

1 **SEC. 566. PROTECTION OF CHILD CUSTODY ARRANGE-**
2 **MENTS FOR PARENTS WHO ARE MEMBERS OF**
3 **THE ARMED FORCES.**

4 (a) CHILD CUSTODY PROTECTION.—Title II of the
5 Servicemembers Civil Relief Act (50 U.S.C. App. 521 et
6 seq.) is amended by adding at the end the following new
7 section:

8 **“SEC. 208. CHILD CUSTODY PROTECTION.**

9 “(a) DURATION OF TEMPORARY CUSTODY ORDER
10 BASED ON CERTAIN DEPLOYMENTS.—If a court renders
11 a temporary order for custodial responsibility for a child
12 based solely on a deployment or anticipated deployment
13 of a parent who is a servicemember, the court shall require
14 that the temporary order shall expire not later than the
15 period justified by the deployment of the servicemember.

16 “(b) LIMITATION ON CONSIDERATION OF MEMBER’S
17 DEPLOYMENT IN DETERMINATION OF CHILD’S BEST IN-
18 TEREST.—If a motion or a petition is filed seeking a per-
19 manent order to modify the custody of the child of a serv-
20 icemember, no court may consider the absence of the serv-
21 icemember by reason of deployment, or the possibility of
22 deployment, as the sole factor in determining the best in-
23 terest of the child.

24 “(c) NO FEDERAL JURISDICTION OR RIGHT OF AC-
25 TION OR REMOVAL.—Nothing in this section shall create

1 a Federal right of action or otherwise give rise to Federal
2 jurisdiction or create a right of removal.

3 “(d) PREEMPTION.—In any case where State law ap-
4 plicable to a child custody proceeding involving a tem-
5 porary order as contemplated in this section provides a
6 higher standard of protection to the rights of the parent
7 who is a deploying servicemember than the rights provided
8 under this section with respect to such temporary order,
9 the appropriate court shall apply the higher State stand-
10 ard.

11 “(e) DEPLOYMENT DEFINED.—In this section, the
12 term ‘deployment’ means the movement or mobilization of
13 a servicemember to a location for a period of longer than
14 60 days and not longer than 540 days pursuant to tem-
15 porary or permanent official orders—

16 “(1) that are designated as unaccompanied;

17 “(2) for which dependent travel is not author-
18 ized; or

19 “(3) that otherwise do not permit the move-
20 ment of family members to that location.”.

21 (b) CLERICAL AMENDMENT.—The table of contents
22 in section 1(b) of such Act is amended by adding at the
23 end of the items relating to title II the following new item:

“Sec. 208. Child custody protection.”.