

Congress of the United States
Washington, DC 20515

March 1, 2019

VIA ELECTRONIC TRANSMISSION

The Honorable Bill Barr
Attorney General
United States Department of Justice
Washington, D.C. 20530

Dear Attorney General Barr:

We are writing to express our concern regarding reports that the Department of Justice is not making full use of the *International Parental Kidnapping Crime Act*, 18 U.S.C. § 1204 to combat international parental child abduction. We respectfully ask that you commit to increasing prosecutions under the law and provide training to all federal law enforcement officers on how it can be used to secure the return of American children.

Every year several hundred American children are abducted to another country by a taking parent who does not have the legal right to transport the child abroad. Child abduction can have devastating effects on a child's mental, physical and emotional well-being. Indeed, the State Department's annual reports make clear that children who are abducted by one parent experience isolation from their family members, friends, and classmates.

The statute criminalizes the removal of a child from the United States with "the intent to obstruct the lawful exercise of parental rights." Individuals found guilty of violating this statute are subject to criminal fines and the possibility of imprisonment of up to three years. These penalties provide powerful inducement for the taking parent to return a wrongfully taken or retained American citizen child abroad.

Unfortunately, our office has consistently heard from left-behind parents and advocates that the Department rarely prosecutes individuals under the *International Parental Kidnapping Crime Act*. Our conversations have also revealed that many federal prosecutors and law enforcement officers are either unaware of the *International Parental Kidnapping Crime Act's* existence or do not understand the vital role that prosecution can play in securing the return of abducted children. This has led many left-behind parents and advocates to express concern that your Department has adopted a *de facto* policy cautioning against prosecution under the statute. Such a policy would be unacceptable.

The Senate previously raised concerns with the lack of prosecution under the *International Parental Kidnapping Crime Act* on April 24, 2018, when the Senate Judiciary Committee held a hearing on the subject of international parental child abduction. One point of discussion during this hearing was the Department's consistent failure to use the *International Parental Kidnapping Crime Act* to bring American children home. Subsequently, on July 31, 2018, then-


Chairman Grassley along with Senator Feinstein sent a letter to your predecessor expressing concern with the lack of enforcement under the *International Parental Kidnapping Crime Act*. Finally, in responses submitted to questions you received during your confirmation process, you acknowledged that “international parental child kidnapping is a concerning issue” and you committed to “ensure the Department is taking appropriate steps to combat it.”

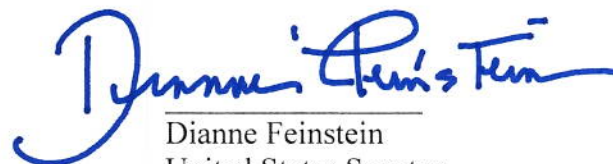
We expect you to honor that commitment and to address the concerns raised by the Senate Judiciary Committee, as well as Senators Grassley and Feinstein, last year. Accordingly, please provide answers to the following questions by no later than March 31, 2019:

1. Does the Department of Justice have a de-facto policy against prosecuting cases under the *International Parental Kidnapping Crime Act*? If not, please state how many prosecutions have been initiated under the *International Parental Kidnapping Crime Act* since it became effective on September 2, 1993? Please provide a breakdown of the number of convictions resulting from these prosecutions, as well as a breakdown of the federal districts in which these prosecutions originated.
2. What steps will you be taking as Attorney General to increase prosecutions under the *International Parental Kidnapping Crime Act*?
3. What training will you provide to federal law enforcement regarding the *International Parental Kidnapping Crime Act* and the role it can play in both preventing the abduction of American children and securing their return?
4. What training will you provide to state and local law enforcement regarding the *International Parental Kidnapping Crime Act* and the role it can play in both preventing the abduction of American children and securing their return?
5. What actions will you take to increase engagement with the left-behind parent community in order to better understand their concerns and frustrations? Will you commit to personally meeting with representatives of the left-behind parent community?
6. Are there additional statutory authorities or resources you need in order to better prosecute cases under the *International Parental Kidnapping Crime Act*?

We thank you for recognizing the seriousness of this issue and hope you will make it one of your top priorities. If you have any questions or would like to discuss this matter further, please contact Brad Watts with Senator Tillis at 202-224-6342 or Katharine Clark with Senator Feinstein at 202-224-7703.

Sincerely,


Thom Tillis
United States Senator


Dianne Feinstein
United States Senator