

108TH CONGRESS
2D SESSION

H. R. 3965

To authorize the Attorney General to make grants to improve the ability of State and local governments to prevent the abduction of children by family members, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 2004

Ms. WOOLSEY (for herself, Mr. SCOTT of Virginia, Ms. JACKSON-LEE of Texas, Mr. FROST, Mr. LAMPSON, Mr. CONYERS, Mr. BACA, Mr. SHERMAN, Mr. SCHIFF, Mr. MOORE, Mr. CARDOZA, Ms. SLAUGHTER, Mr. CHABOT, Mr. PAYNE, and Mr. THOMPSON of Mississippi) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To authorize the Attorney General to make grants to improve the ability of State and local governments to prevent the abduction of children by family members, 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.**

4 This Act may be cited as the “Family Abduction Pre-
5 vention Act of 2004”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) Each year more than 203,000 children in
2 the United States (approximately 78 percent of all
3 abducted children) are abducted by a family mem-
4 ber, usually a parent.

5 (2) More than half of the parents who abduct
6 their children have a history of alcohol or substance
7 abuse, a criminal record, or a history of violence.

8 (3) The most common motive for family abduction
9 is revenge against the other parent, not protecting
10 the child's safety.

11 (4) Children who are abducted by family mem-
12 bers suffer emotional, psychological, and often physical
13 abuse at the hands of their abductors.

14 (5) Children who are victims of family abduc-
15 tions are forced to leave behind family, friends, their
16 homes, their neighborhoods, their schools, and all
17 that is familiar to them.

18 (6) Children who are victims of family abduc-
19 tions are often told that the parent who did not
20 abduct the child has died, does not love them, or will
21 harm them.

22 (7) Children who are abducted by their parents
23 or other family members are sometimes forced to
24 live in fear of discovery and may be compelled to

1 conceal their true identity, including their real
2 names, family histories, and even their gender.

3 (8) Children who are victims of family abduc-
4 tions are often denied the opportunity to attend
5 school or to receive health and dental care.

6 (9) Child psychologists and law enforcement au-
7 thorities now classify family abduction as a form of
8 child abuse.

9 (10) Approximately 70 percent of local law en-
10 forcement agencies do not have written guidelines
11 for what to do in the event of a family abduction or
12 how to facilitate the recovery of an abducted child.

13 (11) The first few hours of a family abduction
14 are crucial to recovering an abducted child. Valuable
15 hours are lost when law enforcement is not prepared
16 to employ the most effective techniques to locate and
17 recover abducted children.

18 (12) When parents who may be inclined to
19 abduct their own children receive counseling and
20 education on the harm suffered by children under
21 these circumstances, the incidence of family abduc-
22 tions is greatly reduced.

23 (13) Where practiced, the flagging of school
24 records has proven to be an effective tool in assisting
25 law enforcement authorities find abducted children.

1 **SEC. 3. GRANTS TO STATES.**

2 (a) **MATCHING GRANTS.**—The Attorney General shall
3 make grants to States for projects involving—

4 (1) the extradition of individuals suspected of
5 committing a family abduction back to the State
6 from which the child was taken;

7 (2) the investigation by State and local law en-
8 forcement agencies of family abduction cases;

9 (3) the training of State and local law enforce-
10 ment agencies in responding to family abductions
11 and recovering abducted children, including the de-
12 velopment of written guidelines and technical assist-
13 ance;

14 (4) outreach and media campaigns to educate
15 parents on the dangers of family abductions; and

16 (5) the flagging of school records.

17 (b) **MATCHING REQUIREMENT.**—Not less than 50
18 percent of the cost of a project for which a grant is made
19 under this section shall be provided by non-Federal
20 sources.

21 **SEC. 4. DEFINITIONS.**

22 In this Act:

23 (1) The term “family abduction” means the
24 taking, keeping, or concealing of a child or children
25 by a parent, other family member, or person acting
26 on behalf of the parent or family member, that pre-

1 vents another individual from exercising lawful cus-
2 tody or visitation rights.

3 (2) The term “flagging” means the process of
4 notifying law enforcement authorities of the name
5 and address of any person requesting the school
6 records of an abducted child.

7 (3) The term “Indian tribe” means any Indian
8 tribe, band, nation, or other organized group or com-
9 munity, including any Alaska Native village or re-
10 gional or village corporation as defined in or estab-
11 lished pursuant to the Alaska Native Claims Settle-
12 ment Act (43 U.S.C. 1601 et seq.), which is recog-
13 nized as eligible for the special programs and serv-
14 ices provided by the United States to Indians be-
15 cause of their status as Indians.

16 (4) The term “State” means each of the several
17 States, the District of Columbia, the Commonwealth
18 of Puerto Rico, the Commonwealth of the Northern
19 Mariana Islands, American Samoa, Guam, the Vir-
20 gin Islands, any territory or possession of the United
21 States, and any Indian tribe.

22 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

23 For the purpose of carrying out this Act, there are
24 authorized to be appropriated to the Attorney General

- 1 \$500,000 for fiscal year 2005 and such sums as may be
- 2 necessary for each of fiscal years 2006 and 2007.

