

of President of the United States, Feb. 19, 2015, 80 F.R. 12071, set out as a note under section 8925 of this title.

§ 8929. Report on non-compliance by the Russian Federation of its obligations under the INF Treaty

(a) Findings

Congress makes the following findings:

(1) The Russian Federation is in violation of its obligations under the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, signed at Washington December 8, 1987, and entered into force June 1, 1988 (commonly referred to as the “Intermediate-Range Nuclear Forces Treaty” or “INF Treaty”).

(2) This behavior poses a threat to the United States, its deployed forces, and its allies.

(b) Sense of Congress

It is the sense of Congress that—

(1) the President should hold the Russian Federation accountable for being in violation of its obligations under the INF Treaty; and

(2) the President should demand the Russian Federation completely and verifiably eliminate the military systems that constitute the violation of its obligations under the INF Treaty.

(c) Report

(1) In general

Not later than 90 days after December 18, 2014, and every 90 days thereafter, the President shall submit to the committees specified in subsection (d) a report that includes the following elements:

(A) A description of the status of the President’s efforts, in cooperation with United States allies, to hold the Russian Federation accountable for being in violation of its obligations under the INF Treaty and obtain the complete and verifiable elimination of its military systems that constitute the violation of its obligations under the INF Treaty.

(B) The President’s assessment as to whether it remains in the national security interests of the United States to remain a party to the INF Treaty, and other related treaties and agreements, while the Russian Federation is in violation of its obligations under the INF Treaty.

(C) Notification of any deployment by the Russian Federation of a ground launched ballistic or cruise missile system with a range of between 500 and 5,500 kilometers.

(D) A plan developed by the Secretary of State, in consultation with the Director of National Intelligence and the Defense Threat Reduction Agency (DTRA), to verify that the Russian Federation has fully and completely dismantled any ground launched cruise missiles or ballistic missiles with a range of between 500 and 5,500 kilometers, including details on facilities that inspectors need access to, people inspectors need to talk with, how often inspectors need the accesses for, and how much the verification regime would cost.

(2) Form

The report required under paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(3) Sunset

The reporting requirement under paragraph (1) shall be in effect so long as the INF Treaty remains in force.

(d) Committees specified

The committees specified in this subsection are—

(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

(Pub. L. 113–272, § 10, Dec. 18, 2014, 128 Stat. 2965; Pub. L. 116–92, div. A, title XII, § 1235(d), Dec. 20, 2019, 133 Stat. 1650.)

Editorial Notes

AMENDMENTS

2019—Subsec. (c)(3). Pub. L. 116–92 added par. (3).

Executive Documents

DELEGATION OF FUNCTIONS

Functions of President under subsec. (c) of this section delegated to Secretary of State by Memorandum of President of the United States, Feb. 19, 2015, 80 F.R. 12071, set out as a note under section 8925 of this title.

§ 8930. Rule of construction

Nothing in this chapter shall be construed as an authorization for the use of military force.

(Pub. L. 113–272, § 11, Dec. 18, 2014, 128 Stat. 2966.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act or an amendment made by this Act”, meaning Pub. L. 113–272, Dec. 18, 2014, 128 Stat. 2952, which enacted this chapter and provisions set out as a note under section 8921 of this title. Pub. L. 113–272 did not make any amendments.

CHAPTER 97—INTERNATIONAL CHILD ABDUCTION REMEDIES

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§ 9001. Findings and declarations

(a) Findings

The Congress makes the following findings:

(1) The international abduction or wrongful retention of children is harmful to their well-being.

(2) Persons should not be permitted to obtain custody of children by virtue of their wrongful removal or retention.

(3) International abductions and retentions of children are increasing, and only concerted cooperation pursuant to an international agreement can effectively combat this problem.

(4) The Convention on the Civil Aspects of International Child Abduction, done at The Hague on October 25, 1980, establishes legal rights and procedures for the prompt return of children who have been wrongfully removed or retained, as well as for securing the exercise of visitation rights. Children who are wrongfully removed or retained within the meaning of the Convention are to be promptly returned unless one of the narrow exceptions set forth in the Convention applies. The Convention provides a sound treaty framework to help resolve the problem of international abduction and retention of children and will deter such wrongful removals and retentions.

(b) Declarations

The Congress makes the following declarations:

(1) It is the purpose of this chapter to establish procedures for the implementation of the Convention in the United States.

(2) The provisions of this chapter are in addition to and not in lieu of the provisions of the Convention.

(3) In enacting this chapter the Congress recognizes—

(A) the international character of the Convention; and

(B) the need for uniform international interpretation of the Convention.

(4) The Convention and this chapter empower courts in the United States to determine only rights under the Convention and not the merits of any underlying child custody claims.

(Pub. L. 100-300, § 2, Apr. 29, 1988, 102 Stat. 437.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (b), was in the original “this Act” meaning Pub. L. 100-300, Apr. 29, 1988, 102 Stat. 437, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note below and Tables.

CODIFICATION

Section was formerly classified to section 11601 of Title 42, The Public Health and Welfare.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-370, § 1, Oct. 25, 2004, 118 Stat. 1750, provided that: “This Act [amending section 9006 of this title] may be cited as the ‘Prevention of Child Abduction Partnership Act.’”

SHORT TITLE

Pub. L. 100-300, § 1, Apr. 29, 1988, 102 Stat. 437, provided that: “This Act [enacting this chapter and amending section 663 of Title 42, The Public Health and Welfare] may be cited as the ‘International Child Abduction Remedies Act.’”

§ 9002. Definitions

For the purposes of this chapter—

(1) the term “applicant” means any person who, pursuant to the Convention, files an application with the United States Central Authority or a Central Authority of any other party to the Convention for the return of a child alleged to have been wrongfully removed or retained or for arrangements for organizing or securing the effective exercise of rights of access pursuant to the Convention;

(2) the term “Convention” means the Convention on the Civil Aspects of International Child Abduction, done at The Hague on October 25, 1980;

(3) the term “Parent Locator Service” means the service established by the Secretary of Health and Human Services under section 653 of title 42;

(4) the term “petitioner” means any person who, in accordance with this chapter, files a petition in court seeking relief under the Convention;

(5) the term “person” includes any individual, institution, or other legal entity or body;

(6) the term “respondent” means any person against whose interests a petition is filed in court, in accordance with this chapter, which seeks relief under the Convention;

(7) the term “rights of access” means visitation rights;

(8) the term “State” means any of the several States, the District of Columbia, and any commonwealth, territory, or possession of the United States; and

(9) the term “United States Central Authority” means the agency of the Federal Government designated by the President under section 9006(a) of this title.

(Pub. L. 100-300, § 3, Apr. 29, 1988, 102 Stat. 437.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act” meaning Pub. L. 100-300, Apr. 29, 1988, 102 Stat. 437, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note under section 9001 of this title and Tables.

CODIFICATION

Section was formerly classified to section 11602 of Title 42, The Public Health and Welfare.

§ 9003. Judicial remedies

(a) Jurisdiction of courts

The courts of the States and the United States district courts shall have concurrent original jurisdiction of actions arising under the Convention.

(b) Petitions

Any person seeking to initiate judicial proceedings under the Convention for the return of a child or for arrangements for organizing or securing the effective exercise of rights of access to a child may do so by commencing a civil action by filing a petition for the relief sought in any court which has jurisdiction of such action