) RESPONSIBILITIES WITH RESPECT TO  
8 INTERCOUNTRY ADOPTION.—

9 (A) IN GENERAL.—The VCFS, in coordi-  
10 nation with other offices of the Department of  
11 State and U.S. Citizenship and Immigration  
12 Services, shall have lead responsibility for rep-  
13 resenting the United States Government in dis-  
14 cussions, negotiations, and diplomatic contacts  
15 pertaining to intercountry adoptions.

16 (B) CENTRAL AUTHORITY RESPONSIBILITY  
17 UNDER THE INTERCOUNTRY ADOPTION ACT OF  
18 2000.—Section 101(b)(2) of the Intercountry  
19 Adoption Act of 2000 (42 U.S.C. 14911(b)(2))  
20 is amended by striking “Office of Children’s  
21 Issues” and inserting the “Office of Vulnerable  
22 Children and Family Security”.

23 (C) DETERMINATIONS OF HAGUE ADOP-  
24 TION CONVENTION COMPLIANCE.—The VCFS,  
25 in consultation with other offices of the Depart-

1           ment of State, and the Department of Home-  
2           land Security, shall have lead responsibility for  
3           determining whether a Convention partner  
4           country has met its obligations under the  
5           Hague Adoption Convention and is eligible to  
6           participate in intercountry adoptions in accord-  
7           ance with United States law. Such determina-  
8           tions shall be documented in writing, based on  
9           standardized criteria, and available for public  
10          review and comment.

11           (5) POLICY COORDINATION.—The Ambassador-  
12          at-Large shall coordinate with the Secretary of  
13          Homeland Security and the Administrator of the  
14          United States Agency for International Development  
15          to maintain consistency in United States foreign and  
16          domestic policy and operations with respect to chil-  
17          dren living outside family care in foreign countries.

18           (6) INFORMATION COORDINATION.—The Am-  
19          bassador-at-Large shall transmit—

20                   (A) any intercountry adoption related case  
21                   information received from the Central Authority  
22                   of another Convention country to the Secretary  
23                   of Homeland Security; and

24                   (B) any intercountry adoption related case  
25                   information that the Secretary of Homeland Se-

1 security requests to the Central Authority of an-  
2 other Convention country.

## 3 **TITLE II—ANNUAL REPORTING**

### 4 **SEC. 201. INCLUSION IN ANNUAL COUNTRY REPORTS ON** 5 **HUMAN RIGHTS PRACTICES OF INFORMA-** 6 **TION ON CHILDREN LIVING WITHOUT FAMI-** 7 **LIES.**

8 Section 116(d) of the Foreign Assistance Act of 1961  
9 (22 U.S.C. 2151n(d)) is amended by adding at the end  
10 the following new paragraph:

11 “(13) The institutionalization of children in-  
12 cluding in orphanages, and in large and small group  
13 homes, when that institutionalization can be avoided  
14 either by promptly reunifying children with nur-  
15 turing parents of origin or by promptly placing them  
16 in adoptive homes in the country of origin or abroad,  
17 and the related subjection of children to cruel, inhu-  
18 man or degrading treatment, unnecessary detention,  
19 or denial of the right to life, liberty, and the security  
20 of persons.”.

### 21 **SEC. 202. ANNUAL REPORT ON IMPLEMENTATION OF AC-** 22 **TION PLAN.**

23 Not later than 180 days after the date of the enact-  
24 ment of this Act, and annually thereafter, the Amba-  
25 sador-at-Large, in coordination with the Special Advisor

1 to the USAID Administrator on Children in Adversity,  
2 shall submit to Congress a report on implementation of  
3 the Action Plan for Children in Adversity, including the  
4 technical assistance provided under section 101(e)(3)(D).

5 **TITLE III—PROMOTION OF A**  
6 **COMPREHENSIVE APPROACH**  
7 **FOR CHILDREN IN ADVER-**  
8 **SITY**

9 **SEC. 301. USAID OBLIGATIONS FOR COORDINATING WITH**  
10 **OFFICE OF VULNERABLE CHILDREN AND**  
11 **FAMILY SECURITY.**

12 (a) OBJECTIVES.—The United States Agency for  
13 International Development’s Center of Excellence on Chil-  
14 dren in Adversity, in particular its Special Advisor to the  
15 USAID Administrator on Children in Adversity, shall  
16 work in consultation with the Ambassador-at-Large of the  
17 Office of Vulnerable Children and Family Security of the  
18 Department of State to promote greater United States  
19 Government coherence and accountability for whole-of-  
20 government assistance to children in adversity and ensure  
21 that United States foreign assistance and development  
22 programs are focused on the following objectives:

23 (1) The sound development of children through  
24 the integration of health, nutrition, and family sup-  
25 port.



1           (2) Supporting and enabling families to care for  
2 children through family preservation, reunification,  
3 and support of kinship care, guardianship, and do-  
4 mestic and intercountry adoption.

5           (3) Facilitating the efforts of national govern-  
6 ments and partners to prevent, respond to, and pro-  
7 tect children from violence, exploitation, abuse, and  
8 neglect.

9           (4) Supporting partners to build and strengthen  
10 holistic and integrated child welfare and protection  
11 systems to promote the best interests of the child.

12           (5) Building and maintaining a strong evidence  
13 base on which future activities to reach and assist  
14 the most vulnerable children can be effectively  
15 planned and implemented.

16           (6) Integrating this plan with United States  
17 Government departments and agencies.

18       (b) APPROACH.—The Special Advisor shall ensure  
19 that efforts to assist children in adversity through the Ac-  
20 tion Plan on Children in Adversity are coordinated with  
21 the efforts by the Ambassador-at-Large in implementing  
22 its adoption strategy in priority countries and also are re-  
23 sponsive to the data on unparented children provided pur-  
24 suant to paragraph (13) of section 116(d) of the Foreign

1 Assistance Act of 1961 (22 U.S.C. 2151n(d)), as added  
2 by section 201 of this Act.

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

5 **TITLE IV—FUNDING, RULE OF**  
6 **CONSTRUCTION, AND EFFEC-**  
7 **TIVE DATES**

8 **SEC. 401. AUTHORIZATION OF APPROPRIATIONS.**

9 (a) PROHIBITION ON NEW APPROPRIATIONS.—

10 (1) IN GENERAL.—Nothing in this Act may be  
11 construed as authorizing additional funds to be ap-  
12 propriated to carry out this Act or the amendments  
13 made by this Act.

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

20 (b) LIMITATIONS ON USE OF FUNDS.—

21 (1) SEGREGATED SERVICES.—No funds obli-  
22 gated in accordance with this Act may be awarded  
23 for building, renovating, or refurbishing residential  
24 facilities that segregate children with disabilities  
25 from society. The limitation under this paragraph

1 does not prohibit funding for small, community-  
2 based group homes that house up to 6 children.

3 (2) ADMINISTRATIVE EXPENSES.—Not more  
4 than 2 percent of the amounts described in sub-  
5 section (a)(2) may be used for administrative ex-  
6 penses.

7 (c) FOCUS OF ASSISTANCE.—Assistance provided  
8 under this Act—

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

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

14 **SEC. 402. RULE OF CONSTRUCTION.**

15 Nothing in this Act shall be construed as precluding  
16 the provision of stipends or subsidies to those caring for  
17 children with disabilities.

18 **SEC. 403. EFFECTIVE DATES.**

19 (a) EFFECTIVE UPON ENACTMENT.—Sections 104  
20 and 202 and titles III and IV shall take effect on the date  
21 of the enactment of this Act.

22 (b) DELAYED EFFECTIVE DATE.—Sections 101,  
23 102, 103, and 201 shall take effect on the date that is  
24 1 year after the date of the enactment of this Act.

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