

Preventing Child Abduction in Air Travel Act of 2026

Discussion draft of 4 October 2026

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[DISCUSSION DRAFT]

October 4, 2026

119TH CONGRESS

2D SESSION

H. R. ____

To establish a program to prevent the transportation of children by air in violation of court orders, to provide for the verification of the identity of certain minor passengers, and for other purposes.

A BILL

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS

(a) Short Title.—This Act may be cited as the “Preventing Child Abduction in Air Travel Act of 2026”.

(b) Table of Contents.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

Sec. 3. Definitions.

Sec. 4. Child travel alert program.

Sec. 5. Notice, redress, and confidentiality.

Sec. 6. Attestation for minor passengers.

Sec. 7. Identity verification for unaccompanied minor passengers.

Sec. 8. Model travel consent form.

Sec. 9. Training.

Sec. 10. Age of children covered by the international child abduction prevention program.

Sec. 11. Enforcement and liability.

Sec. 12. Data and reports.

Sec. 13. Rules of construction.

Sec. 14. Authorization of appropriations.

Sec. 15. Severability.

SEC. 2. FINDINGS

Congress finds the following:

- (1) Section 433 of the Homeland Security Act of 2002 (6 U.S.C. 241), added by the Sean and David Goldman International Child Abduction Prevention and Return Act of 2014 (Public Law 113–150), directs the Secretary of Homeland Security, acting through the Commissioner of U.S. Customs and Border Protection, to operate a program that seeks to prevent a child from departing the territory of the United States when a parent or legal guardian presents a court order prohibiting the removal of the child.
- (2) The Department of State reported that 317 children were enrolled in that program during calendar year 2024.
- (3) No comparable Federal program applies to air transportation within the United States. A child who is the subject of a court order prohibiting removal from a State may be carried by commercial aircraft to another State without any Federal comparison of the passenger record against that order.
- (4) Under part 1560 of title 49, Code of Federal Regulations, the Transportation Security Administration receives the full name, date of birth, and sex of each passenger, including each passenger who has not attained 18 years of age, on flights covered by the Secure Flight program. That information is compared against the consolidated terrorist watchlist. It is not compared against court orders that restrict the travel of children or against records of missing children.
- (5) The Transportation Security Administration does not, as a matter of policy, require a passenger who has not attained 18 years of age to present identification for travel within the United States. That policy is not stated in statute or regulation.
- (6) The Office of Juvenile Justice and Delinquency Prevention estimated that 203,900 children were victims of a family abduction in 1999 and that, in an estimated 17 percent of those cases, the child was taken out of State with the intent to make recovery more difficult.
- (7) Existing Federal law addresses the trafficking of persons by air through training requirements under sections 44734(a)(4) and 44738 of title 49, United States Code, and a reporting requirement under section 40118(h) of such title. Those provisions do not require any comparison of passenger records against court orders or records of missing children.
- (8) Reliable data are not available on the number of passengers who have not attained 18 years of age on flights within the United States, on the share of those passengers who hold a government-issued identity document, or on the extent to which commercial air transportation is used in the abduction or trafficking of children within the United States.
- (9) Child custody determinations are made by State and Tribal courts. Section 1738A of title 28, United States Code, requires each State to enforce child custody determinations of other States that are made consistently with that section. A Federal program in this field should give effect to court orders and should not adjudicate custody.

- (10) Congress recognized in section 1204(c)(2) of title 18, United States Code, that a parent may travel with a child while fleeing domestic violence. A Federal program in this field should not disclose to any private party the location or travel plans of a child or of a parent.

SEC. 3. DEFINITIONS

In this Act:

- (1) Accompanying adult.—The term “accompanying adult” means an individual who has attained 18 years of age and who is traveling with a minor passenger on a covered flight, including an individual traveling on the same reservation as the minor passenger.
- (2) Administrator.—The term “Administrator” means the Administrator of the Transportation Security Administration.
- (3) Appropriate congressional committees.—The term “appropriate congressional committees” means—
- (A) the Committee on Homeland Security, the Committee on Transportation and Infrastructure, and the Committee on the Judiciary of the House of Representatives; and
 - (B) the Committee on Commerce, Science, and Transportation, the Committee on Homeland Security and Governmental Affairs, and the Committee on the Judiciary of the Senate.
- (4) Child.—The term “child” means an individual who has not attained 18 years of age.
- (5) Covered flight.—The term “covered flight” means a flight that—
- (A) departs from an airport in the United States;
 - (B) is operated in air transportation or intrastate air transportation (as those terms are defined in section 40102(a) of title 49, United States Code); and
 - (C) is a flight for which passenger information is provided to the Administrator under section 44903(j)(2)(C) of such title.
- (6) Covered operator.—The term “covered operator” means an air carrier or foreign air carrier (as those terms are defined in section 40102(a) of title 49, United States Code) that operates a covered flight.
- (7) Enrolled child.—The term “enrolled child” means a child with respect to whom an enrollment under section 4(b) is in effect.
- (8) Minor passenger.—The term “minor passenger” means a child who holds a reservation for, or is a passenger on, a covered flight.
- (9) Missing child record.—The term “missing child record” means a record, concerning a child, that is entered into the National Crime Information Center under section 3701 of the Crime Control Act of 1990 (34 U.S.C. 41307).
- (10) Program.—The term “Program” means the program established under section 4(a).
- (11) Qualifying order.—The term “qualifying order” means an order that—
- (A) was issued by a court of competent jurisdiction of a State, of an Indian Tribe, or of the United States;
 - (B) is in effect and has not been stayed; and

(C) by its terms—

- (i) prohibits the removal of a child from a State or other specified geographic area;
- (ii) prohibits a specified individual from removing, or traveling with, a child;
- (iii) prohibits a child from traveling by air, or from traveling without the consent of a specified individual or of the court; or
- (iv) directs a law enforcement officer to take physical custody of a child.

(12) Requesting party.—The term “requesting party” means the person that submits a request under section 4(b)(1).

(13) Restrained individual.—The term “restrained individual” means an individual who, under the terms of a qualifying order, is prohibited from removing, or traveling with, a child.

(14) Secretary.—The term “Secretary” means the Secretary of Homeland Security.

(15) State.—The term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, and each territory or possession of the United States.

(16) Unaccompanied minor passenger.—The term “unaccompanied minor passenger” means a minor passenger who is not traveling with an accompanying adult.

SEC. 4. CHILD TRAVEL ALERT PROGRAM

(a) Establishment.—Not later than [18 months] after the date of the enactment of this Act, the Secretary, acting through the Administrator and in coordination with the Attorney General, the Director of the Federal Bureau of Investigation, and the Commissioner of U.S. Customs and Border Protection, shall establish a program that—

- (1) seeks to prevent the transportation of a child on a covered flight in violation of a qualifying order; and
- (2) notifies law enforcement agencies when a child who is the subject of a missing child record holds a reservation on a covered flight.

(b) Enrollment.—

(1) Who may request.—A request to enroll a child in the Program may be submitted to the Administrator by —

- (A) a parent or legal guardian of the child, or an attorney representing the parent or legal guardian;
- (B) the court that issued the qualifying order; or
- (C) a Federal, State, local, or Tribal law enforcement agency or prosecuting attorney.

(2) Contents.—A request under paragraph (1) shall include—

- (A) a certified copy of the qualifying order;
- (B) the full name, date of birth, and sex of the child;
- (C) the full name and, if known, the date of birth of each restrained individual;

- (D) the name of, and contact information for, a law enforcement agency to be notified under subsection (d);
 - (E) identification of any other order or pending proceeding, known to the requesting party, that concerns the custody of the child, and of any protection order, known to the requesting party, that involves the child, the requesting party, or a restrained individual; and
 - (F) a declaration, made in accordance with section 1746 of title 28, United States Code, that the information in the request is true and that, to the knowledge of the declarant, the qualifying order is in effect and has not been stayed, vacated, modified, or superseded.
- (3) Verification.—Except as provided in paragraph (5)(B), the Administrator may not enroll a child until the Administrator has confirmed, with the court that issued the qualifying order or through the official records of that court, that the order is authentic and is in effect.
- (4) Travel restriction record.—Upon enrolling a child, the Administrator shall record—
- (A) the geographic or other restriction on travel that the qualifying order imposes;
 - (B) each restrained individual;
 - (C) any travel that the qualifying order permits, including travel permitted with the consent of a specified individual; and
 - (D) the date, if any, on which the qualifying order expires.
- (5) Timing.—
- (A) In general.—The Administrator shall act on a complete request not later than [72 hours] after receiving the request.
 - (B) Expedited requests.—If a court or a law enforcement agency certifies that the removal of a child in violation of a qualifying order is in progress or is imminent, the Administrator shall act on the request not later than [4 hours] after receiving the request and may enroll the child provisionally, for not more than [72 hours], pending verification under paragraph (3).
- (6) Orders issued without notice.—An enrollment that is based on a qualifying order issued without notice to a restrained individual shall end on the date that is [21 days] after the date of enrollment, unless the requesting party demonstrates that—
- (A) the restrained individual has been given notice of the order and an opportunity to be heard; or
 - (B) the court that issued the order has extended the order.
- (7) Duration.—An enrollment shall end on the earliest of—
- (A) the date on which the qualifying order expires or is vacated;
 - (B) the date on which the child attains 18 years of age;
 - (C) the date on which the Administrator gives effect, under section 5(b)(3), to an order of a court directing that the enrollment end;
 - (D) the date on which the requesting party withdraws the request; or

(E) the date that is [1 year] after the date of enrollment or of the most recent reconfirmation, unless the requesting party reconfirms, in the manner required by paragraph (2)(F), that the qualifying order remains in effect.

(8) No fee.—The Administrator may not charge a fee for a request, an enrollment, or a reconfirmation under this subsection.

(c) Comparison of Passenger Information.—

(1) In general.—In addition to the comparisons carried out under section 44903(j)(2)(C) of title 49, United States Code, the Administrator shall compare the passenger information received under such section for each covered flight against—

(A) the identifying information of each enrolled child and each restrained individual; and

(B) missing child records.

(2) Access to records.—The Attorney General, acting through the Director of the Federal Bureau of Investigation, shall provide the Administrator with access to missing child records sufficient to carry out paragraph (1)(B).

(3) Restrained individuals.—The comparison under paragraph (1)(A) shall identify each case in which a restrained individual holds a reservation on a covered flight and a minor passenger is traveling on the same reservation.

(4) Confirmation required.—The Administrator may not take an action under subsection (d) on the basis of an automated comparison until an employee of the Transportation Security Administration who is trained for the purpose has reviewed and confirmed the match.

(5) Safeguards.—The requirements of clause (iii) of section 44903(j)(2)(C) of title 49, United States Code, shall apply to the comparisons carried out under this subsection in the same manner as such requirements apply to the comparisons carried out under such section.

(d) Response to a Confirmed Match.—

(1) Enrolled child.—If the Administrator confirms that an enrolled child holds a reservation on a covered flight, and the travel is not recorded as permitted under subsection (b)(4)(C) or cleared under subsection (e), the Administrator shall—

(A) instruct the covered operator not to issue a boarding pass to the child for that flight;

(B) immediately notify the law enforcement agency designated under subsection (b)(2)(D) and the law enforcement agency with jurisdiction at the airport of departure; and

(C) subject to section 5(c), notify the requesting party that a match has occurred.

(2) Restrained individual traveling with a minor passenger.—If the Administrator confirms that a restrained individual holds a reservation described in subsection (c)(3), and the minor passenger has not been identified as the enrolled child, the Administrator shall—

(A) require that the identity of the minor passenger be verified, by a means described in section 7(b), before a boarding pass is issued to the minor passenger; and

- (B) if the minor passenger is the enrolled child, proceed under paragraph (1).
- (3) Missing child record.—If the Administrator confirms that a minor passenger is the subject of a missing child record, the Administrator—
 - (A) shall immediately notify the law enforcement agency that entered the record and the law enforcement agency with jurisdiction at the airport of departure; and
 - (B) may instruct the covered operator not to issue a boarding pass to the minor passenger only at the request of a law enforcement agency, and only for the period necessary for a law enforcement officer to respond, which may not exceed [4 hours] unless a court orders otherwise.
- (4) Compliance by covered operators.—A covered operator shall comply with an instruction of the Administrator under this subsection.
- (5) Limitation.—Nothing in this section authorizes an officer or employee of the Transportation Security Administration, or an officer, employee, or agent of a covered operator, to take physical custody of a child, to detain any individual, or to determine the custody of a child.
- (e) Permitted Travel.—The Administrator shall establish a procedure under which travel by an enrolled child that is permitted by the qualifying order, by a consent that the qualifying order requires, or by a later order of a court of competent jurisdiction may be cleared—
 - (1) in advance of the travel; and
 - (2) at the airport on the day of the travel.
- (f) Coordination With International Program.—The Secretary shall ensure that—
 - (1) a single request may be used both to enroll a child in the Program and to present a court order under section 433(a)(1) of the Homeland Security Act of 2002 (6 U.S.C. 241(a)(1)), if the order qualifies for both purposes; and
 - (2) the Administrator and the Commissioner of U.S. Customs and Border Protection share enrollment information to the extent necessary to carry out the Program and the program under such section 433.
- (g) Implementation.—The Administrator may carry out this section by regulation, by order, or by amendment to the security programs of covered operators.

SEC. 5. NOTICE, REDRESS, AND CONFIDENTIALITY

- (a) Notice.—If a boarding pass is withheld under section 4(d), the Administrator shall ensure that the accompanying adult or, in the case of an unaccompanied minor passenger, the minor passenger receives a written notice that states—
 - (1) that the boarding pass was withheld under this Act;
 - (2) in the case of an action under section 4(d)(1), the court that issued the qualifying order and the case number of the proceeding; and
 - (3) the procedure for seeking review under subsection (b).

(b) Redress.—

- (1) In general.—The Administrator shall establish a procedure by which an individual may assert that—
 - (A) a passenger was misidentified as an enrolled child, as a restrained individual, or as the subject of a missing child record;
 - (B) a qualifying order is not in effect or has been stayed, vacated, modified, or superseded; or
 - (C) the travel at issue is permitted by the qualifying order.
- (2) Time limit.—The Administrator shall decide an assertion under paragraph (1) not later than [24 hours] after receiving a complete submission.
- (3) Court orders control.—Not later than [24 hours] after receiving and authenticating an order of the court that issued a qualifying order, or of another court of competent jurisdiction, that vacates, modifies, or supersedes the qualifying order or that directs that an enrollment end, the Administrator shall give effect to that order.
- (4) Conflicting orders.—If the Administrator is presented with orders of courts of different States that conflict with respect to the travel of an enrolled child, the Administrator—
 - (A) shall notify each such court and each party to the enrollment of the conflict;
 - (B) [shall continue the enrollment until a court of competent jurisdiction directs otherwise]; and
 - (C) may not determine which order is entitled to enforcement under section 1738A of title 28, United States Code.
- (5) Relationship to existing redress process.—The Administrator may administer the procedure under this subsection together with the process established under section 44903(j)(2)(G) of title 49, United States Code, if the time limits in paragraphs (2) and (3) are met.

(c) Confidentiality.—

- (1) Location and travel information.—The Administrator and a covered operator may not disclose to a requesting party, or to any person other than a law enforcement agency or a court, the location, itinerary, flight, or destination of a child or of any individual traveling with a child.
- (2) Limitation on use.—Information collected or generated under the Program may be used only—
 - (A) to carry out the Program;
 - (B) to assist a law enforcement agency or a court in locating or recovering a child or in enforcing a qualifying order; and
 - (C) to prepare the reports required by section 12.
- (3) Retention.—The Administrator shall destroy—
 - (A) each enrollment record not later than [1 year] after the date on which the enrollment ends;
 - (B) each record of a comparison that did not result in a confirmed match not later than [7 days] after the completion of the travel; and

- (C) each record of a confirmed match not later than [7 years] after the date of the match.
- (4) Protection orders.—The Administrator, in consultation with the Director of the Office on Violence Against Women of the Department of Justice, shall establish procedures to ensure that—
 - (A) the Program is not used to locate an individual who is protected by a protection order; and
 - (B) each law enforcement agency notified under section 4(d) is informed of any protection order that is identified under section 4(b)(2)(E) or is otherwise known to the Administrator.
- (5) Privacy documentation.—Before the Program begins operation, the Secretary shall publish a system of records notice under section 552a of title 5, United States Code, and a privacy impact assessment under section 208 of the E-Government Act of 2002 (44 U.S.C. 3501 note), that cover the Program.

SEC. 6. ATTESTATION FOR MINOR PASSENGERS

- (a) Requirement.—Not later than [2 years] after the date of the enactment of this Act, the Administrator shall issue regulations that require each covered operator, before issuing a boarding pass to a minor passenger for a covered flight, to obtain an attestation described in subsection (b) from—
 - (1) an accompanying adult; or
 - (2) in the case of an unaccompanied minor passenger, the adult, if any, who made the reservation or who presents the minor passenger for travel.
- (b) Contents.—An attestation under this section shall state that, to the knowledge of the individual making the attestation—
 - (1) the full name and date of birth provided for the minor passenger are correct;
 - (2) the individual is a parent or legal guardian of the minor passenger or is acting with the consent of a parent or legal guardian of the minor passenger; and
 - (3) the travel is not prohibited by an order of a court.
- (c) Form.—The regulations under subsection (a) shall provide that an attestation—
 - (1) may be made electronically when the reservation is made or at check-in;
 - (2) may cover all minor passengers traveling on a single reservation;
 - (3) may not be conditioned on notarization, on the signature of a witness, or on the presentation of a supporting document; and
 - (4) shall be written in plain language and shall state the consequences of a false attestation under subsection (e).
- (d) Retention and Access.—A covered operator shall retain each attestation for [1 year] and shall provide an attestation to the Administrator, or to a law enforcement agency conducting an investigation, upon request.

(e) False Attestation.—

- (1) Treatment.—[An attestation under this section shall be treated as a statement made in a matter within the jurisdiction of the executive branch of the Government of the United States for purposes of section 1001 of title 18, United States Code.]
- (2) Civil penalty.—An individual who knowingly makes a materially false attestation under this section is subject to a civil penalty under section 11(b).

(f) Limitations.—This section does not require or authorize a covered operator—

- (1) to verify the truth of an attestation;
- (2) to require proof of the relationship between a minor passenger and an accompanying adult; or
- (3) to deny transportation on the basis of the perceived relationship between a minor passenger and an accompanying adult.

SEC. 7. IDENTITY VERIFICATION FOR UNACCOMPANIED MINOR PASSENGERS

(a) Rulemaking.—Not later than [2 years] after the date of the enactment of this Act, the Administrator shall issue a final rule requiring that the identity of each unaccompanied minor passenger be verified before the minor passenger is issued a boarding pass for, or enters the sterile area of an airport to board, a covered flight.

(b) Means of Verification.—The rule under subsection (a) shall provide for verification by each of the following means:

- (1) A document that the Administrator accepts to verify the identity of an adult passenger.
- (2) Other documents that the Administrator designates for minor passengers, which shall include—
 - (A) a certified copy of a birth certificate;
 - (B) an identification card that bears a photograph and is issued by a school; and
 - (C) a document issued by a State or Tribal child welfare agency for a child in the custody of that agency.
- (3) Identification of the minor passenger, in person at the airport, by a parent or legal guardian who presents a document described in paragraph (1).
- (4) An alternative identity verification process operated by the Administrator.

(c) No Fee.—No fee, including a fee established under section 540 of the Department of Homeland Security Appropriations Act, 2006 (Public Law 109–90; 49 U.S.C. 114 note), may be charged to verify the identity of a minor passenger.

(d) Accompanied Minor Passengers.—Except as provided in section 4(d)(2), nothing in this Act requires a minor passenger who is traveling with an accompanying adult to present an identity document.

(e) Considerations.—In issuing the rule under subsection (a), the Administrator shall—

- (1) consult with the Secretary of Health and Human Services regarding children in foster care, homeless youth, and children who are victims of trafficking; and
- (2) provide that the rule takes effect not earlier than [1 year] after the date on which the rule is published.

SEC. 8. MODEL TRAVEL CONSENT FORM

(a) Publication.—Not later than [1 year] after the date of the enactment of this Act, the Administrator, in consultation with the Secretary of Transportation and the Secretary of State, shall publish a model form by which a parent or legal guardian may record consent to travel by a child who is unaccompanied or who is traveling with another individual.

(b) Contents.—The model form shall provide for—

- (1) the identification of the child, of each consenting parent or legal guardian, and of any accompanying adult;
- (2) the dates and destination of the travel;
- (3) contact information for each consenting parent or legal guardian; and
- (4) notarization, at the option of the consenting parent or legal guardian.

(c) Voluntary Use.—Use of the model form is voluntary. Nothing in this Act requires any individual to complete, carry, or present the model form.

SEC. 9. TRAINING

(a) In General.—Section 44738 of title 49, United States Code, is amended—

- (1) in the section heading, by inserting “and child abduction” after “human trafficking”;
- (2) by striking “In addition” and inserting the following:

“(a) Human Trafficking.—In addition”; and

- (3) by adding at the end the following:

“(b) Child Abduction.—The training provided under subsection (a) shall include training on—

“(1) responding to an instruction or notification of the Administrator of the Transportation Security Administration under section 4 of the Preventing Child Abduction in Air Travel Act of 2026; and

“(2) reporting a suspected abduction of a child to a law enforcement agency in a manner consistent with section 40127.”.

(b) Clerical Amendment.—The analysis for chapter 447 of title 49, United States Code, is amended by striking the item relating to section 44738 and inserting the following:

“44738. Training on human trafficking and child abduction for certain staff.”.

SEC. 10. AGE OF CHILDREN COVERED BY THE INTERNATIONAL CHILD ABDUCTION PREVENTION PROGRAM

[Section 433(a)(1) of the Homeland Security Act of 2002 (6 U.S.C. 241(a)(1)) is amended by striking “(as defined in section 1204(b)(1) of title 18, United States Code)” and inserting “(as defined in section 3 of the Sean and David Goldman International Child Abduction Prevention and Return Act of 2014 (22 U.S.C. 9101))”.]

SEC. 11. ENFORCEMENT AND LIABILITY

(a) Covered Operators.—A regulation prescribed or an order issued under this Act that applies to a covered operator shall be treated, for purposes of section 46301 of title 49, United States Code, as a regulation prescribed or an order issued under chapter 449 of such title.

(b) False Requests and Attestations.—

(1) Civil penalty.—An individual is liable to the United States Government for a civil penalty of not more than \$[10,000] if the individual knowingly—

(A) submits a request under section 4(b) that contains a forged or altered order or a materially false statement; or

(B) makes a materially false attestation under section 6.

(2) Procedure.—The Secretary may impose a civil penalty under paragraph (1) after notice and an opportunity for a hearing.

(3) Notice on forms.—Each form used to submit a request under section 4(b) shall state the penalty under paragraph (1) and the penalties under sections 1001 and 1621 of title 18, United States Code.

(c) Good Faith Compliance.—A covered operator, and an officer, employee, or agent of a covered operator, shall not be liable in any civil action in a Federal or State court for an act or omission in good faith compliance with an instruction of the Administrator under section 4(d). This subsection does not apply to an act or omission that constitutes gross negligence or willful misconduct.

(d) No Cause of Action.—Nothing in this Act creates a cause of action against a covered operator.

SEC. 12. DATA AND REPORTS

(a) Minor Passenger Data.—Not later than [1 year] after the date of the enactment of this Act, and annually thereafter, the Administrator shall publish the number of minor passengers on covered flights during the preceding fiscal year, stated by age group and stated separately for minor passengers who traveled with an accompanying adult and for unaccompanied minor passengers. The publication may not include information that identifies any individual.

(b) Annual Report.—Not later than 1 year after the date on which the Program begins operation, and annually thereafter, the Administrator shall submit to the appropriate congressional committees a report that states, for the preceding year—

- (1) the number of requests under section 4(b) that were received, granted, and denied, by category of requesting party;
- (2) the number of enrolled children;
- (3) the number of automated matches and of confirmed matches under each of paragraphs (1), (2), and (3) of section 4(d);
- (4) the number of confirmed matches later determined to be misidentifications;
- (5) the number of boarding passes withheld and, to the extent reported by law enforcement agencies, the outcome of each case;
- (6) the number of assertions under section 5(b)(1), the outcomes, and the time taken to decide each;
- (7) the number and amount of civil penalties imposed under section 11(b);
- (8) the number of complaints alleging discrimination or alleging misuse of the Program, including misuse involving an individual protected by a protection order; and
- (9) the cost of operating the Program.

(c) Comptroller General.—Not later than [3 years] after the date on which the Program begins operation, the Comptroller General of the United States shall submit to the appropriate congressional committees a report that evaluates—

- (1) the effectiveness of the Program in preventing the transportation of children in violation of qualifying orders;
- (2) the accuracy of the comparisons under section 4(c) and the effects of misidentification on travelers;
- (3) whether the Program has been used, or whether attempts have been made to use the Program, to locate individuals protected by protection orders;
- (4) the available evidence on the use of commercial air transportation in the abduction and trafficking of children within the United States;
- (5) the share of children who hold a document described in section 7(b)(1), and the cost of and barriers to obtaining such a document;
- (6) the costs and benefits of extending identity verification to minor passengers who travel with an accompanying adult, including the experience of foreign jurisdictions that have adopted or withdrawn such requirements; and
- (7) the costs of this Act to covered operators and to travelers.

SEC. 13. RULES OF CONSTRUCTION

Nothing in this Act shall be construed—

- (1) to authorize the Secretary, the Administrator, or a covered operator to determine the custody of a child or the validity of a child custody determination;
- (2) to modify section 1738A of title 28, United States Code, or the law of any State or Indian Tribe governing the custody of children;
- (3) to limit the authority of a court to issue, modify, or enforce an order concerning a child;
- (4) to limit the program under section 433 of the Homeland Security Act of 2002 (6 U.S.C. 241);
- (5) to limit the requirements of subparagraph (C)(iii) or (G) of section 44903(j)(2) of title 49, United States Code; or
- (6) to limit section 40127 of title 49, United States Code.

SEC. 14. AUTHORIZATION OF APPROPRIATIONS

There is authorized to be appropriated to the Secretary to carry out this Act \$[_____] for each of fiscal years 2027 through 2031.

SEC. 15. SEVERABILITY

If any provision of this Act, or the application of a provision of this Act to any person or circumstance, is held invalid, the remainder of this Act, and the application of that provision to other persons or circumstances, shall not be affected.

DRAFTER'S NOTES

Preventing Child Abduction in Air Travel Act of 2026 — discussion draft of October 4, 2026. Not part of the bill text.

1. Design and departures from the source framework

The source framework proposed three measures: identity documents for every minor on a domestic flight, a notarized domestic travel consent form, and a domestic counterpart to the U.S. Customs and Border Protection (CBP) Prevent Abduction Program, all to be implemented by amending 49 CFR part 1540. The draft adopts the third measure, narrows the first, and makes the second voluntary.

FRAMEWORK ELEMENT	TREATMENT IN THE DRAFT	REASON
Domestic counterpart to the Prevent Abduction Program	Adopted (secs. 4 and 5). Triggered by a court order, as under 6 U.S.C. § 241. Operated by the Transportation Security Administration (TSA) through Secure Flight.	CBP has no role in domestic departures. Secure Flight already receives the name, date of birth, and sex of every passenger, including minors (49 CFR § 1560.101(a)(1)), so the comparison requires no new data from travelers.
Identity documents for all minors	Not adopted. Replaced by matching on the restrained adult, whose identity is already verified at the checkpoint (sec. 4(c)(3)); an attestation by the accompanying adult (sec. 6); document verification limited to minors with no accompanying adult (sec. 7); and a Government Accountability Office (GAO) evaluation of any extension (sec. 12(c)(6)).	No federal data exist on the use of commercial aviation in the domestic abduction or trafficking of minors, on the number of minor passengers, or on the share of minors who hold identification. The Department of Transportation's analysis for its family-seating proposal estimates that about 73 million domestic passengers a year travel in adult-child pairs (children 13 and under; the figure includes the adults). South Africa imposed a birth-certificate requirement on child travelers in 2015 and withdrew it for foreign children in 2019 after reported tourism losses. A universal mandate with no evidentiary record is the provision opponents would attack first.
Notarized consent form	Voluntary model form (sec. 8). Notarization may not be a condition of the sec. 6 attestation.	A notarized letter cannot be authenticated at a ticket counter and is easily forged. GAO found that airlines have no authority to verify or enforce custody orders (GAO-11-602). Canada and the United States treat consent letters for international travel as recommended, not required.

FRAMEWORK ELEMENT	TREATMENT IN THE DRAFT	REASON
Amend 49 CFR part 1540	Statutory direction to TSA to act by rule, order, or security program amendment (secs. 4(g), 6, 7).	No regulation exempts minors from identification, so there is no text to amend. The exemption is TSA policy. The only regulatory text on minors and identification is 49 CFR § 1560.105(c)(4). A statute directs rulemaking; it does not amend the CFR.

2. Corrections to citations in the source framework

AS STATED	CORRECT CITATION	NOTE
“41 U.S.C. § 40118(g)” as a training mandate	49 U.S.C. § 40118(h)	Title 41 has no § 40118. The provision was added as subsection (g) by Pub. L. 115–425 § 111(a) (2019) and redesignated (h) by Pub. L. 119–60 § 377 (Dec. 18, 2025). It requires annual reports from carriers holding federal air transportation contracts. It does not mandate training.
49 U.S.C. § 44738 covers flight attendants, gate agents, and ticket counter personnel	§ 44738 (ticket counter agents, gate agents, other passenger-facing workers); § 44734(a)(4) (flight attendants)	§ 44738 was added by Pub. L. 115–254 § 408(a) (2018). § 44734(a)(4) was added by Pub. L. 114–190 § 2113 (2016).
Goldman Act cited as “6 U.S.C. § 241 / 18 U.S.C. § 1204”	Pub. L. 113–150; 22 U.S.C. § 9101 et seq.; 6 U.S.C. § 241	18 U.S.C. § 1204 is the International Parental Kidnapping Crime Act of 1993 (Pub. L. 103–173). It predates the Goldman Act by 21 years.
The domestic measure would enact “identical safeguards” to the international program	6 U.S.C. § 241(a)(1)	The CBP program acts only on a court order presented in time to prevent departure, and covers children under 16. It is not a document check of all departing children. The State Department reports 317 enrollments in calendar year 2024 and states that the United States has no exit controls and no two-parent consent rule for a minor’s departure.
“TSA Assistant Secretary”	Administrator of the Transportation Security Administration, 49 U.S.C. § 114(b)	Title changed by Pub. L. 115–254 § 1904 (2018). General rulemaking authority is § 114(l)(1).
Amend 49 CFR part 1540 “to add minors to the category of passengers requiring identity verification”	49 CFR §§ 1540.107(c), 1560.105(c)	Part 1540 contains no such category. Section 1540.107(c) ties the identification duty to watch-list matching under § 1560.105(c). Section 1560.105(c)(4) allows TSA, case by case, to accept a stated name and date of birth for a passenger under 18.

3. Notes on particular provisions

Sec. 3(5), “covered flight.” The definition includes international departures. An order prohibiting removal from a State is otherwise avoidable by a direct international departure, because 6 U.S.C. § 241 reaches only orders prohibiting removal from the United States.

Sec. 4(b)(3), verification. The draft assumes TSA must authenticate each order with the issuing court. I did not identify a national registry of custody orders. Staffing for this function, at all hours, is the principal operating cost.

Sec. 4(c)(3), restrained adults. A minor’s name is self-reported, so matching on the child alone fails if the reservation carries a false name. The restrained adult must present identification at the checkpoint. Matching on that adult and any minor on the same reservation does not depend on the child’s stated name. The provision does not reach a third party who is not named in the order.

Sec. 4(d)(3), missing child records. No court order supports a hold in this case. The draft therefore requires notification, and permits withholding a boarding pass only at a law enforcement agency’s request and for a limited period. This is the provision with the weakest legal footing.

Sec. 5(b)(4), conflicting orders. The bracketed text favors the party who enrolls first. The alternative is to suspend enrollment when a conflict is shown, which favors the traveling parent. TSA cannot resolve a conflict under 28 U.S.C. § 1738A. The sponsor must choose.

Sec. 6(e)(1), section 1001. Treating a statement made to a private carrier as a statement within federal jurisdiction is an expansion of 18 U.S.C. § 1001 and will draw the Judiciary Committees’ attention. The civil penalty in sec. 11(b) stands without it.

Sec. 10, age. Optional. Pub. L. 118–159 § 7509(a)(2) (Dec. 23, 2024) raised the Goldman Act definition of “child” from under 16 to under 18, but 6 U.S.C. § 241(a)(1) still incorporates the under-16 definition in 18 U.S.C. § 1204(b)(1). The section aligns the two. It can be removed without affecting the remainder.

Sec. 11(a), penalties. 49 U.S.C. § 114(u) excludes chapter 449, and aviation security penalties are imposed under § 46301. The cap in § 46301(a)(4) is \$10,000 per violation, or \$25,000 for a person operating aircraft for compensation.

4. Expected objections

Expansion of Secure Flight. Section 44903(j)(2)(C) describes comparison against the selectee and no-fly lists. Sec. 4(c) supplies express authority and carries over the safeguards in clause (iii). The objection that prescreening would be used to enforce civil court orders remains and should be anticipated.

Due process. Withholding a boarding pass under sec. 4(d)(1) rests on a judicial order, with notice and time-limited review under sec. 5. *Latif v. Holder*, 28 F. Supp. 3d 1134 (D. Or. 2014), held the former No Fly List redress process constitutionally inadequate; sec. 5 is drafted with that holding in view. *Gilmore v. Gonzales*, 435 F.3d 1125 (9th Cir. 2006), held that the Constitution does not guarantee travel by a particular mode.

Federalism and parental rights. Custody is a matter of State law, and *Troxel v. Granville*, 530 U.S. 57 (2000), protects parental decisions on care, custody, and control. The draft enforces existing orders and bars any custody determination by TSA or a carrier (secs. 4(d)(5), 13).

Misuse against a parent fleeing violence. Addressed by the bar on disclosing location or itinerary to the requesting party (sec. 5(c)(1)), the protection-order procedures (sec. 5(c)(4)), and the limit on enrollments based on orders issued without notice (sec. 4(b)(6)).

Limited reach. The Program operates only where an order or a missing child record exists before departure. The 1999 federal estimate that 17 percent of family abductions involved removal from the State does not identify the mode of travel. The number of expected interceptions cannot be estimated from existing data. Sec. 12 would produce the data.

Discrimination. A federal suit filed in 2023 alleges that a carrier reported a mother for trafficking her daughter on a 2021 domestic flight because the two did not look alike; its current status was not checked. Sec. 6(f) bars relationship-proof demands and denial of transportation on perceived relationship; secs. 9 and 13(6) refer to 49 U.S.C. § 40127.

Committee referral. The draft touches the jurisdiction of Homeland Security (TSA), Transportation and Infrastructure and Senate Commerce (title 49), and Judiciary (18 U.S.C. § 1001; 28 U.S.C. § 1738A). Removing sec. 6(e)(1) and sec. 9 would narrow the referral.

5. Related legislation and foreign practice

H.R. 2600 (107th Cong.), Children's Air Travel Protection Act (2001). Would have barred carriers from transporting a minor without written certification of a custodial parent's permission. Referred to committee; later action not confirmed.

S. 5192 and H.R. 10368 (119th Cong.), Jimmy Deal Trafficking Survivors Assistance Act of 2026. Would establish TSA points of contact for trafficking survivors who lack identification. Pending in committee. Sec. 7(b)(4) and (c) of this draft are consistent with it.

Other bills. A keyword search of bill text for the 116th through 119th Congresses located no bill requiring identification for minors on domestic flights or creating a domestic court-order travel alert. The search was not exhaustive.

Brazil. Lei 13.812 (2019) amended article 83 of the Estatuto da Criança e do Adolescente to require judicial authorization for a child under 16 to travel outside the home district without a parent or guardian, with exceptions. This is the only domestic-travel requirement located.

South Africa, Canada, Mexico. South Africa withdrew its 2015 birth-certificate requirement for foreign children in 2019. Canada recommends, and does not require, a consent letter. Mexico requires an exit form for minors leaving the country alone or with a third party.

6. Verification status

Statutory and regulatory citations in the bill text were checked against the U.S. Code (Office of the Law Revision Counsel and the 2024 edition on govinfo), the public laws on govinfo, and the eCFR. The following were not verified and should be checked before the draft leaves your hands:

- The amendatory language in secs. 9 and 10 strikes quoted text. The quoted strings should be compared character for character against the current text of 49 U.S.C. § 44738 and of section 433(a)(1) of the Homeland Security Act of 2002 as enacted by Pub. L. 113–150 § 301(a).
- Amendments to 49 U.S.C. §§ 40102 and 46301 enacted after the 2024 edition of the Code were not checked.
- The preamble to the Secure Flight final rule (73 FR 64018, Oct. 28, 2008) could not be read in full; its discussion of minors is unverified.
- The TSA web page cited in the source framework returned an access error. The policy statement in finding (5) rests on TSA’s REAL ID page and a related TSA question-and-answer page.
- The statement in finding (8) reflects a search that located no such data; it is not proof that none exists.
- The retention periods in sec. 5(c)(3) are placeholders and should be compared with the Secure Flight records schedule.
- No 50-State survey of consent or travel requirements for minors was performed.
- Every figure in brackets is a placeholder.

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