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**BEFORE THE COMMITTEE ON INTERNATIONAL RELATIONS
UNITED STATES HOUSE OF REPRESENTATIVES**

CONCERNING

INTERNATIONAL PARENTAL CHILD ABDUCTION

OCTOBER 14, 1999

I. INTRODUCTION

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

I AM VERY PLEASED TO APPEAR BEFORE THE COMMITTEE TODAY TO ADDRESS THE TOPIC OF INTERNATIONAL PARENTAL CHILD ABDUCTION. THIS IS A SUBJECT OF PARTICULAR IMPORTANCE AND INTEREST TO THE ATTORNEY GENERAL. IT IS ALSO A DIFFICULT SUBJECT. DIFFICULT BOTH BECAUSE OF ITS HEARTBREAKING IMPACT UPON CHERISHED PERSONAL RELATIONSHIPS, AND BECAUSE OF THE LEGAL AND POLICY CHALLENGES

CREATED BY THE NEED TO WORK WITH SEPARATE SOVEREIGN COUNTRIES AND THEIR LAWS. I COMMEND THE COMMITTEE FOR BRINGING ADDITIONAL PUBLIC ATTENTION TO THIS ISSUE, AND THANK YOU FOR PROVIDING ME WITH AN OPPORTUNITY TO DISCUSS THE ROLE THE DEPARTMENT OF JUSTICE (DOJ) PLAYS IN ADDRESSING IT.

II. INTERAGENCY AND POLICY INITIATIVES

ONE YEAR AGO, THE ATTORNEY GENERAL DEMONSTRATED THE DEPARTMENT'S COMMITMENT TO ADDRESSING THE INTERNATIONAL PARENTAL ABDUCTION PROBLEM BY APPEARING PERSONALLY AT THE SENATE FOREIGN RELATIONS COMMITTEE'S HEARING ON THIS SUBJECT. ONE OF THE LESSONS DRAWN FROM THAT HEARING WAS THE NEED FOR INCREASED COORDINATION BETWEEN THE VARIOUS AGENCIES WHICH PLAY A ROLE IN THIS AREA, AND THE DEVELOPMENT OF POLICIES TO FILL "GAPS" IN EXISTING PROCEDURES. I AM PLEASED TO REPORT THAT SIGNIFICANT STRIDES HAVE BEEN MADE DURING THE PAST YEAR TO ACCOMPLISH THESE GOALS.

SPECIFICALLY, THE ATTORNEY GENERAL AND THE SECRETARY OF STATE APPOINTED A SENIOR POLICY GROUP—ON WHICH I SERVE—TO WORK WITH THE SUBCOMMITTEE ON INTERNATIONAL CHILD ABDUCTION OF THE FEDERAL AGENCY TASK FORCE ON

MISSING AND EXPLOITED CHILDREN. AS THE RESULT OF THE WORK OF THE SUB-COMMITTEE AND POLICY GROUP, EARLIER THIS YEAR A DETAILED REPORT ON INTERNATIONAL PARENTAL KIDNAPPING WAS PRESENTED TO THE ATTORNEY GENERAL. A COPY OF THAT REPORT WAS ALSO PROVIDED TO THE SENATE FOREIGN RELATIONS COMMITTEE, AND IS AVAILABLE TO THIS COMMITTEE. AS COVERED MORE THOROUGHLY IN THE STATEMENT OF ASSISTANT SECRETARY RYAN OF THE STATE DEPARTMENT, THAT REPORT IDENTIFIES A SERIES OF PROBLEMS OR "GAPS" WHICH OFTEN EXIST IN INTERNATIONAL PARENTAL KIDNAPPING CASES, AND CONTAINS A SERIES OF RECOMMENDATIONS ON HOW FEDERAL RESPONSES TO THOSE GAPS CAN BE IMPROVED.

WE ARE NOW WORKING ON AN INTERAGENCY BASIS TO IMPLEMENT AS MANY OF THE REPORT'S RECOMMENDATIONS AS POSSIBLE. THE POLICY GROUP HAS DEVELOPED AN "ACTION PLAN" SETTING OUT THE TASKS TO BE ADDRESSED, AND THE FEDERAL OFFICES TO ADDRESS THEM, AND HAS CREATED AN INTERAGENCY WORKING GROUP CHAIRED BY THE DEPARTMENT OF STATE, OFFICE OF CHILDREN'S ISSUES, TO COORDINATE

IMPLEMENTATION OF THIS PLAN. BY WAY OF EXAMPLE, EFFORTS ARE UNDERWAY TO CREATE A COMPREHENSIVE CASE TRACKING SYSTEM FOR INTERNATIONAL PARENTAL CHILD ABDUCTION CASES; DEVELOP AN ENHANCED ROLE FOR THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN; IMPROVE THE OVERSEAS IMPLEMENTATION OF THE HAGUE CONVENTION ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION; FURTHER STRENGTHEN INTERAGENCY COORDINATION HERE IN THE US; INCREASE EDUCATION AND TRAINING ON LEGAL OPTIONS AVAILABLE IN ABDUCTION CASES AND HOW TO PURSUE THEM; FOSTER MORE WIDESPREAD AND EFFECTIVE USE OF THE NATIONAL CRIME INFORMATION CENTER (NCIC) AND INTERPOL TO STOP ABDUCTIONS IN PROGRESS AND TO LOCATE ABDUCTED CHILDREN AND ABDUCTORS; AND EXPAND THE SERVICES AVAILABLE TO LEFT BEHIND PARENTS. WHILE THIS REMAINS A "WORK IN PROGRESS", WE ARE PLEASED THAT THIS CRITICAL ISSUE IS NOW RECEIVING THE HIGH LEVEL INTERAGENCY ATTENTION AND PLANNING IT DESERVES.

III. DOJ'S PROGRAMMATIC EFFORTS

WITHIN THE DEPARTMENT OF JUSTICE, THE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION (OJJDP) SERVES AN IMPORTANT PROGRAMMATIC ROLE IN ADDRESSING INTERNATIONAL PARENTAL KIDNAPPING- -AND AS A MEMBER OF THE INTERAGENCY WORKING GROUP IS ACTIVELY INVOLVED IN IMPLEMENTATION OF THE INTERAGENCY ACTION PLAN. OJJDP HAS LONG PROVIDED TRAINING PROGRAMS FOR STATE AND LOCAL LAW ENFORCEMENT ON CHILD PROTECTION ISSUES, AND REMAINS THE PRIMARY DEPARTMENTAL OFFICE INVOLVED IN MISSING AND EXPLOITED CHILDREN'S INITIATIVES.

UNDER THE AUSPICES OF THAT OFFICE'S MISSING AND EXPLOITED CHILDREN'S PRO-

GRAM (MECP), NEW TRAINING ON THE ROLES OF LAW ENFORCEMENT, STATE AND LOCAL PROSECUTORS, PRIVATE ATTORNEYS, AND THE JUDICIARY WILL BE DEVELOPED IN COORDINATION WITH THE WORKING GROUP, AS WILL A PROGRAM TO PROMOTE THE USE OF A COORDINATED, MULTI-DISCIPLINARY AND COMMUNITY BASED APPROACH FOR PREVENTING, INVESTIGATING, AND PROSECUTING THESE CASES. INPUT FOR THESE TRAINING COURSES WILL BE OBTAINED FROM THE INTERAGENCY WORKING GROUP; STATE, LOCAL, AND FEDERAL LAW ENFORCEMENT AND JUDICIAL AGENCIES; THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN (NCMEC OR "THE NATIONAL CENTER"); AND PARENTS.

OJJDP'S MISSING AND EXPLOITED CHILDREN'S PROGRAM IS ALSO SUPPORTING EFFORTS WITHIN THE WORKING GROUP TO INCREASE THE SERVICES AVAILABLE FOR VICTIM FAMILIES IN INTERNATIONAL ABDUCTION CASES (E.G., COUNSELING, IDENTIFYING LEGAL SERVICES RESOURCES, MENTORING, FAMILY MEDIATION, TRANSLATION SERVICES), AND TO HELP THEM IDENTIFY AND ACCESS MORE QUICKLY AND EFFECTIVELY THE SERVICES THAT ARE ALREADY AVAILABLE. THAT OFFICE, IN COLLABORATION WITH OTHERS, IS WORKING TO ADDRESS THE FRUSTRATION CAUSED BY THE LACK OF KNOWLEDGE WHICH STILL PERSISTS AMONG LEFT-BEHIND PARENTS, THEIR ADVOCATES, LAW ENFORCEMENT, AND STATE AND LOCAL AUTHORITIES ABOUT REMEDIES AND RESOURCES IN INTERNATIONAL ABDUCTION CASES. TO DO SO, MECP IS DEVELOPING RESOURCE GUIDES WHICH WILL ASSIST PARENTS AND LAW ENFORCEMENT AGENCIES IN THE INVESTIGATION PROCESS, AND HOPEFULLY IN THE RECOVERY OF, AND REUNIFICATION WITH, ABDUCTED CHILDREN.

OJJDP ALSO PROVIDES FUNDING FOR THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN. FOR THE PAST FEW YEARS, THROUGH A COOPERATIVE AGREEMENT WITH THE DEPARTMENT OF STATE, THE NATIONAL CENTER HAS PLAYED AN IMPORTANT ROLE IN HANDLING INCOMING HAGUE CONVENTION APPLICATIONS FROM PARENTS OUTSIDE THE UNITED STATES SEEKING CHILDREN WHO HAVE BEEN TAKEN TO THIS COUNTRY. WE ARE VERY PLEASED THAT THE NATIONAL CENTER'S ROLE IS BEING EXPANDED TO INCLUDE ACTIVITIES RELATED TO CASES IN WHICH CHILDREN HAVE BEEN TAKEN FROM THE UNITED STATES TO OTHER COUNTRIES. AMONG THE TECHNICAL ASSISTANCE AND SERVICES WHICH MAY BE AVAILABLE TO PARENTS AND LAW ENFORCEMENT IN SUCH CASES ARE POSTER CREATION AND DISSEMINATION, AGE PROGRESSION AND RECONSTRUCTION TECHNOLOGY, TRANSLATION OF LEGAL DOCUMENTS, LAW ENFORCEMENT LIAISON, INTERNATIONAL CONTACTS, AND PARENTAL SUPPORT. IN ADDITION, THROUGH AN INTERAGENCY AGREEMENT, OJJDP MAY UPON REQUEST TRANSFER MONIES AVAILABLE FROM THE DEPARTMENT'S FEDERAL CRIME VICTIM ASSISTANCE FUND TO THE NATIONAL CENTER TO PROVIDE NEEDED SERVICES THROUGH ITS VICTIM REUNIFICATION TRAVEL PROGRAM (VRT)

TO VICTIMS OF PARENTAL KIDNAPPING. THUS, IN SOME INSTANCES THE NATIONAL CENTER MAY BE IN A POSITION TO PROVIDE EMERGENCY TRANSPORTATION FOR AMERICAN PARENTS, CRISIS INTERVENTION SERVICES, ASSISTANCE IN PARTICIPAT-

ING IN CRIMINAL JUSTICE PROCEEDINGS, AND PAYMENT FOR FORENSIC MEDICAL EXAMINATIONS OF THE VICTIM.

IV. DOJ'S ENFORCEMENT EFFORTS

INTERNATIONAL PARENTAL CHILD ABDUCTION CASES MAY BE ADDRESSED THROUGH THE HAGUE CONVENTION OR OTHER CIVIL MEANS TO RECOVER THE CHILD, AND WHEN APPROPRIATE THROUGH CRIMINAL STATUTES COMBINED WITH EXTRADITION PROCEDURES TO PROSECUTE AND PUNISH THE ABDUCTING PARENT. THE DEPARTMENT OF JUSTICE DOES NOT PLAY A DIRECT ROLE IN THE CIVIL MECHANISMS FOR THE RECOVERY OF CHILDREN INTERNATIONALLY, BUT WE DO AND WILL CONTINUE TO SUPPORT AND WORK WITH THE DEPARTMENT OF STATE IN ITS EFFORTS TO SEE THAT WRONGFULLY ABDUCTED OR RETAINED CHILDREN ARE RETURNED TO THEIR LEFT-BEHIND PARENTS.

THE DEPARTMENT OF JUSTICE'S ROLE IS MORE SIGNIFICANT IN THE INVESTIGATION AND PROSECUTION OF PARENTS WHO VIOLATE APPLICABLE CRIMINAL LAWS. THE LAWS OF THE FIFTY STATES AND THE DISTRICT OF COLOMBIA ALL PROVIDE CRIMINAL PENALTIES FOR PARENTS WHO WRONGFULLY ABDUCT THEIR CHILDREN. THE FBI FOR MANY YEARS HAS, WHEN APPROPRIATE, OBTAINED FEDERAL WARRANTS FOR UNLAWFUL FLIGHT (UFAPs) FOR THOSE ABDUCTING PARENTS CHARGED WITH STATE OR LOCAL OFFENSES WHO CROSS STATE OR INTERNATIONAL BORDERS. SUCH UFAP WARRANTS, WHILE THEMSELVES NOT PROVIDING AN INDEPENDENT BASIS FOR EXTRADITION, MAY ASSIST IN THE DEVOTION OF FEDERAL RESOURCES TO LOCATING ABDUCTING PARENTS WHO HAVE FLED OVERSEAS. MOREOVER, FOR THE PAST SIX YEARS, INTERNATIONAL PARENTAL KIDNAPPING HAS BEEN A FEDERAL CRIME (INTERNATIONAL PARENTAL KIDNAPPING CRIME ACT, 18 USC 1204). SPECIALLY TRAINED FBI AGENTS AROUND THE COUNTRY DESIGNATED AS "CRIMES AGAINST CHILDREN COORDINATORS" SERVE AS POINTS OF CONTACT ON EXPLOITATION, ABDUCTION, AND OTHER CRIMES AGAINST CHILDREN. THEY OR OTHER AGENTS IN THEIR FIELD OFFICES WORK WITH

ASSISTANT UNITED STATES ATTORNEYS TO INVESTIGATE AND PROSECUTE VIOLATORS OF THE IPKCA STATUTE. THE DEPARTMENT'S CHILD EXPLOITATION AND OBSCENITY SECTION (CEOS) IN THE CRIMINAL DIVISION MAINTAINS OVERSIGHT RESPONSIBILITY FOR IPKCA, AND PROVIDES ADVICE AND ASSISTANCE TO AGENTS AND PROSECUTORS THROUGHOUT THE COUNTRY WHO CALL WITH QUESTIONS CONCERNING INVESTIGATIONS OR PROSECUTIONS UNDER THAT STATUTE. ALONG WITH THE DIVISION'S OFFICE OF INTERNATIONAL AFFAIRS, CEOS WORKS CLOSELY WITH UNITED STATES ATTORNEYS OFFICES AND THE STATE DEPARTMENT'S OFFICE OF CHILDREN'S ISSUES TO ENSURE THAT PROSECUTORIAL DECISIONS ARE CLOSELY COORDINATED WITH CHILD RECOVERY EFFORTS.

RECORDS OBTAINED FROM THE DEPARTMENT'S EXECUTIVE OFFICE FOR UNITED STATES ATTORNEYS (EOUSA) INDICATE THAT SINCE THE PASSAGE OF THE IPKCA

STATUTE THROUGH THE END OF THE SECOND QUARTER OF FISCAL YEAR 1999, UNITED STATES ATTORNEYS OPENED FILES ON 229 INTERNATIONAL PARENTAL KIDNAPPING MATTERS. AS OF APRIL 30, 1999, 77 INVESTIGATIONS WERE PENDING. OF THE 62 DEFENDANTS

ACTUALLY INDICTED, 23 CASES HAVE BEEN CONCLUDED RESULTING IN 13 CONVICTIONS. WHILE THE NUMBERS OF IPKCA PROSECUTIONS AND CONVICTIONS ARE RELATIVELY SMALL, IT IS IMPORTANT TO KEEP IN MIND THAT A LARGE BOTH UNDETERMINED NUMBER OF INTERNATIONAL PARENTAL KIDNAPPING CASES ARE CHARGED BY STATE AND LOCAL AUTHORITIES UNDER THEIR OWN LAWS. WE HAVE ALSO BEEN INFORMED THAT THE NUMBER OF IPKCA PROSECUTIONS WHICH HAVE RESULTED IN THE RETURN OF THE ABDUCTED CHILD IS VERY SMALL. HERE IT IS IMPORTANT TO REMEMBER THAT WHILE WE OF COURSE HOPE THAT SUCH PROSECUTIONS HAVE THE RESIDUAL EFFECT OF FACILITATING THE RETURN OF THE VICTIM CHILD, THE IPKCA STATUTE WAS NOT DESIGNED, NOR CAN IT BE EXPECTED TO FULFILL, THAT GOAL. BOTH THE NATIONAL CRIME INFORMATION CENTER (NCIC), AND INTERPOL, PROVIDE CONSIDERABLE ASSISTANCE IN LOCATING AND IDENTIFYING CRIMINALLY CHARGED ABDUCTING PARENTS AND THEIR VICTIM CHILDREN.

IN RESPONSE TO THE PREVIOUSLY MENTIONED REPORT TO THE ATTORNEY GENERAL, THE FBI IS EXAMINING THE POSSIBILITY OF SEEKING A CHANGE IN ONE OF THE WAYS THE NCIC MAINTAINS RECORDS. SPECIFICALLY, THE CHANGE WOULD PERMIT THE NAME OF AN ABDUCTED CHILD LOCATED ABROAD TO REMAIN IN NCIC UNTIL ISSUES RELATED TO WHERE THE CHILD WILL ULTIMATELY RESIDE ARE RESOLVED. INTERPOL'S NATIONAL CENTRAL BUREAU (USNCB) HERE IN WASHINGTON, D.C., WHICH IS STAFFED BY SENIOR AGENTS FROM U.S. LAW ENFORCEMENT AGENCIES, FACILITATES THE ISSUANCE OF INTERNATIONAL LOOKOUTS (E.G., "RED NOTICES" SEEKING FUGITIVES INCLUDING ABDUCTING PARENTS, AND "YELLOW NOTICES" SEEKING MISSING OR LOST PERSONS INCLUDING VICTIMS OF PARENTAL ABDUCTIONS).

INTERPOL WAS RECENTLY INSTRUMENTAL IN A CASE IN WHICH AN ABDUCTING PARENT, WHO HAD A HISTORY OF VIOLENT CRIMINAL OFFENSES AND DRUG ABUSE, BROUGHT HIS FOUR YEAR OLD CHILD TO THE UNITED STATES. AT THE REQUEST OF INTERPOL CANADA, THE USNCB COORDINATED INVESTIGATIVE ACTIONS IN EIGHT STATES AND THE DISTRICT OF COLUMBIA. THANKS TO THOSE EFFORTS, THE FATHER WAS ARRESTED BY THE D.C. METROPOLITAN POLICE AND THE UNITED STATES MARSHALS SERVICE, AND THE CHILD WAS TAKEN INTO PROTECTIVE CUSTODY.

ONCE AN ABDUCTING PARENT IS CHARGED BY STATE OR FEDERAL AUTHORITIES AND LOCATED ABROAD, EXTRADITION MAY BE CONSIDERED. HOWEVER, IT IS CRUCIAL TO UNDERSTAND THAT EVEN WHEN SUCCESSFUL, AN EXTRADITION BY NO MEANS ENSURES THE RETURN OF AN ABDUCTED CHILD. THERE HAVE BEEN SAD CASES IN WHICH A FUGITIVE PARENT IS RETURNED FOR PROSECUTION, BUT THE VICTIM CHILD IS HIDDEN IN THE FOREIGN COUNTRY WITH FRIENDS OR RELATIVES, OR THE FOREIGN COURTS FAIL TO GRANT CUSTODY TO THE LEFT-BEHIND US PARENT. IT IS EVEN POSSIBLE THAT AN EXTRADITION REQUEST MAY COMPLICATE THE RETURN OF THE

CHILD UNDER THE HAGUE CONVENTION (E.G., SHOULD THE FOREIGN AUTHORITIES BE RELUCTANT TO RETURN A CHILD TO THE US WHEN ONE PARENT FACES THE PROSPECT OF PROSECUTION AND INCARCERATION). IN SHORT, THE DECISION TO SEEK CRIMINAL CHARGES AGAINST AND PURSUE THE EXTRADITION OF AN ABDUCTING PARENT MUST BE MADE ON ITS OWN MERITS FOR LAW ENFORCEMENT REASONS, AND NOT VIEWED AS A QUICK, OR EVEN AN EFFECTIVE, MEANS OF SECURING THE RETURN OF THE CHILD.

EXTRADITION MAY BE AVAILABLE TO A STATE OR FEDERAL PROSECUTOR FOR INTERNATIONAL PARENTAL ABDUCTION IF (1) AN EXTRADITION TREATY IS IN FORCE BETWEEN THE UNITED STATES AND THE COUNTRY WHERE THE FUGITIVE IS LOCATED; (2) THE TREATY RECOGNIZES PARENTAL KIDNAPPING AS AN EXTRADITABLE OFFENSE; AND (3) NO OTHER TREATY PROVISION WOULD BAR THE FUGITIVE'S RETURN TO THE UNITED STATES FOR PROSECUTION FOR THE OFFENSE. WHEN A PROSECUTOR IS INTERESTED IN REQUESTING EXTRADITION, HE OR SHE CONTACTS THE CRIMINAL DIVISION'S OFFICE OF INTERNATIONAL AFFAIRS (OIA) FOR ADVICE AND ASSISTANCE. OIA WORKS THROUGH THE DEPARTMENT OF STATE TO MAKE SUCH REQUESTS.

THERE ARE PRESENTLY OVER 100 BILATERAL U.S. EXTRADITION TREATIES IN FORCE. UNDER THE MOST MODERN OF THOSE, EXTRADITION IS USUALLY BASED UPON "DUAL CRIMINALITY". THAT MEANS IF AN OFFENSE IS PUNISHABLE IN BOTH COUNTRIES BY AND AGREED UPON TERM OF IMPRISONMENT (OFTEN AT LEAST ONE YEAR), THE OFFENSE IS EXTRADITABLE UNDER THE TREATY.

UNDER OUR OLDER TREATIES, EXTRADITION IS PROVIDED ONLY FOR CRIMES LISTED IN THE TREATIES THEMSELVES. AND WHILE MOST OF THESE TREATIES LIST "KIDNAPPING" OR "CHILD STEALING" AS EXTRADITABLE OFFENSES, FOR MANY YEARS THE STATE DEPARTMENT WAS CONCERNED THAT THOSE TERMS WERE NOT INTENDED BY THE TREATY NEGOTIATORS OR THE SENATE WHEN IT AUTHORIZED RATIFICATION TO COVER PARENTAL KIDNAPPING OR ABDUCTION. THANKS TO ACTION BY CONGRESS IN PASSING THE EXTRADITION TREATIES INTERPRETATION ACT OF 1998, WE MAY NOW INTERPRET "KIDNAPPING" TO INCLUDE PARENTAL KIDNAPPING. THE STATE DEPARTMENT INFORMS US THAT ELEVEN OF OUR TREATY PARTNERS HAVE INDICATED THAT THEY AGREED WITH THE UNITED STATES THAT PARENTAL KIDNAPPING IS COVERED BY OUR EXISTING "LIST" EXTRADITION TREATIES. THIS HAS OPENED THE DOOR TO POSSIBLE EXTRADITION REQUESTS ON SUCH CHARGES TO THOSE COUNTRIES, (E.G., CYPRUS, LUXEMBOURG, NEW ZEALAND), AND POSSIBLY SOON TO OTHER COUNTRIES WHICH HAVE NOT YET RESPONDED TO THE STATE DEPARTMENT SURVEY.

UNFORTUNATELY, EVEN WHEN A TREATY EXISTS AND THE PARENTAL ABDUCTION CRIME IS EXTRADITABLE PURSUANT TO IT, THERE MAY EXIST OTHER OBSTACLES TO OBTAINING EXTRADITION. FOR EXAMPLE, MANY COUNTRIES REFUSE, OFTEN BECAUSE OF A CONSTITUTIONAL OR OTHER IMPORTANT PUBLIC POLICY PROHIBITION, TO EXTRADITE THEIR OWN NATIONALS. OUR TREATIES WITH SUCH COUNTRIES

OFTEN DO NOT REQUIRE THE SURRENDER OF NATIONALS. BECAUSE ABDUCTING PARENTS ARE OFTEN NATIONALS OF THE COUNTRIES TO WHICH THEY FLEE WITH AN ABDUCTED CHILD, THEY ARE ABLE TO AVOID EXTRADITION TO THE UNITED STATES. AND ALTHOUGH MOST OF THE COUNTRIES WHICH REFUSE TO EXTRADITE THEIR CITIZENS CAN IN THEORY ASSERT CRIMINAL JURISDICTION OVER THEM FOR CRIMES COMMITTED ANYWHERE IN THE WORLD, AS A PRACTICAL MATTER THIS IS RARELY DONE.

THIS IS NOT TO SUGGEST THAT WE WOULD NOT OR SHOULD NOT EVER REQUEST EXTRADITION KNOWING THAT THE REQUEST WILL BE DENIED ON THE BASIS OF NATIONALITY—SUCH DECISIONS ARE CAREFULLY MADE TAKING INTO CONSIDERATION ALL OF THE PARTICULAR CIRCUMSTANCES— BUT ONLY THAT THE EXISTENCE OF A TREATY WHICH SEEMS TO COVER THE CRIME IS NOT ALWAYS SUFFICIENT TO ENSURE THAT THE OFFENDER IS BROUGHT TO JUSTICE. I CAN ASSURE THIS COMMITTEE THAT EXPANDING THE NUMBER OF US EXTRADITION TREATIES WHICH MANDATE THE EXTRADITION OF NATIONALS IS AMONG THE DEPARTMENT'S HIGHEST INTERNATIONAL LAW ENFORCEMENT PRIORITIES.

V. CONCLUSION

IN A SHRINKING WORLD WITH INCREASING NUMBERS OF MULTI- CULTURAL MARRIAGES, THE PROBLEM OF INTERNATIONAL PARENTAL CHILD ABDUCTION WILL NOT DISAPPEAR ANYTIME SOON, HOWEVER, WE AT THE DEPARTMENT OF JUSTICE WILL CONTINUE TO DO WHATEVER WE CAN TO ADDRESS THIS PROBLEM, THROUGH ENHANCED INTERAGENCY COORDINATION, CONTINUED PROGRAMMATIC INITIATIVES, AND VIGOROUS ENFORCEMENT EFFORTS.

MR. CHAIRMAN, THAT CONCLUDES MY STATEMENT. AGAIN, THANK YOU FOR THE OPPORTUNITY TO APPEAR BEFORE THE COMMITTEE ON THIS MOST IMPORTANT TOPIC. AT THIS TIME I WOULD BE PLEASED TO ATTEMPT TO ANSWER ANY QUESTIONS THAT YOU MAY WISH TO ASK ME.