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Reported by Mr. CORKER, with an amendment and an amendment to the title

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

To protect children from exploitation, especially sex trafficking in tourism, by providing advance notice of intended travel by registered child-sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known child-sex offender is seeking to enter the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
 3 “International Megan’s Law to Prevent Demand for Child
 4 Sex Trafficking”.

5 (b) **TABLE OF CONTENTS.**—The table of contents for
 6 this Act is as follows:

Sec. 1. Short title and table of contents.
 Sec. 2. Findings.
 Sec. 3. Definitions.
 Sec. 4. Angel Watch Center.
 Sec. 5. Sense of Congress provisions.
 Sec. 6. Enhancing the minimum standards for the elimination of trafficking.
 Sec. 7. Assistance to foreign countries to meet minimum standards for the
 elimination of trafficking.
 Sec. 8. Rules of construction.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

9 (1) Megan Nicole Kanka, who was 7 years old,
 10 was abducted, sexually assaulted, and murdered in
 11 1994, in the State of New Jersey by a violent pred-
 12 ator living across the street from her home. Unbe-
 13 knownst to Megan Kanka and her family, he had
 14 been convicted previously of a sex offense against a
 15 child.

16 (2) In 1996, Congress adopted Megan’s Law
 17 (Public Law 104–145) as a means to encourage
 18 States to protect children by identifying the where-
 19 abouts of sex offenders and providing the means to
 20 monitor their activities.

1 (3) In 2006, Congress passed the Adam Walsh
2 Child Protection and Safety Act of 2006 (Public
3 Law 109–248) to protect children and the public at
4 large by establishing a comprehensive national sys-
5 tem for the registration and notification to the pub-
6 lic and law enforcement officers of convicted sex of-
7 fenders.

8 (4) Law enforcement reports indicate that
9 known child-sex offenders are traveling internation-
10 ally, and that the criminal background of such indi-
11 viduals may not be known to local law enforcement
12 prior to their arrival.

13 (5) The commercial sexual exploitation of mi-
14 nors in child sex trafficking and pornography is a
15 global phenomenon. The International Labour Orga-
16 nization has estimated that 1.8 million children
17 worldwide are victims of child sex trafficking and
18 pornography each year.

19 (6) Child sex tourism, where an individual trav-
20 els to a foreign country and engages in sexual activ-
21 ity with a child in that country, is a form of child
22 exploitation and, where commercial, child sex traf-
23 ficking.

24 (7) According to research conducted by The
25 Protection Project of The Johns Hopkins University

Paul H. Nitze School of Advanced International Studies, sex tourists from the United States who target children form a significant percentage of child sex tourists in some of the most significant destination countries for child sex tourism.

(8) In order to protect children, it is essential that United States law enforcement be able to identify child-sex offenders in the United States who are traveling abroad and child-sex offenders from other countries entering the United States. Such identification requires cooperative efforts between the United States and foreign governments. In exchange for providing notice of child-sex offenders traveling to the United States, foreign authorities will expect United States authorities to provide reciprocal notice of child-sex offenders traveling to their countries.

SEC. 3. DEFINITIONS.

In this Act:

(1) **CENTER.**—The term “Center” means the Angel Watch Center established pursuant to section 4(a).

(2) **CHILD-SEX OFFENDER.**—

(A) **IN GENERAL.**—The term “child-sex offender” means an individual who is a sex offender described in paragraph (3) or (4) of sec-

tion 111 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16911) by reason of being convicted of a child-sex offense.

(B) DEFINITION OF CONVICTED.—In this paragraph, the term “convicted” has the meaning given the term in paragraph (8) of section 111 of such Act.

(3) CHILD-SEX OFFENSE.—

(A) IN GENERAL.—The term “child-sex offense” means a specified offense against a minor, as defined in paragraph (7) of section 111 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16911), including—

(i) an offense (unless committed by a parent or guardian) involving kidnapping;

(ii) an offense (unless committed by a parent or guardian) involving false imprisonment;

(iii) solicitation to engage in sexual conduct;

(iv) use in a sexual performance;

(v) solicitation to practice prostitution;

(vi) video voyeurism as described in section 1801 of title 18, United States Code;

(vii) possession, production, or distribution of child pornography;

(viii) criminal sexual conduct involving a minor, or the use of the Internet to facilitate or attempt such conduct; and

(ix) any conduct that by its nature is a sex offense against a minor.

(B) OTHER OFFENSES.—The term “child-sex offense” includes a sex offense described in paragraph (5)(A) of section 111 of the Adam Walsh Child Protection and Safety Act of 2006 that is a specified offense against a minor, as defined in paragraph (7) of such section.

(C) FOREIGN CONVICTIONS; OFFENSES INVOLVING CONSENSUAL SEXUAL CONDUCT.—The limitations contained in subparagraphs (B) and (C) of section 111(5) of the Adam Walsh Child Protection and Safety Act of 2006 shall apply with respect to a child-sex offense for purposes of this Act to the same extent and in the same manner as such limitations apply with respect

1 to a sex offense for purposes of the Adam
 2 Walsh Child Protection and Safety Act of 2006.

3 ~~(4) JURISDICTION.—The term “jurisdiction”~~
 4 means any of the following:

5 ~~(A) A State.~~

6 ~~(B) The District of Columbia.~~

7 ~~(C) The Commonwealth of Puerto Rico.~~

8 ~~(D) Guam.~~

9 ~~(E) American Samoa.~~

10 ~~(F) The Northern Mariana Islands.~~

11 ~~(G) The United States Virgin Islands.~~

12 ~~(H) To the extent provided in, and subject~~
 13 ~~to the requirements of, section 127 of the Adam~~
 14 ~~Walsh Child Protection and Safety Act of 2006~~
 15 ~~(42 U.S.C. 16927), a federally recognized In-~~
 16 ~~dian tribe.~~

17 ~~(5) MINOR.—The term “minor” means an indi-~~
 18 ~~vidual who has not attained the age of 18 years.~~

19 **SEC. 4. ANGEL WATCH CENTER.**

20 ~~(a) ESTABLISHMENT.—Not later than 90 days after~~
 21 ~~the date of the enactment of this Act, the Secretary of~~
 22 ~~Homeland Security shall establish within the Child Exploi-~~
 23 ~~tation Investigations Unit of United States Immigration~~
 24 ~~and Customs Enforcement (ICE) of the Department of~~
 25 ~~Homeland Security a Center, to be known as the “Angel~~

1 Watch Center'', to carry out the activities specified in sub-
 2 section (d).

3 (b) LEADERSHIP.—The Center shall be headed by the
 4 Director of ICE, in collaboration with the Commissioner
 5 of United States Customs and Border Protection (CBP)
 6 and in consultation with the Attorney General.

7 (c) MEMBERS.—The Center shall consist of the fol-
 8 lowing:

9 (1) The Director of ICE.

10 (2) The Commissioner of CBP.

11 (3) Individuals who are designated as analysts
 12 in ICE or CBP.

13 (4) Individuals who are designated as program
 14 managers in ICE or CBP.

15 (d) ACTIVITIES.—

16 (1) IN GENERAL.—The Center shall carry out
 17 the following activities:

18 (A) Receive information on travel by child-
 19 sex offenders.

20 (B) Establish a system to maintain and ar-
 21 chive all relevant information, including the re-
 22 sponse of destination countries to notifications
 23 under subsection (c) where available, and deci-
 24 sions not to transmit notification abroad.

1 (C) Establish an annual review process to
2 ensure that the Center is consistent in proce-
3 dures to provide notification to destination
4 countries or not to provide notification to des-
5 tination countries, as appropriate.

6 (2) INFORMATION REQUIRED.—The United
7 States Marshals Service’s National Sex Offender
8 Targeting Office shall make available to the Center
9 information on travel by child-sex offenders in a
10 timely manner for purposes of carrying out the ac-
11 tivities described in paragraph (1) and subsection
12 (e).

13 (e) NOTIFICATION.—

14 (1) TO COUNTRIES OF DESTINATION.—

15 (A) IN GENERAL.—The Center may trans-
16 mit notice of impending or current international
17 travel of a child-sex offender to the country or
18 countries of destination of the child-sex of-
19 fender, including to the visa-issuing agent or
20 agents in the United States of the country or
21 countries.

22 (B) FORM.—The notice under this para-
23 graph may be transmitted through such means
24 as determined appropriate by the Center, in-
25 cluding through an ICE attaché.

1 (2) TO OFFENDERS.—

2 (A) GENERAL NOTIFICATION.—

3 (i) IN GENERAL.—If the Center trans-
4 mits notice under paragraph (1) of im-
5 pending international travel of a child-sex
6 offender to the country or countries of des-
7 tination of the child-sex offender, the Sec-
8 retary of Homeland Security, in conjunc-
9 tion with any appropriate agency, shall
10 make reasonable efforts to provide con-
11 structive notice through electronic or tele-
12 phonic communication to the child-sex of-
13 fender prior to the child-sex offender's ar-
14 rival in the country or countries.

15 (ii) EXCEPTION.—The requirement to
16 provide constructive notice under clause (i)
17 shall not apply in the case of impending
18 international travel of a child-sex offender
19 to the country or countries of destination
20 of the child-sex offender if such construc-
21 tive notice would conflict with an existing
22 investigation involving the child-sex of-
23 fender.

24 (B) SPECIFIC NOTIFICATION REGARDING
25 RISK TO LIFE OR WELL-BEING OF OF-

1 FENDER.—If the Center has reason to believe
2 that to transmit notice under paragraph (1)
3 poses a risk to the life or well-being of the
4 child-sex offender, the Center shall make rea-
5 sonable efforts to provide constructive notice
6 through electronic or telephonic communication
7 to the child-sex offender of such risk.

8 (C) SPECIFIC NOTIFICATION REGARDING
9 PROBABLE DENIAL OF ENTRY TO OFFENDER.—

10 If the Center has reason to believe that a coun-
11 try of destination of the child-sex offender is
12 highly likely to deny entry to the child-sex of-
13 fender due to transmission of notice under
14 paragraph (1), the Center shall make reason-
15 able efforts to provide constructive notice
16 through electronic or telephonic communication
17 to the child-sex offender of such probable de-
18 nial.

19 (3) SUNSET.—The authority of paragraph (1)
20 shall terminate with respect to a child-sex offender
21 beginning as of the close of the last day of the reg-
22 istration period of such child-sex offender under sec-
23 tion 115 of the Adam Walsh Child Protection and
24 Safety Act of 2006 (42 U.S.C. 16915).

1 (f) COMPLAINT REVIEW.—The Center shall establish
2 a mechanism to receive complaints from child-sex offend-
3 ers affected by notifications of destination countries of
4 such child-sex offenders under subsection (e).

5 (g) CONSULTATIONS.—The Center shall seek to en-
6 gage in ongoing consultations with—

7 (1) nongovernmental organizations, including
8 faith-based organizations, that have experience and
9 expertise in identifying and preventing child sex
10 tourism and rescuing and rehabilitating minor vic-
11 tims of international sexual exploitation and traf-
12 ficking;

13 (2) the governments of countries interested in
14 cooperating in the creation of an international sex
15 offender travel notification system or that are pri-
16 mary destination or source countries for inter-
17 national sex tourism; and

18 (3) Internet service and software providers re-
19 garding available and potential technology to facili-
20 tate the implementation of an international sex of-
21 fender travel notification system, both in the United
22 States and in other countries.

23 (h) TECHNICAL ASSISTANCE.—The Secretary of
24 Homeland Security and the Secretary of State may pro-
25 vide technical assistance to foreign authorities in order to

1 enable such authorities to participate more effectively in
2 the notification program system established under this
3 section.

4 **SEC. 5. SENSE OF CONGRESS PROVISIONS.**

5 (a) **BILATERAL AGREEMENTS.**—It is the sense of
6 Congress that the President should negotiate memoranda
7 of understanding or other bilateral agreements with for-
8 eign governments to further the purposes of this Act and
9 the amendments made by this Act, including by—

10 (1) establishing systems to receive and transmit
11 notices as required by title I of the Adam Walsh
12 Child Protection and Safety Act of 2006 (42 U.S.C.
13 16901 et seq.); and

14 (2) establishing mechanisms for private compa-
15 nies and nongovernmental organizations to report on
16 a voluntary basis suspected child pornography or ex-
17 ploitation to foreign governments, the nearest
18 United States embassy in cases in which a possible
19 United States citizen may be involved, or other ap-
20 propriate entities.

21 (b) **NOTIFICATION TO THE UNITED STATES OF**
22 **CHILD-SEX OFFENSES COMMITTED ABROAD.**—It is the
23 sense of Congress that the President should formally re-
24 quest foreign governments to notify the United States
25 when a United States citizen has been arrested, convicted,

1 sentenced, or completed a prison sentence for a child-sex
 2 offense in the foreign country.

3 **SEC. 6. ENHANCING THE MINIMUM STANDARDS FOR THE**
 4 **ELIMINATION OF TRAFFICKING.**

5 Section 108(b)(4) of the Trafficking Victims Protec-
 6 tion Act of 2000 (22 U.S.C. 7106(b)(4)) is amended by
 7 adding at the end before the period the following: “, in-
 8 cluding severe forms of trafficking in persons related to
 9 sex tourism”.

10 **SEC. 7. ASSISTANCE TO FOREIGN COUNTRIES TO MEET**
 11 **MINIMUM STANDARDS FOR THE ELIMI-**
 12 **NATION OF TRAFFICKING.**

13 The President is strongly encouraged to exercise the
 14 authorities of section 134 of the Foreign Assistance Act
 15 of 1961 (22 U.S.C. 2152d) to provide assistance to foreign
 16 countries directly, or through nongovernmental and multi-
 17 lateral organizations, for programs, projects, and activi-
 18 ties, including training of law enforcement entities and of-
 19 ficials, designed to establish systems to identify sex offend-
 20 ers and provide and receive notification of child sex of-
 21 fender international travel.

22 **SEC. 8. RULES OF CONSTRUCTION.**

23 (a) DEPARTMENT OF JUSTICE.—Nothing in this Act
 24 shall be construed to preclude or alter the jurisdiction or
 25 authority of the Department of Justice under the Adam

1 Walsh Child Protection and Safety Act of 2006 (42 U.S.C.
 2 16901 et seq.), including section 113(d) of such Act, or
 3 any other provision of law, or to affect the work of the
 4 United States Marshals Service with INTERPOL.

5 (b) ANGEL WATCH CENTER.—Nothing in this Act
 6 shall be construed to preclude the Angel Watch Center
 7 from transmitting notice with respect to any sex offender
 8 described in paragraph (3) or (4) of section 111 of the
 9 Adam Walsh Child Protection and Safety Act of 2006 (42
 10 U.S.C. 16911) or with respect to any sex offense described
 11 in paragraph (5) of such section.

12 (c) DEPARTMENT OF HOMELAND SECURITY INVES-
 13 TIGATIONS.—Activities carried out under this Act shall
 14 not impede, hinder, or otherwise impact negatively any in-
 15 vestigations of the Department of Homeland Security.

16 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

17 (a) *SHORT TITLE.*—This Act may be cited as the
 18 “International Megan’s Law to Prevent Child Exploitation
 19 and Other Sexual Crimes Through Advanced Notification
 20 of Traveling Sex Offenders”.

21 (b) *TABLE OF CONTENTS.*—The table of contents for
 22 this Act is as follows:

- Sec. 1. Short title and table of contents.*
- Sec. 2. Findings.*
- Sec. 3. Definitions.*
- Sec. 4. Angel Watch Center.*
- Sec. 5. Notification by the United States Marshals Service.*
- Sec. 6. International travel.*
- Sec. 7. Reciprocal notifications.*

Sec. 8. Unique passport identifiers for covered sex offenders.

Sec. 9. Implementation plan.

Sec. 10. Technical assistance.

Sec. 11. Authorization of appropriations.

Sec. 12. Rule of construction.

1 **SEC. 2. FINDINGS.**

2 *Congress finds the following:*

3 *(1) Megan Nicole Kanka, who was 7 years old,*
 4 *was abducted, sexually assaulted, and murdered in*
 5 *1994, in the State of New Jersey by a violent pred-*
 6 *ator living across the street from her home. Unbe-*
 7 *knownst to Megan Kanka and her family, he had been*
 8 *convicted previously of a sex offense against a child.*

9 *(2) In 1996, Congress adopted Megan's Law*
 10 *(Public Law 104–145) as a means to encourage*
 11 *States to protect children by identifying the where-*
 12 *abouts of sex offenders and providing the means to*
 13 *monitor their activities.*

14 *(3) In 2006, Congress passed the Adam Walsh*
 15 *Child Protection and Safety Act of 2006 (Public Law*
 16 *109–248) to protect children and the public at large*
 17 *by establishing a comprehensive national system for*
 18 *the registration and notification to the public and*
 19 *law enforcement officers of convicted sex offenders.*

20 *(4) Law enforcement reports indicate that known*
 21 *child-sex offenders are traveling internationally.*

22 *(5) The commercial sexual exploitation of minors*
 23 *in child sex trafficking and pornography is a global*

1 *phenomenon. The International Labour Organization*
2 *has estimated that 1,8000,000 children worldwide are*
3 *victims of child sex trafficking and pornography each*
4 *year.*

5 (6) *Child sex tourism, where an individual trav-*
6 *els to a foreign country and engages in sexual activity*
7 *with a child in that country, is a form of child ex-*
8 *ploitation and, where commercial, child sex traf-*
9 *ficking.*

10 **SEC. 3. DEFINITIONS.**

11 *In this Act:*

12 (1) *CENTER.*—*The term “Center” means the*
13 *Angel Watch Center established pursuant to section*
14 *4(a).*

15 (2) *CONVICTED.*—*The term “convicted” has the*
16 *meaning given the term in section 111 of the Adam*
17 *Walsh Child Protection and Safety Act of 2006 (42*
18 *U.S.C. 16911).*

19 (3) *COVERED SEX OFFENDER.*—*Except as other-*
20 *wise provided, the term “covered sex offender” means*
21 *an individual who is a sex offender by reason of hav-*
22 *ing been convicted of a sex offense against a minor.*

23 (4) *DESTINATION COUNTRY.*—*The term “destina-*
24 *tion country” means a destination or transit country.*

1 (5) *INTERPOL*.—The term “*INTERPOL*” means
2 the International Criminal Police Organization.

3 (6) *JURISDICTION*.—The term “jurisdiction”
4 means—

5 (A) a State;

6 (B) the District of Columbia;

7 (C) the Commonwealth of Puerto Rico;

8 (D) Guam;

9 (E) American Samoa;

10 (F) the Northern Mariana Islands;

11 (G) the United States Virgin Islands; and

12 (H) to the extent provided in, and subject to
13 the requirements of, section 127 of the Adam
14 Walsh Child Protection and Safety Act of 2006
15 (42 U.S.C. 16927), a Federally recognized In-
16 dian tribe.

17 (7) *MINOR*.—The term “minor” means an indi-
18 vidual who has not attained the age of 18 years.

19 (8) *NATIONAL SEX OFFENDER REGISTRY*.—The
20 term “National Sex Offender Registry” means the Na-
21 tional Sex Offender Registry established by section
22 119 of the Adam Walsh Child Protection and Safety
23 Act of 2006 (42 U.S.C. 16919).

24 (9) *SEX OFFENDER UNDER SORNA*.—The term
25 “sex offender under SORNA” has the meaning given

1 the term “sex offender” in section 111 of the Adam
2 Walsh Child Protection and Safety Act of 2006 (42
3 U.S.C. 16911).

4 (10) *SEX OFFENSE AGAINST A MINOR.*—

5 (A) *IN GENERAL.*—The term “sex offense
6 against a minor” means a specified offense
7 against a minor, as defined in section 111 of the
8 Adam Walsh Child Protection and Safety Act of
9 2006 (42 U.S.C. 16911).

10 (B) *OTHER OFFENSES.*—The term “sex of-
11 fense against a minor” includes a sex offense de-
12 scribed in section 111(5)(A) of the Adam Walsh
13 Child Protection and Safety Act of 2006 (42
14 U.S.C. 16911(5)(A)) that is a specified offense
15 against a minor, as defined in paragraph (7) of
16 such section, or an attempt or conspiracy to
17 commit such an offense.

18 (C) *FOREIGN CONVICTIONS; OFFENSES IN-*
19 *VOLVING CONSENSUAL SEXUAL CONDUCT.*—The
20 limitations contained in subparagraphs (B) and
21 (C) of section 111(5) of the Adam Walsh Child
22 Protection and Safety Act of 2006 (42 U.S.C.
23 16911(5)) shall apply with respect to a sex of-
24 fense against a minor for purposes of this Act to
25 the same extent and in the same manner as such

1 *limitations apply with respect to a sex offense*
2 *for purposes of the Adam Walsh Child Protection*
3 *and Safety Act of 2006.*

4 **SEC. 4. ANGEL WATCH CENTER.**

5 (a) *ESTABLISHMENT.*—*Not later than 90 days after*
6 *the date of the enactment of this Act, the Secretary of Home-*
7 *land Security shall establish within the Child Exploitation*
8 *Investigations Unit of U.S. Immigrations and Customs En-*
9 *forcement a Center, to be known as the “Angel Watch Cen-*
10 *ter”, to carry out the activities specified in subsection (e).*

11 (b) *INCOMING NOTIFICATION.*—

12 (1) *IN GENERAL.*—*The Center may receive in-*
13 *coming notifications concerning individuals seeking*
14 *to enter the United States who have committed of-*
15 *fenses of a sexual nature.*

16 (2) *NOTIFICATION.*—*Upon receiving an incoming*
17 *notification under paragraph (1), the Center shall—*

18 (A) *immediately share all information re-*
19 *ceived relating to the individual with the De-*
20 *partment of Justice; and*

21 (B) *share all relevant information relating*
22 *to the individual with other Federal, State, and*
23 *local agencies and entities, as appropriate.*

24 (3) *COLLABORATION.*—*The Secretary of Home-*
25 *land Security shall collaborate with the Attorney*

1 *General to establish a process for the receipt, dissemi-*
2 *nation, and categorization of information relating to*
3 *individuals and specific offenses provided herein.*

4 *(c) LEADERSHIP.—The Center shall be headed by the*
5 *Assistant Secretary of U.S. Immigration and Customs En-*
6 *forcement, in collaboration with the Commissioner of U.S.*
7 *Customs and Border Protection and in consultation with*
8 *the Attorney General and the Secretary of State.*

9 *(d) MEMBERS.—The Center shall consist of the fol-*
10 *lowing:*

11 *(1) The Assistant Secretary of U.S. Immigration*
12 *and Customs Enforcement.*

13 *(2) The Commissioner of U.S. Customs and Bor-*
14 *der Protection.*

15 *(3) Individuals who are designated as analysts*
16 *in U.S. Immigration and Customs Enforcement or*
17 *U.S. Customs and Border Protection.*

18 *(4) Individuals who are designated as program*
19 *managers in U.S. Immigration and Customs Enforce-*
20 *ment or U.S. Customs and Border Protection.*

21 *(e) ACTIVITIES.—*

22 *(1) IN GENERAL.—In carrying out this section,*
23 *the Center shall, using all relevant databases, systems*
24 *and sources of information, not later than 48 hours*

1 *before scheduled departure, or as soon as practicable*
2 *before scheduled departure—*

3 *(A) determine if individuals traveling*
4 *abroad are listed on the National Sex Offender*
5 *Registry;*

6 *(B) review the United States Marshals*
7 *Service’s National Sex Offender Targeting Center*
8 *case management system or other system that*
9 *provides access to a list of individuals who have*
10 *provided advanced notice of international travel*
11 *to identify any individual who meets the criteria*
12 *described in subparagraph (A) and is not in a*
13 *system reviewed pursuant to this subparagraph;*
14 *and*

15 *(C) provide a list of individuals identified*
16 *under subparagraph (B) to the United States*
17 *Marshals Service’s National Sex Offender Tar-*
18 *geting Center to determine compliance with title*
19 *I of the Adam Walsh Child Protection and Safe-*
20 *ty Act of 2006 (42 U.S.C. 16901 et seq.).*

21 *(2) PROVISION OF INFORMATION TO CENTER.—*

22 *Twenty-four hours before the intended travel, or there-*
23 *after, not later than 72 hours after the intended trav-*
24 *el, the United States Marshals Service’s National Sex*
25 *Offender Targeting Center shall provide, to the Angel*

1 *Watch Center, information pertaining to any sex of-*
2 *fender described in subparagraph (C) of paragraph*
3 *(1).*

4 *(3) ADVANCE NOTICE TO DESTINATION COUN-*
5 *TRY.—*

6 *(A) IN GENERAL.—The Center may trans-*
7 *mit relevant information to the destination coun-*
8 *try about a sex offender if—*

9 *(i) the individual is identified by a re-*
10 *view conducted under paragraph (1)(B) as*
11 *having provided advanced notice of inter-*
12 *national travel; or*

13 *(ii) after completing the activities de-*
14 *scribed in paragraph (1), the Center re-*
15 *ceives information pertaining to a sex of-*
16 *fender under paragraph (2).*

17 *(B) EXCEPTIONS.—The Center may imme-*
18 *diately transmit relevant information on a sex*
19 *offender to the destination country if—*

20 *(i) the Center becomes aware that a sex*
21 *offender is traveling outside of the United*
22 *States within 24 hours of intended travel,*
23 *and simultaneously completes the activities*
24 *described in paragraph (1); or*

1 (ii) the Center has not received a
2 transmission pursuant to paragraph (2),
3 provided it is not more than 24 hours before
4 the intended travel.

5 (C) CORRECTIONS.—Upon receiving infor-
6 mation that a notification sent by the Center re-
7 garding an individual was inaccurate, the Cen-
8 ter shall immediately—

9 (i) send a notification of correction to
10 the destination country notified;

11 (ii) correct all data collected pursuant
12 to paragraph (6); and

13 (iii) if applicable, notify the Secretary
14 of State for purposes of the passport review
15 and marking processes described in section
16 240 of Public Law 110–457.

17 (D) FORM.—The notification under this
18 paragraph may be transmitted through such
19 means as are determined appropriate by the
20 Center, including through U.S. Immigration and
21 Customs Enforcement attaches.

22 (4) MEMORANDUM OF AGREEMENT.—Not later
23 than 6 months after the date of enactment of this Act,
24 the Secretary of Homeland Security shall enter into
25 a Memorandum of Agreement with the Attorney Gen-

1 *eral to facilitate the activities of the Angel Watch*
2 *Center in collaboration with the United States Mar-*
3 *shals Service's National Sex Offender Targeting Cen-*
4 *ter, including the exchange of information, the shar-*
5 *ing of personnel, access to information and databases*
6 *in accordance with paragraph (1)(B), and the estab-*
7 *lishment of a process to share notifications from the*
8 *international community in accordance with sub-*
9 *section (b)(1).*

10 (5) *PASSPORT APPLICATION REVIEW.—*

11 (A) *IN GENERAL.—The Center shall provide*
12 *a written determination to the Department of*
13 *State regarding the status of an individual as a*
14 *covered sex offender (as defined in section 240 of*
15 *Public Law 110–457) when appropriate.*

16 (B) *EFFECTIVE DATE.—Subparagraph (A)*
17 *shall take effect upon certification by the Sec-*
18 *retary of State, the Secretary of Homeland Secu-*
19 *rity, and the Attorney General that the process*
20 *developed and reported to the appropriate con-*
21 *gressional committees under section 9 has been*
22 *successfully implemented.*

23 (6) *COLLECTION OF DATA.—The Center shall col-*
24 *lect all relevant data, including—*

1 (A) a record of each notification sent under
2 paragraph (3);

3 (B) the response of the destination country
4 to notifications under paragraph (3), where
5 available;

6 (C) any decision not to transmit a notifica-
7 tion abroad, to the extent practicable;

8 (D) the number of transmissions made
9 under subparagraphs (A),(B), and (C) of para-
10 graph (3) and the countries to which they are
11 transmitted, respectively;

12 (E) whether the information was trans-
13 mitted to the destination country before sched-
14 uled commencement of sex offender travel; and

15 (F) any other information deemed necessary
16 and appropriate by the Secretary of Homeland
17 Security.

18 (7) COMPLAINT REVIEW.—

19 (A) IN GENERAL.—The Center shall—

20 (i) establish a mechanism to receive
21 complaints from individuals affected by er-
22 roneous notifications under this section;

23 (ii) ensure that any complaint is
24 promptly reviewed; and

1 (iii) in the case of a complaint that in-
2 volves a notification sent by another Fed-
3 eral Government entity, notify the indi-
4 vidual of the contact information for the
5 appropriate entity and forward the com-
6 plaint to the appropriate entity for prompt
7 review and response pursuant to this sec-
8 tion.

9 (B) *RESPONSE TO COMPLAINTS.*—The Cen-
10 ter shall, as applicable—

11 (i) provide the individual with notifi-
12 cation in writing that the individual was
13 erroneously subjected to international notifi-
14 cation;

15 (ii) take action to ensure that a notifi-
16 cation or information regarding the indi-
17 vidual is not erroneously transmitted to a
18 destination country in the future; and

19 (iii) submit an additional written no-
20 tification to the individual explaining why
21 a notification or information regarding the
22 individual was erroneously transmitted to
23 the destination country and describing the
24 actions that the Center has taken or is tak-
25 ing under clause (ii).

1 (C) *PUBLIC AWARENESS.*—*The Center shall*
2 *make publicly available information on how an*
3 *individual may submit a complaint under this*
4 *section.*

5 (D) *REPORTING REQUIREMENT.*—*The Sec-*
6 *retary of Homeland Security shall submit an*
7 *annual report to the appropriate congressional*
8 *committees (as defined in section 9) that in-*
9 *cludes—*

10 (i) *the number of instances in which a*
11 *notification or information was erroneously*
12 *transmitted to the destination country of an*
13 *individual under paragraph (3); and*

14 (ii) *the actions taken to prevent simi-*
15 *lar errors from occurring in the future.*

16 (8) *ANNUAL REVIEW PROCESS.*—*The Center shall*
17 *establish, in coordination with the Attorney General,*
18 *the Secretary of State, and INTERPOL, an annual*
19 *review process to ensure that there is appropriate co-*
20 *ordination and collaboration, including consistent*
21 *procedures governing the activities authorized under*
22 *this Act, in carrying out this Act.*

23 (9) *INFORMATION REQUIRED.*—*The Center shall*
24 *make available to the United States Marshals Serv-*

1 *ice’s National Sex Offender Targeting Center infor-*
 2 *mation on travel by sex offenders in a timely manner.*

3 (f) *DEFINITION.—In this section, the term “sex of-*
 4 *fender” means—*

5 (1) *a covered sex offender; or*

6 (2) *an individual required to register under the*
 7 *sex offender registration program of any jurisdiction*
 8 *or included in the National Sex Offender Registry, on*
 9 *the basis of an offense against a minor.*

10 ***SEC. 5. NOTIFICATION BY THE UNITED STATES MARSHALS***
 11 ***SERVICE.***

12 (a) *IN GENERAL.—The United States Marshals Serv-*
 13 *ice’s National Sex Offender Targeting Center may—*

14 (1) *transmit notification of international travel*
 15 *of a sex offender to the destination country of the sex*
 16 *offender, including to the visa-issuing agent or agents*
 17 *in the United States of the country;*

18 (2) *share information relating to traveling sex*
 19 *offenders with other Federal, State, local, and foreign*
 20 *agencies and entities, as appropriate;*

21 (3) *receive incoming notifications concerning in-*
 22 *dividuals seeking to enter the United States who have*
 23 *committed offenses of a sexual nature and shall share*
 24 *the information received immediately with the De-*
 25 *partment of Homeland Security; and*

1 (4) *perform such other functions at the Attorney*
 2 *General or the Director of the United States Marshals*
 3 *Service may direct.*

4 (b) *CONSISTENT NOTIFICATION.*—*In making notifica-*
 5 *tions under subsection (a)(1), the United States Marshals*
 6 *Service’s National Sex Offender Targeting Center shall, to*
 7 *the extent feasible and appropriate, ensure that the destina-*
 8 *tion country is consistently notified in advance about sex*
 9 *offenders under SORNA identified through their inclusion*
 10 *in sex offender registries of jurisdictions or the National Sex*
 11 *Offender Registry.*

12 (c) *INFORMATION REQUIRED.*—*For purposes of car-*
 13 *rying out this Act, the United States Marshals Service’s Na-*
 14 *tional Sex Offender Targeting Center shall—*

15 (1) *make the case management system or other*
 16 *system that provides access to a list of individuals*
 17 *who have provided advanced notice of international*
 18 *travel available to the Angel Watch Center;*

19 (2) *provide the Angel Watch Center a determina-*
 20 *tion of compliance with title I of the Adam Walsh*
 21 *Child Protection and Safety Act of 2006 (42 U.S.C.*
 22 *16901 et seq.) for the list of individuals transmitted*
 23 *under section 4(e)(1)(C);*

1 (3) *make available to the Angel Watch Center in-*
2 *formation on travel by sex offenders in a timely man-*
3 *ner; and*

4 (4) *consult with the Department of State regard-*
5 *ing operation of the international notification pro-*
6 *gram authorized under this Act.*

7 (d) *CORRECTIONS.*—*Upon receiving information that*
8 *a notification sent by the United States Marshals Service’s*
9 *National Sex Offender Targeting Center regarding an indi-*
10 *vidual was inaccurate, the United States Marshals Service’s*
11 *National Sex Offender Targeting Center shall imme-*
12 *diately—*

13 (1) *send a notification of correction to the des-*
14 *tination country notified;*

15 (2) *correct all data collected in accordance with*
16 *subsection (f); and*

17 (3) *if applicable, send a notification of correction*
18 *to the Angel Watch Center.*

19 (e) *FORM.*—*The notification under this section may*
20 *be transmitted through such means as are determined ap-*
21 *propriate by the United States Marshals Service’s National*
22 *Sex Offender Targeting Center, including through the*
23 *INTERPOL notification system and through Federal Bu-*
24 *reau of Investigation Legal attaches.*

1 (f) *COLLECTION OF DATA.—The Attorney General*
2 *shall collect all relevant data, including—*

3 (1) *a record of each notification sent under sub-*
4 *section (a);*

5 (2) *the response of the destination country to no-*
6 *tifications under paragraphs (1) and (2) of subsection*
7 *(a), where available;*

8 (3) *any decision not to transmit a notification*
9 *abroad, to the extent practicable;*

10 (4) *the number of transmissions made under*
11 *paragraphs (1) and (2) of subsection (a) and the*
12 *countries to which they are transmitted;*

13 (5) *whether the information was transmitted to*
14 *the destination country before scheduled commence-*
15 *ment of sex offender travel; and*

16 (6) *any other information deemed necessary and*
17 *appropriate by the Attorney General.*

18 (g) *COMPLAINT REVIEW.—*

19 (1) *IN GENERAL.—The United States Marshals*
20 *Service’s National Sex Offender Targeting Center*
21 *shall—*

22 (A) *establish a mechanism to receive com-*
23 *plaints from individuals affected by erroneous*
24 *notifications under this section;*

1 (B) ensure that any complaint is promptly
2 reviewed; and

3 (C) in the case of a complaint that involves
4 a notification sent by another Federal Govern-
5 ment entity, notify the individual of the contact
6 information for the appropriate entity and for-
7 ward the complaint to the appropriate entity for
8 prompt review and response pursuant to this sec-
9 tion.

10 (2) *RESPONSE TO COMPLAINTS.*—The United
11 States Marshals Service’s National Sex Offender Tar-
12 geting Center shall, as applicable—

13 (A) provide the individual with notification
14 in writing that the individual was erroneously
15 subjected to international notification;

16 (B) take action to ensure that a notification
17 or information regarding the individual is not
18 erroneously transmitted to a destination country
19 in the future; and

20 (C) submit an additional written notifica-
21 tion to the individual explaining why a notifica-
22 tion or information regarding the individual
23 was erroneously transmitted to the destination
24 country and describing the actions that the
25 United States Marshals Service’s National Sex

1 *Offender Targeting Center has taken or is taking*
2 *under subparagraph (B).*

3 (3) *PUBLIC AWARENESS.*—*The United States*
4 *Marshals Service’s National Sex Offender Targeting*
5 *Center shall make publicly available information on*
6 *how an individual may submit a complaint under*
7 *this section.*

8 (4) *REPORTING REQUIREMENT.*—*The Attorney*
9 *General shall submit an annual report to the appro-*
10 *priate congressional committees (as defined in section*
11 *9) that includes—*

12 (A) *the number of instances in which a no-*
13 *tification or information was erroneously trans-*
14 *mitted to the destination country of an indi-*
15 *vidual under subsection (a); and*

16 (B) *the actions taken to prevent similar er-*
17 *rors from occurring in the future.*

18 (h) *DEFINITION.*—*In this section, the term “sex of-*
19 *fender” means—*

20 (1) *a sex offender under SORNA; or*

21 (2) *a person required to register under the sex of-*
22 *fender registration program of any jurisdiction or in-*
23 *cluded in the National Sex Offender Registry.*

1 **SEC. 6. INTERNATIONAL TRAVEL.**

2 (a) *REQUIREMENT THAT SEX OFFENDERS PROVIDE*
3 *INTERNATIONAL TRAVEL RELATED INFORMATION TO SEX*
4 *OFFENDER REGISTRIES.*—Section 114 of the Adam Walsh
5 *Child Protection and Safety Act of 2006 (42 U.S.C. 16914)*
6 *is amended—*

7 (1) *in subsection (a)—*

8 (A) *by redesignating paragraph (7) as*
9 *paragraph (8); and;*

10 (B) *by inserting after paragraph (6) the fol-*
11 *lowing:*

12 “(7) *Information relating to intended travel of*
13 *the sex offender outside the United States, including*
14 *any anticipated dates and places of departure, ar-*
15 *ival, or return, carrier and flight numbers for air*
16 *travel, destination country and address or other con-*
17 *tact information therein, means and purpose of trav-*
18 *el, and any other itinerary or other travel-related in-*
19 *formation required by the Attorney General.”; and*

20 (2) *by adding at the end the following:*

21 “(c) *TIME AND MANNER.*—*A sex offender shall provide*
22 *and update information required under subsection (a), in-*
23 *cluding information relating to intended travel outside the*
24 *United States required under paragraph (7) of that sub-*
25 *section, in conformity with any time and manner require-*
26 *ments prescribed by the Attorney General.”.*

1 (b) *CONFORMING AMENDMENTS TO SECTION 2250 OF*
 2 *TITLE 18, UNITED STATES CODE.—Section 2250 of title*
 3 *18, United States Code, is amended—*

4 (1) *by redesignating subsections (b) and (c) as*
 5 *subsections (c) and (d), respectively;*

6 (2) *by inserting after subsection (a) the fol-*
 7 *lowing:*

8 “(b) *INTERNATIONAL TRAVEL REPORTING VIOLA-*
 9 *TIONS.—Whoever—*

10 “(1) *is required to register under the Sex Of-*
 11 *fender Registration and Notification Act (42 U.S.C.*
 12 *16901 et seq.);*

13 “(2) *knowingly fails to provide information re-*
 14 *quired by the Sex Offender Registration and Notifica-*
 15 *tion Act relating to intended travel in foreign com-*
 16 *merce; and*

17 “(3) *engages or attempts to engage in the in-*
 18 *tended travel in foreign commerce;*
 19 *shall be fined under this title, imprisoned not more than*
 20 *10 years, or both.”; and*

21 (3) *in subsections (c) and (d), as redesignated,*
 22 *by striking “subsection (a)” each place it appears and*
 23 *inserting “subsection (a) or (b)”.*

24 (c) *IMPLEMENTATION.—In carrying out this Act, and*
 25 *the amendments made by this Act, the Attorney General*

1 *may use the resources and capacities of any appropriate*
2 *agencies of the Department of Justice, including the Office*
3 *of Sex Offender Sentencing, Monitoring, Apprehending,*
4 *Registering, and Tracking, the United States Marshals*
5 *Service, INTERPOL Washington-U.S. National Central*
6 *Bureau, the Federal Bureau of Investigation, the Criminal*
7 *Division, and the United States Attorneys' Offices.*

8 **SEC. 7. RECIPROCAL NOTIFICATIONS.**

9 *It is the sense of Congress that the Secretary of State,*
10 *in consultation with the Attorney General and the Sec-*
11 *retary of Homeland Security, should seek reciprocal inter-*
12 *national agreements or arrangements to further the pur-*
13 *poses of this Act and the Sex Offender Registration and No-*
14 *tification Act (42 U.S.C. 16901 et seq.). Such agreements*
15 *or arrangements may establish mechanisms and under-*
16 *takings to receive and transmit notices concerning inter-*
17 *national travel by sex offenders, through the Angel Watch*
18 *Center, the INTERPOL notification system, and such other*
19 *means as may be appropriate, including notification by the*
20 *United States to other countries relating to the travel of*
21 *sex offenders from the United States, reciprocal notification*
22 *by other countries to the United States relating to the travel*
23 *of sex offenders to the United States, and mechanisms to*
24 *correct and, as applicable, remove from any other records,*

1 *any inaccurate information transmitted through such noti-*
 2 *fications.*

3 **SEC. 8. UNIQUE PASSPORT IDENTIFIERS FOR COVERED SEX**
 4 **OFFENDERS.**

5 *(a) AMENDMENT TO PUBLIC LAW 110-457.—Title II*
 6 *of Public Law 110-457 is amended by adding at the end*
 7 *the following:*

8 **“SEC. 240. UNIQUE PASSPORT IDENTIFIERS FOR COVERED**
 9 **SEX OFFENDERS.**

10 *“(a) IN GENERAL.—Immediately after receiving a*
 11 *written determination from the Angel Watch Center that*
 12 *an individual is a covered sex offender, through the process*
 13 *developed for that purpose under section 9 of the Inter-*
 14 *national Megan’s Law to Prevent Child Exploitation and*
 15 *Other Sexual Crimes Through Advanced Notification of*
 16 *Traveling Sex Offenders, the Secretary of State shall take*
 17 *appropriate action under subsection (b).*

18 *“(b) AUTHORITY TO USE UNIQUE PASSPORT IDENTI-*
 19 *FIERS.—*

20 *“(1) IN GENERAL.—Except as provided under*
 21 *paragraph (2), the Secretary of State shall not issue*
 22 *a passport to a covered sex offender unless the pass-*
 23 *port contains a unique identifier, and may revoke a*
 24 *passport previously issued without such an identifier*
 25 *of a covered sex offender.*

1 “(2) *AUTHORITY TO REISSUE.*—Notwithstanding
 2 *paragraph (1), the Secretary of State may reissue a*
 3 *passport that does not include a unique identifier if*
 4 *an individual described in subsection (a) reapplies for*
 5 *a passport and the Angel Watch Center provides a*
 6 *written determination, through the process developed*
 7 *for that purpose under section 9 of the International*
 8 *Megan’s Law to Prevent Child Exploitation and*
 9 *Other Sexual Crimes Through Advanced Notification*
 10 *of Traveling Sex Offenders, to the Secretary of State*
 11 *that the individual is no longer required to register*
 12 *as a covered sex offender.*

13 “(c) *DEFINED TERMS.*—In this section—

14 “(1) the term ‘covered sex offender’ means an in-
 15 dividual who—

16 “(A) is a sex offender, as defined in section
 17 4(f) of the International Megan’s Law to Prevent
 18 Child Exploitation and Other Sexual Crimes
 19 Through Advanced Notification of Traveling Sex
 20 Offenders; and

21 “(B) is currently required to register under
 22 the sex offender registration program of any ju-
 23 risdiction;

24 “(2) the term ‘unique identifier’ means any vis-
 25 ual designation affixed to a conspicuous location on

1 the passport indicating that the individual is a cov-
2 ered sex offender; and

3 “(3) the term ‘passport’ means a passport book
4 or passport card.

5 “(d) *PROHIBITION.*—The Secretary of State, the Sec-
6 retary of Homeland Security, and the Attorney General,
7 and their agencies, officers, employees, and agents, shall not
8 be liable to any person for any action taken under this sec-
9 tion.

10 “(e) *DISCLOSURE.*—In furtherance of this section, the
11 Secretary of State may require a passport applicant to dis-
12 close that they are a registered sex offender.

13 “(f) *EFFECTIVE DATE.*—This section shall take effect
14 upon certification by the Secretary of State, the Secretary
15 of Homeland Security, and the Attorney General, that the
16 process developed and reported to the appropriate congres-
17 sional committees under section 9 of the International
18 Megan’s Law to Prevent Child Exploitation and Other Sex-
19 ual Crimes Through Advanced Notification of Traveling
20 Sex Offenders has been successfully implemented.”.

21 **SEC. 9. IMPLEMENTATION PLAN.**

22 “(a) *IN GENERAL.*—Not later than 90 days after the
23 date of enactment of this Act, the Secretary of Homeland
24 Security, the Secretary of State, and the Attorney General
25 shall develop a process by which to implement section

1 4(e)(5) and the provisions of section 240 of Public Law
2 110–457, as added by section 8 of this Act.

3 (b) *REPORTING REQUIREMENT.*—Not later than 90
4 days after the date of enactment of this Act, the Secretary
5 of Homeland Security, the Secretary of State, and the At-
6 torney General shall jointly submit a report to, and shall
7 consult with, the appropriate congressional committees on
8 the process developed under subsection (a), which shall in-
9 clude a description of the proposed process and a timeline
10 and plan for implementation of that process, and shall
11 identify the resources required to effectively implement that
12 process.

13 (c) *“APPROPRIATE CONGRESSIONAL COMMITTEES”*
14 *DEFINED.*—In this section, the term “appropriate congres-
15 sional committees” means—

16 (1) *the Committee on Foreign Relations of the*
17 *Senate;*

18 (2) *the Committee on Foreign Affairs of the*
19 *House of Representatives;*

20 (3) *the Committee on Homeland Security and*
21 *Governmental Affairs of the Senate;*

22 (4) *the Committee on Homeland Security of the*
23 *House of Representatives;*

24 (5) *the Committee on the Judiciary of the Sen-*
25 *ate;*

1 (6) *the Committee on the Judiciary of the House*
2 *of Representatives;*

3 (7) *the Committee on Appropriations of the Sen-*
4 *ate; and*

5 (8) *the Committee on Appropriations of the*
6 *House of Representatives.*

7 **SEC. 10. TECHNICAL ASSISTANCE.**

8 *The Secretary of State, in consultation with the Attor-*
9 *ney General and the Secretary of Homeland Security, may*
10 *provide technical assistance to foreign authorities in order*
11 *to enable such authorities to participate more effectively in*
12 *the notification program system established under this Act.*

13 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

14 *There are authorized to be appropriated to the Sec-*
15 *retary of State, the Attorney General, and the Secretary of*
16 *Homeland Security such sums as may be necessary to carry*
17 *out this Act.*

18 **SEC. 12. RULE OF CONSTRUCTION.**

19 *Nothing in this Act shall be construed to limit inter-*
20 *national information sharing or law enforcement coopera-*
21 *tion relating to any person pursuant to any authority of*
22 *the Department of Justice, the Department of Homeland*
23 *Security, or any other department or agency.*

Amend the title so as to read: “An Act to protect children and others from sexual abuse and exploitation, including sex trafficking and sex tourism, by providing

advance notice of intended travel by registered sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known sex offender is seeking to enter the United States, and for other purposes.”.

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114TH CONGRESS
1ST Session

H. R. 515

AN ACT

To protect children from exploitation, especially sex trafficking in tourism, by providing advance notice of intended travel by registered child-sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known child-sex offender is seeking to enter the United States, and for other purposes.

NOVEMBER 17, 2015

Reported with an amendment and an amendment to the
title