To amend the Sex Offender Registration and Notification Act to require sex offenders to notify appropriate government officials before traveling internationally, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Sex Offender Notification of International Travel Act”.

SEC. 2. FINDINGS AND DECLARATION OF PURPOSE.

(a) FINDINGS.—Congress makes the following findings:
(1) Child sex tourism is a pervasive international problem and ever evolving crime that exploits the most innocent and vulnerable members of any society.

(2) Child sex tourists travel to known sex destinations for the purpose of seeking anonymity while engaging in child molestation and exploitation, involving such acts as manufacturing pornography and prostitution. An estimated 25 percent of predators involved in child sex tourism throughout the world are United States citizens.

(3) American child sex tourists can be found in a wide range of foreign locales, looking to exploit children made vulnerable by extreme poverty and deprivation. These predators often have a long history of abuse of children, both in the United States and abroad. They plan their trips carefully to minimize their risk of arrest while exploiting economically disadvantaged children.

(4) U.S. Immigration and Customs Enforcement (ICE), an agency within the Department of Homeland Security, has taken a leading role in the fight against the sexual exploitation of minors abroad, in cooperation with other United States agencies, law enforcement from other countries,
INTERPOL, and nongovernmental organizations. In fact, between 2003 and 2009, ICE made 72 criminal arrests and obtained 73 convictions of individuals charged with traveling aboard and engaging in illicit sexual conduct with a minor, the “child sex tourism” law, section 2423 of title 18, United States Code.

(5) These arrests were made under the auspices of Operation Predator, a highly successful, ongoing investigative operation targeting the exploiters of children. Since its inception in 2003 as an initiative focusing on combining the ICE immigration and customs authorities, Operation Predator has become a worldwide known brand in the fight against child exploitation and is now the overarching child exploitation program within ICE. Today, Operation Predator includes numerous initiatives and programs that protect children from pornographers, child prostitution rings, Internet predators, alien smugglers, human traffickers, sex tourism operators, and other criminals that prey on children, focusing on the identification, prosecution, and removal (when applicable) of criminals and encompasses all the law enforcement offices within ICE. As of 2009, ICE had made more than 12,710 arrests under Operation Predator.
(6) Operation Predator is the lynchpin for the newly established ICE Child Exploitation Investigations Center (CEIC), a division of the ICE Cyber Crimes Center, managed by the Child Exploitation Unit. The CEIC houses all national ICE initiatives and programs relating to child exploitation—both sexual child exploitation, child trafficking, and forced child labor—and will focus on four key areas: training for Federal, State, local, tribal, and foreign law enforcement agencies; investigative capacity building; child exploitation prevention and enforcement operations; and recruitment of disabled veterans in communities hardest hit by the current economic situation.

(7) Two of the more significant programs currently under Operation Predator are the Virtual Global Taskforce (VGT) and Operation Angel Watch. Established in 2003, the VGT is a collaboration of international law enforcement agencies with the common goal of protecting children from sexual exploitation. The VGT is intended to augment, not supplant, existing law enforcement initiatives and international relationships related to child exploitation issues. ICE, as represented by the CEIC, is the exclusive United States representative to the
VGT. Operation Angel Watch is an intelligence-driven program targeting registered sex offenders traveling abroad who ICE believes are likely to engage in child sex tourism. By evaluating patterns and trends, ICE identifies high risk countries to compare with the travel plans of registered sex offenders. Since the inception Operation Angel Watch, nearly 300 suspected CST perpetrators have been identified.

(8) While this Operation has proven effective, we find the requirements for notification of international travel by sex offenders in this Act will significantly enhance the ability of ICE to identify such high-risk travelers earlier and more frequently. The goal is to stop the traveler prior to the exploitation of the children. To the extent that there may be investigative concern of a traveler, we also find that this bill will serve to protect the American children from exploitation, as well.

(9) Although the Sex Offender Registration and Notification Act requires the establishment of a system for tracking registered sex offenders traveling internationally, these requirements should be strengthened so high risk travelers are identified earlier and more frequently.
(10) Officials from the United Kingdom, Australia, Spain, and other countries have expressed interest in working with the United States Government for increased international cooperation to protect children from sexual exploitation, and are proponents of formal arrangements to ensure that the risk posed by traveling sex offenders is combated most effectively.

(11) The United States, with its international law enforcement relations, technological and communications capability, and established sex offender registry system, should lead the global community in the effort to save thousands of potential child victims by notifying other countries of travel by sex offenders, maintaining information about sex offenders from the United States who reside overseas, and strongly encouraging other countries to undertake the same measures to protect children around the world.

(b) PURPOSE.—It is the purpose of this Act to amend the Sex Offender Registration and Notification Act (SORNA), as established in the Adam Walsh Child Protection and Safety Act or 2006, Public Law 109–248, to better protect children worldwide from sexual exploitation.

In an effort to prevent, deter, and combat international
child sex exploitation, the United States system will re-
quire notification of international travel by the sex of-
fender to appropriate government officials and permit
United States law enforcement to share such information
with foreign countries when appropriate.

SEC. 3. SEX OFFENDER INTERNATIONAL TRAVEL NOTIF-
ICATION PROGRAM FOR PURPOSES OF BOR-
DER SECURITY.

The Sex Offender Registration and Notification Act
(42 U.S.C. 16901 et seq.) is amended—

(1) in section 113(c)—

(A) by designating the existing text as
paragraph (1); and

(B) by adding at the end the following:

“(2) A sex offender shall comply with the require-
ments for notification of international travel as prescribed
by this title.”;

(2) by inserting after section 113 the following:

“SEC. 113a. INTERNATIONAL TRAVEL NOTIFICATION RE-
QUIREMENTS FOR SEX OFFENDERS.

“(a) Duty To Report.—Any person required to
register as a sex offender under this title shall be required
to notify their residential jurisdiction of registration of his
or her intent to travel from the United States to another
country, regardless of duration of the travel. Only one no-
tification is required for each round trip.

“(b) PROCEDURES FOR REPORTING.—Sex offenders
are to provide notice to their residential jurisdiction of reg-
istration by completing the International Travel Notifica-
tion form as described in section 114a—

“(1) not later than 21 days before departure
from the United States;

“(2) in consultation with their residential juris-
diction of registration, as early as possible when 21
days prior is impracticable; or

“(3) in consultation with their residential juris-
diction of registration, at regular intervals, on a case
by case basis, for sex offenders who, for legitimate
business or personal reasons, regularly transit across
United States borders.

“(c) DUTY TO UPDATE.—Sex offenders are to notify
their jurisdiction of residence of any change in travel dates
or locations.”;

(3) in section 115—

(A) in the section heading, by striking
“REQUIREMENT” and inserting “REQUIRE-
MENTS”; and

(B) by at the end the following:
“(c) INTERNATIONAL TRAVEL REGISTRATION.—Sex offenders are required to comply with the international travel notification requirements in section 113a at all times during which they are required to register under this title.”;

(4) by inserting after section 114 the following:

“SEC. 114a. INFORMATION REQUIRED FOR INTERNATIONAL TRAVEL FOR PURPOSES OF BORDER SECURITY.

“The Attorney General, in consultation with the Secretary of Homeland Security, shall develop an International Travel Notification form. Such form shall include the following information:

“(1) The complete name of the sex offender (including any nicknames or aliases).

“(2) The Social Security number of the sex offender.

“(3) The current home address of the sex offender.

“(4) All email addresses.

“(5) The date of birth of the sex offender.

“(6) The citizenship of the sex offender.

“(7) The passport or passport card number and date and place of issuance of the sex offender.”
“(8) The alien registration number of the sex offender, where applicable.

“(9) Information as to the nature of the sex offense conviction(s) that requires registration.

“(10) Jurisdiction(s) of conviction.

“(11) Jurisdiction(s) or registration.

“(12) The travel itinerary and purpose of trip.

“(13) The names of any travel companions and relationship to the sex offender, if any.

“(14) The address and phone number where the sex offender may be reached while not in the United States.

“(15) If applying for employment while outside of the United States, name and type of business, address, and point of contact and phone number for the employer.

“(16) If attending school while outside of the United States, name and type of school, address, and point of contact and phone number for the school.

“(17) All countries the sex offender plans to visit during the trip, including dates, addresses, and points of contact for those destinations.
“(18) Any other information as may be required by the Attorney General, in consultation with the Secretary of Homeland Security.”;

(5) by inserting after section 112 the following:

“SEC. 112a. INTERNATIONAL TRAVEL NOTIFICATION REQUIREMENTS FOR JURISDICTIONS.

“(a) JURISDICTION NOTICE TO SEX OFFENDER.—Within 180 days after enactment of this section, the SMART Office shall provide jurisdictions with notice of the international travel notification requirements of this title—

“(1) each jurisdiction shall ensure each previously registered sex offender is advised of such duties at the earliest practicable opportunity;

“(2) each jurisdiction shall ensure that newly registered sex offenders have been previously advised of the duties upon release and, if necessary, advise the sex offender of the requirement at such time as he or she initially registers; and

“(3) jurisdictions shall require sex offenders to acknowledge, in writing, that the sex offenders have been advised of the duty to notify their residential jurisdiction of registration of the intent to from the United States.
“(b) NOTICE TO THE SMART OFFICE.—As expeditiously as possible, but no later than three calendar days from the date of receipt, and in a format prescribed by the SMART Office in consultation with the Secretary of Homeland Security, jurisdictions shall send the following to the SMART Office:

“(1) All International Travel Notification forms as described in section 114a.

“(2) All requests for exception to the 21-day notification timeframe pursuant to section 16913a(b).

“(3) Any update received from a sex offender regarding a change in travel dates or locations.

“(c) RETENTION OF DOCUMENTS.—Jurisdictions shall retain originals of the advisement of duty to notify.

“(d) RESPONSE TO INQUIRIES.—

“(1) Each jurisdiction shall respond to inquiries from the SMART Office, the Department of State, the Department of Homeland Security or the Department of Justice with regard to a specific sex offender as soon as practicable, but at no time later than five calendar days after receipt of the request.

“(2) Original documents shall be sent only upon specific request.
“(3) Information requested may include, but not be limited to—

“(A) the criminal history of the sex offender, including—

“(i) the text of the provision of law defining the sex offense;

“(ii) the dates of all arrests and convictions related to sex offenses;

“(iii) the status of parole, probation, or supervised release;

“(iv) registration status; and

“(v) the existence of any outstanding arrest warrants;

“(B) the most recent available photograph of the sex offender; and

“(C) the time period for which the sex offender is required to register pursuant to the law of the jurisdiction of conviction.

“(e) GUIDELINES.—The Attorney General shall consult with the Secretary of Homeland Security and Secretary of State on such guidelines and regulations relating to the international travel notification requirements of this title.

“(f) DISCLOSURE OF INVESTIGATIVE TECHNIQUES.—Internal operating guidelines created by the De-
partment of Homeland Security, Department of State, or
the Department of Justice reflecting internal operations
with respect to the international travel notification re-
quirements of this subchapter, including methods for in-
vestigation and factors for evaluation of sex offenders,
shall not be disclosed.

“(g) SHARING WITH FOREIGN COUNTRIES.—The
Department of Homeland Security and Department of
Justice, as necessary, may provide notification, along with
any other information as deemed appropriate, to a foreign
country of the travel of any sex offender. No notification
to the sex offender of the sharing of such information is
necessary. The Department of Homeland Security and the
Department of Justice and its officers, employees and
agents shall be immune from liability for any actions taken
by foreign countries based on the sharing of such informa-
tion.”;

(6) by amending section 117—

(A) in the section heading, by inserting
“AND INTERNATIONAL TRAVEL NOTIFICA-
TION” after “REGISTRATION”;

(B) by amending subsection (a)(2) to read
as follows:

“(2) require the sex offender to read and sign
a form stating that the duty to register and to notify
their residential jurisdiction of registration of intended international travel has been explained and that the sex offender understands the registration and notification requirement; and’’;

(C) in subsection (b), by inserting a new sentence at the end as follows: ‘‘In consultation with the Secretary of Homeland Security, such notification shall include advisement of the requirements for international travel notifications to the residential jurisdiction of registration, as required by this title.’’; and

(D) by adding a new subsection as follows:

‘‘(c) ORIGINA L S.—Original forms signed by the sex offender are to be retained indefinitely by the jurisdiction giving notification and shall be provided to the Attorney General or Secretary of Homeland Security upon request.’’;

(7) in section 146, by adding a new subsection as follows:

‘‘(d) COORDINATION WITH THE DEPARTMENT OF HOMELAND SECURITY.—

‘‘(1) The SMART Office shall coordinate operations and guidelines with the Department of Homeland Security with respect to the international travel notification requirements of this title;
“(2) As expeditiously as possible, but no later than three calendar days from the date of receipt from a jurisdiction, the SMART Office shall forward to the Department of Homeland Security—

“(A) all International Travel Notification forms;

“(B) all requests for exception to the 21-day notification timeframe pursuant to section 16913a(b); and

“(C) all updates received from sex offenders regarding changes in travel dates or locations.”;

(8) in section 112(b) by inserting “with respect to registration for sex offenders” after “title”;

(9) in section 118(b)—

(A) in paragraph (3), by striking “and” at the end;

(B) by redesignating paragraph (4) as paragraph (5); and

(C) inserting a new paragraph (4) as follows:

“(4) any information concerning international travel, including all correspondence with the SMART Office; and”;

and
(10) in section 122 by inserting “WITH REGISTRATION REQUIREMENTS” after “COMPLY” in the section heading.

SEC. 4. THE CYBER CRIMES CENTER AND THE CHILD EXPLOITATION INVESTIGATIONS CENTER.

(a) Establishment.—

(1) Generally.—There is established a Cyber Crimes Center within the United States Immigration and Customs Enforcement for the purpose of carrying out the Agency’s mission with respect to criminal acts crossing United States borders through cyberspace.

(2) Child Exploitation Investigations Center.—

(A) Within the Cyber Crimes Center, there shall be established the Child Exploitation Investigations Center (CEIC). The CEIC shall coordinate all agency child exploitation initiatives, including child exploitation, child trafficking, and forced child labor and is to focus on child exploitation prevention and enforcement operations, training for Federal, State, local, tribal, and foreign law enforcement agency personnel, and investigative capacity building.
(B) The CEIC may collaborate with the
National Center for Missing and Exploited Chil-
dren and other government, nongovernmental,
and nonprofit entities as deemed appropriate by
the Secretary, for the sponsorship of and par-
ticipation in outreach and training activities.

(b) WOUNDED WARRIORS RECRUITMENT.—The
CEIC is authorized to recruit disabled veterans to fill in-
telligence and investigative positions in support of its mis-
sion. In support of such veterans, ICE shall make avail-
able the services of psychologists for, at a minimum, an-
nual psychological evaluations.

(e) TRAINING.—The Cyber Crimes Center is author-
ized to provide training for Federal, State, local, tribal,
and foreign law enforcement agency personnel engaged in
the investigation of crimes within its jurisdiction.

(d) COOPERATIVE AGREEMENTS.—The Cyber Crimes
Center is authorized to enter into Cooperative Agreements
to accomplish its mission and the goals of this section.

(e) PUBLIC AWARENESS CAMPAIGNS.—The Cyber
Crimes Center is authorized to solicit, engage with, and
accept assistance from the Virtual Global Taskforce, not-
for-profit organizations, and educational institutions in
the creation and advancement of public awareness cam-
paigns in furtherance of its mission. Public awareness
campaigns in coordination with such entities are not to be subject to the Federal Acquisition Regulations for competition when the services are donated or of minimal cost to the government.

(f) RESEARCH AND DEVELOPMENT.—The Attorney General, in consultation with the Secretary of Homeland Security, shall conduct research and development for the purpose of border security and law enforcement development toward the prevention and investigation of child exploitation crimes, there are authorized to be appropriated $10,000,000 for each of fiscal years 2011, 2012, and 2013 to national research and development laboratories. The CEIC, other law enforcement agencies, for-profit and non-profit entities, and universities may subcontract for such research and development.

(g) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated—

(1) for carrying out the general mission of the Cyber Crimes Center—

   (A) $40,000,000 for fiscal year 2011, $20,000,000 of which is to be allocated to the CEIC;

   (B) fiscal year 2012 shall be allocated $16,000,000;
(C) fiscal year 2013 shall be allocated $19,000,000; (D) fiscal year 2014 shall be allocated $18,000,000; and (E) fiscal year 2015 shall be allocated $23,000,000; (2) for training of Federal, State, local, tribal, and foreign officers— (A) $3,000,000 for fiscal year 2011, $2,000,000 of which is to be allocated to CEIC; and (B) $2,000,000 for each of the 5 succeeding fiscal years; (3) for the recruitment and employment of disabled veterans— (A) $40,000,000 for fiscal year 2011 to be allocated to CEIC; and (B) such sums as may be necessary for each of the 5 succeeding fiscal years; and (4) for public awareness campaigns— (A) $1,000,000 for fiscal year 2011, $500,000 of which is to be allocated to CEIC; and (B) such sums as may be necessary for each of the 5 succeeding fiscal years.
SEC. 5. SUBPOENA AUTHORITY.

Section 3486 of title 18, United States Code is amended—

(1) in subsection (a)—

(A) in paragraph (1)(A)—

(i) by redesignating clause (ii) as clause (iii);

(ii) by striking clause (i) and inserting the following:

“(i) a Federal health care offense, the Attorney General;

“(ii) a Federal offense involving the sexual exploitation or abuse of children, the Attorney General, the Secretary of Homeland Security, or the Postmaster General; or”; and

(iii) in clause (iii), as redesignated, by striking “the Treasury” and inserting “of Homeland Security”;

(B) in subparagraph (D), by inserting “, 2250” after “2243”; 

(C) in paragraph (6)(A), by striking “United State” and inserting “United States”; 

(D) in paragraph (9), by striking “paragraph (1)(A)(i)(II) or (1)(A)(ii)” and inserting “paragraph (1)(A)(ii) or (1)(A)(iii)”; and
(E) in paragraph (10), by striking “paragraph (1)(A)(ii), the Secretary of the Treasury” and inserting “paragraph (1)(A)(iii), the Secretary of Homeland Security”; and

(2) in subsection (c)—

(A) in the first sentence, by inserting “, in coordination with the Secretary of Homeland Security or the Postmaster General, as appropriate,” after “the Attorney General”; and

(B) in the second sentence, by striking “appear before the Attorney General” and inserting “appear before the Government officer that issued the subpoena”.

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