

Child Marriage Prevention Act of 2026
Section-by-Section Summary
Senate Judiciary Committee Ranking Member Dick Durbin (D-IL),
Senator Brian Schatz (D-HI), and Senator Kirsten Gillibrand (D-NY)

Sec. 1. Short Title.

- Establishes the short title of the bill as the “Child Marriage Prevention Act of 2026.”

Sec. 2. Findings.

- Provides statistical data quantifying child marriage and its harmful consequences in the United States.
- Establishes that this bill is the result of thorough analysis of the data and effects of child marriage in the United States.
- Establishes that federal intervention to promote the elimination of child marriage is necessary as there are conflicting state laws and policies in place.

Sec. 3. Definition.

- Defines terms used throughout the bill, including “noncitizen” and “State.”

Sec. 4. Federal Commission to Address Child Marriage.

- Establishes a National Commission to Combat Child Marriage in the United States (“Commission”), within Health and Human Services (HHS), which would:
 - Conduct a comprehensive study on child marriage in the United States that examines laws and the absence of laws governing child marriage; and how frequently these marriages occur;
 - Build on existing evaluations and avoid duplication by reviewing the findings and recommendations of state and federal entities examining child marriage;
 - Hold hearings, request information from federal agencies and other entities, and conduct listening sessions with child marriage survivors, their advocates, and experts working towards the elimination of child marriage; and
 - Issue an interim report to the President and Congress not later than one year after the date of the initial Commission meeting and a final report to the President, the HHS Secretary, and Congress not later than two years after that date.
- Directs the composition of the Commission to include ten members appointed by the President, the HHS Secretary, and Congressional leadership, which must include:
 - a survivor of child marriage;
 - a representative of a nonprofit entity with expertise in working with survivors of child marriage;
 - a representative of a nonprofit entity with expertise in working with immigrant survivors of child marriage; and
 - a representative of a nonprofit entity with expertise in working with State governments to eliminate child marriage.

Sec. 5. GAO Reports.

- Requires the Government Accountability Office (GAO) to submit a report to Congress, within three years of the date of enactment of the bill, describing federal laws, regulations, policies, and programs relevant to child marriage.
- Directs the GAO to submit a report to Congress, not later than one year after the date of enactment of the bill, and every two years thereafter through 2030, that assesses the extent to which: 1) noncitizens who were under 18 years of age at the time of marriage are admitted to the United States as beneficiaries of approved visa petitions filed by their United States citizen or lawful permanent resident spouses; and 2) the United States has admitted noncitizen spouses who were under 18 years of age at the time a spousal visa petition was filed on their behalf.

Sec. 6. Grant Program for State Task Forces to Examine Child Marriage.

- Allows the HHS Secretary to award grants to establish State-based task forces to examine child marriage in a particular state for the purpose of developing recommendations for its elimination.
- Identifies qualifications for appointees on State-based task forces.
- Establishes duties for the State-based task forces.

Sec. 7. State Initiatives to Eliminate Child Marriage.

- Authorizes the Attorney General to increase State funding under covered formula grants to incentivize state initiatives banning child marriage.
- Authorizes \$5,000,000 for fiscal years 2027 through 2032.

Sec. 8. Federal Limitations on Child Marriage.

- Prohibits child marriage from taking place on or at any property owned, leased, used or otherwise controlled by the federal government.

Sec. 9. Department of Justice Efforts to Address Child Marriage.

- Directs the Attorney General to establish a DOJ working group for the purpose of publishing a model state statute to prohibit child marriage.

Sec. 10. Modification to Immigration Provisions Relating to Marriage.

- Establishes that, following the date of enactment, all U.S. petitioners must be at least 18 years of age to petition for spousal and fiancé(e) visas.
- Establishes that, in the case of a spousal visa based on a marriage occurring after the date of enactment, all U.S. petitioners must have been at least 18 years of age at the time of marriage in order for that marriage to be valid for immigration purposes.
- Establishes that, following the date of enactment, all individuals sponsored for spousal and fiancé(e) visas must be at least 18 years of age at the time of filing the petition.
- Allows for a limited exception for beneficiaries of spousal visas who are at least 16 years of age, for compelling humanitarian reasons arising from a risk of individualized and targeted harm to them if the visa is denied. Beneficiaries will not be eligible for the

limited humanitarian exception if the state where the married couple seeks to reside together would not have permitted them to marry under the laws in effect in such State at the time of filing. Parental consent to the marriage, a child in common with the petitioner, pregnancy of either party, or any combination of such factors does not constitute a compelling humanitarian reason.

- Codifies a 2019 U.S. Citizenship and Immigration Services policy requiring an immigration or consular officer to separately interview both parties in all cases in which at least one party was under 18 years of age at the time the marriage or engagement that forms the basis of the petition or application occurred, regardless of the date on which such marriage or engagement occurred.
- Amends the definition of proxy marriage in Section 101(a)(35) of the Immigration and Nationality Act by replacing the current, problematic consummation requirement that incentivizes rape, with a requirement that parties to a marriage have previously met in person within two years of the date of the ceremony for the proxy marriage to be valid.
- Mandates that the federal government educate the public in multiple languages on these changes to immigration law, including through written materials and on the websites of U.S. Citizenship and Immigration Services and the Department of State.
- Instructs the Department of Homeland Security, Health and Human Services, and the Department of Justice to disseminate information on the harmful effects of child marriage and resources for support services.