

Union Calendar No. 64

115TH CONGRESS
1ST SESSION

H. R. 1808

[Report No. 115–110]

To amend and improve the Missing Children’s Assistance Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 2017

Mr. GUTHRIE (for himself and Mr. COURTNEY) introduced the following bill; which was referred to the Committee on Education and the Workforce

MAY 4, 2017

Additional sponsors: Mr. ROE of Tennessee, Mr. MITCHELL, Mr. WALBERG, Ms. FOXX, Mr. FERGUSON, Mr. WILSON of South Carolina, Mr. TAKANO, Ms. WILSON of Florida, Ms. BONAMICI, Ms. ADAMS, Mr. GRIJALVA, Mr. SABLAN, Mr. ESPAILLAT, Ms. BLUNT ROCHESTER, Mr. POLIS, Mr. DESAULNIER, Mr. THOMPSON of Pennsylvania, and Mr. ROKITA

MAY 4, 2017

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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

[For text of introduced bill, see copy of bill as introduced on March 30, 2017]

A BILL

To amend and improve the Missing Children's Assistance Act, 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,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Improving Support for*
5 *Missing and Exploited Children Act of 2017”.*

6 **SEC. 2. FINDINGS.**

7 *Section 402 of the Missing Children’s Assistance Act*
8 *(42 U.S.C. 5771) is amended—*

9 *(1) by amending paragraph (1) to read as fol-*
10 *lows:*

11 *“(1) each year tens of thousands of children run*
12 *away, or are abducted or removed, from the control*
13 *of a parent having legal custody without such par-*
14 *ent’s consent, under circumstances which immediately*
15 *place the child in grave danger;”*,

16 *(2) by striking paragraphs (4) and (5),*

17 *(3) in paragraph (6) by inserting “, including*
18 *child sex trafficking and sextortion” after “exploit-*
19 *tation”*,

20 *(4) in paragraph (8) by adding “and” at the*
21 *end,*

22 *(5) by striking paragraph (9),*

23 *(6) by amending paragraph (10) to read as fol-*
24 *lows:*

1 “(10) a key component of such programs is the
2 *National Center for Missing and Exploited Children*
3 that—

4 “(A) serves as a nonprofit, national re-
5 source center and clearinghouse to provide assist-
6 ance to victims, families, child-serving profes-
7 sionals, and the general public;

8 “(B) works with the Department of Justice,
9 the Federal Bureau of Investigation, the United
10 States Marshals Service, the Department of the
11 Treasury, the Department of State, the United
12 States Immigration and Customs Enforcement,
13 the United States Secret Service, the United
14 States Postal Inspection Service, other agencies,
15 and nongovernmental organizations in the effort
16 to find missing children and to prevent child vic-
17 timization; and

18 “(C) coordinates with each of the missing
19 children clearinghouses operated by the 50
20 States, the District of Columbia, Puerto Rico,
21 and international organizations to transmit im-
22 ages and information regarding missing and ex-
23 ploited children to law enforcement, nongovern-
24 mental organizations, and corporate partners

1 *across the United States and around the world*
2 *instantly.”, and*
3 *(7) by redesignating paragraphs (6), (7), (8),*
4 *and (10) as paragraphs (4), (5), (6), and (7), respec-*
5 *tively.*

6 **SEC. 3. DEFINITIONS.**

7 *Section 403 of the Missing Children’s Assistance Act*
8 *(42 U.S.C. 5772) is amended—*

9 *(1) in paragraph (1)—*

10 *(A) by striking “legal custodian” each place*
11 *it appears and inserting “parent”,*

12 *(B) in subparagraph (A) by striking*
13 *“custodian’s” and inserting “parent’s”, and*

14 *(C) in subparagraph (C) by striking the pe-*
15 *riod and the end and inserting a semicolon,*

16 *(2) in paragraph (2) by striking “and” at the*
17 *end,*

18 *(3) in paragraph (3) by striking the period at*
19 *the end and inserting “; and”, and*

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

21 *“(4) the term ‘parent’ includes a legal guardian*
22 *or other individual standing in loco parentis (such as*
23 *a grandparent or stepparent with whom the child*
24 *lives, or an individual who is legally responsible for*
25 *the child’s welfare).”.*

1 **SEC. 4. DUTIES AND FUNCTIONS OF THE ADMINISTRATOR.**

2 *Section 404 of the Missing Children's Assistance Act*
3 *(42 U.S.C. 5773) is amended—*

4 *(1) in subsection (a)—*

5 *(A) in paragraph (3) by striking "telephone*
6 *line" and inserting "hotline", and*

7 *(B) in paragraph (6)(E)—*

8 *(i) by striking "telephone line" and in-*
9 *serting "hotline",*

10 *(ii) by striking "(b)(1)(A) and" and*
11 *inserting "(b)(1)(A),", and*

12 *(iii) by inserting ", and the number*
13 *and types of reports to the tipline estab-*
14 *lished under subsection (b)(1)(K)(i)" before*
15 *the semicolon at the end,*

16 *(2) in subsection (b)(1)—*

17 *(A) in subparagraph (A)—*

18 *(i) by striking "telephone line" each*
19 *place it appears and inserting "hotline",*
20 *and*

21 *(ii) by striking "legal custodian" and*
22 *inserting "parent",*

23 *(B) in subparagraph (C)—*

24 *(i) in clause (i)—*

25 *(I) by striking "restaurant" and*
26 *inserting "food", and*

1 (II) by striking “and” at the end,
2 (ii) in clause (ii) by adding “and” at
3 the end, and

4 (iii) by adding at the end the fol-
5 lowing:

6 “(iii) innovative and model programs,
7 services, and legislation that benefit missing
8 and exploited children;”

9 (C) by striking subparagraphs (E), (F), and
10 (G),

11 (D) by amending subparagraph (H) to read
12 as follows:

13 “(H) provide technical assistance and
14 training to families, law enforcement agencies,
15 State and local governments, elements of the
16 criminal justice system, nongovernmental agen-
17 cies, local educational agencies, and the general
18 public—

19 “(i) in the prevention, investigation,
20 prosecution, and treatment of cases involv-
21 ing missing and exploited children;

22 “(ii) to respond to foster children miss-
23 ing from the State child welfare system in
24 coordination with child welfare agencies

1 *and courts handling juvenile justice and de-*
2 *pendency matters; and*

3 *“(iii) in the identification, location,*
4 *and recovery of victims of, and children at*
5 *risk for, child sex trafficking;”*

6 *(E) by amending subparagraphs (I), (J),*
7 *and (K) to read as follows:*

8 *“(I) provide assistance to families, law en-*
9 *forcement agencies, State and local governments,*
10 *nongovernmental agencies, child-serving profes-*
11 *sionals, and other individuals involved in the lo-*
12 *cation and recovery of missing and abducted*
13 *children, both nationally, and in cooperation*
14 *with the Department of State, internationally;*

15 *“(J) provide support and technical assist-*
16 *ance to child-serving professionals involved in*
17 *helping to recover missing and exploited children*
18 *by searching public records databases to help in*
19 *the identification, location, and recovery of such*
20 *children, and help in the location and identifica-*
21 *tion of potential abductors and offenders;*

22 *“(K) provide forensic and direct on-site*
23 *technical assistance and consultation to families,*
24 *law enforcement agencies, child-serving profes-*
25 *sionals, and nongovernmental organizations in*

1 *child abduction and exploitation cases, including*
2 *facial reconstruction of skeletal remains and*
3 *similar techniques to assist in the identification*
4 *of unidentified deceased children;”.*

5 *(F) by striking subparagraphs (L) and (M),*
6 *(G) by amending subparagraph (N) to read*
7 *as follows:*

8 *“(N) provide training, technical assistance,*
9 *and information to nongovernmental organiza-*
10 *tions relating to non-compliant sex offenders and*
11 *to law enforcement agencies in identifying and*
12 *locating such individuals;”.*

13 *(H) by striking subparagraph (P),*
14 *(I) by amending subparagraph (Q) to read*
15 *as follows:*

16 *“(Q) work with families, law enforcement*
17 *agencies, electronic service providers, electronic*
18 *payment service providers, technology companies,*
19 *nongovernmental organizations, and others on*
20 *methods to reduce the existence and distribution*
21 *of online images and videos of sexually exploited*
22 *children—*

23 *“(i) by operating a tipline to provide*
24 *to individuals and electronic service pro-*
25 *viders an effective means of reporting Inter-*

1 *net-related and other instances of child sex-*
2 *ual exploitation in the areas of—*

3 *“(I) possession, manufacture, and*
4 *distribution of child pornography;*

5 *“(II) online enticement of children*
6 *for sexual acts;*

7 *“(III) child sex trafficking;*

8 *“(IV) sex tourism involving chil-*
9 *dren;*

10 *“(V) extra familial child sexual*
11 *molestation;*

12 *“(VI) unsolicited obscene material*
13 *sent to a child;*

14 *“(VII) misleading domain names;*
15 *and*

16 *“(VIII) misleading words or dig-*
17 *ital images on the Internet;*

18 *and subsequently to make such reports*
19 *available to the appropriate law enforce-*
20 *ment agency for its review and potential in-*
21 *vestigation;*

22 *“(ii) by operating a child victim iden-*
23 *tification program to assist law enforcement*
24 *agencies in identifying victims of child por-*
25 *nography and other sexual crimes to sup-*

1 port the recovery of children from sexually
2 exploitative situations; and

3 “(iii) by utilizing emerging tech-
4 nologies to provide additional outreach and
5 educational materials to parents and fami-
6 lies;”;

7 (J) by striking subparagraph (R),

8 (K) by amending subparagraphs (S) and
9 (T) to read as follows:

10 “(S) develop and disseminate programs and
11 information to families, child-serving profes-
12 sionals, law enforcement agencies, State and
13 local governments, nongovernmental organiza-
14 tions, schools, local educational agencies, child-
15 serving organizations, and the general public
16 on—

17 “(i) the prevention of child abduction
18 and sexual exploitation;

19 “(ii) Internet safety, including tips for
20 social media and cyberbullying; and

21 “(iii) sexting and sextortion; and

22 “(T) provide technical assistance and train-
23 ing to local educational agencies, schools, State
24 and local law enforcement agencies, individuals,
25 and other nongovernmental organizations that

1 *assist with finding missing and abducted chil-*
2 *dren in identifying and recovering such chil-*
3 *dren.”, and*

4 *(L) by redesignating subparagraphs (H),*
5 *(I), (J), (K), (N), (O), (Q), (S), (T), (U), and*
6 *(V) as subparagraphs (E) through (O), respec-*
7 *tively.*

8 **SEC. 5. GRANTS.**

9 *Section 405 of the Missing Children’s Assistance Act*
10 *(42 U.S.C. 5775) is amended—*

11 *(1) in subsection (a)—*

12 *(A) in paragraph (7) by striking “(as de-*
13 *finied in section 403(1)(A))”, and*

14 *(B) in paragraph (8)—*

15 *(i) by striking “legal custodians” and*
16 *inserting “parents”, and*

17 *(ii) by striking “custodians’” and in-*
18 *serting “parents’”, and*

19 *(2) in subsection (b)(1)(A) by striking “legal*
20 *custodians” and inserting “parents”.*

21 **SEC. 6. REPORTING.**

22 *The Missing Children’s Assistance Act (42 U.S.C. 5771*
23 *et seq.) is amended—*

24 *(1) by redesignating sections 407 and 408 as sec-*
25 *tion 408 and 409, respectively, and*

1 (2) *by inserting after section 406 the following:*

2 **“SEC. 407. REPORTING.**

3 “(a) *REQUIRED REPORTING.—As a condition of re-*
4 *ceiving funds under section 404(b), the grant recipient*
5 *shall, based solely on reports received by the grantee and*
6 *not involving any data collection by the grantee other than*
7 *those reports, annually provide to the Administrator and*
8 *make available to the general public, as appropriate—*

9 “(1) *the number of children nationwide who are*
10 *reported to the grantee as missing;*

11 “(2) *the number of children nationwide who are*
12 *reported to the grantee as victims of non-family ab-*
13 *ductions;*

14 “(3) *the number of children nationwide who are*
15 *reported to the grantee as victims of family abduc-*
16 *tions; and*

17 “(4) *the number of missing children recovered*
18 *nationwide whose recovery was reported to the grant-*
19 *ee.*

20 “(b) *INCIDENCE OF ATTEMPTED CHILD ABDUC-*
21 *TIONS.—As a condition of receiving funds under section*
22 *404(b), the grant recipient shall—*

23 “(1) *track the incidence of attempted child ab-*
24 *ductions in order to identify links and patterns;*

1 “(2) provide such information to law enforce-
2 ment agencies; and

3 “(3) make such information available to the gen-
4 eral public, as appropriate.”.

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