

105TH CONGRESS
2D SESSION

S. 2491

To amend title 18, United States Code, to protect children from sexual abuse and exploitation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 17, 1998

Mr. HATCH (for himself, Mr. LEAHY, and Mr. DEWINE) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to protect children from sexual abuse and exploitation, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Protection of Children From Sexual Predators Act of
6 1998”.

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

Sec. 1. Short title; table of contents.

TITLE I—PROTECTION OF CHILDREN FROM PREDATORS

- Sec. 101. Use of interstate facilities to transmit identifying information about a minor for criminal sexual purposes.
- Sec. 102. Coercion and enticement.
- Sec. 103. Increased penalties for transportation of minors or assumed minors for illegal sexual activity and related crimes.
- Sec. 104. Repeat offenders in transportation offense.
- Sec. 105. Inclusion of offenses relating to child pornography in definition of sexual activity for which any person can be charged with a criminal offense.
- Sec. 106. Transportation generally.

TITLE II—PROTECTION OF CHILDREN FROM CHILD PORNOGRAPHY

- Sec. 201. Additional jurisdictional base for prosecution of production of child pornography.
- Sec. 202. Increased penalties for child pornography offenses.

TITLE III—SEXUAL ABUSE PREVENTION

- Sec. 301. Elimination of redundancy and ambiguities.
- Sec. 302. Increased penalties for abusive sexual contact.
- Sec. 303. Repeat offenders in sexual abuse cases.

TITLE IV—PROHIBITION ON TRANSFER OF OBSCENE MATERIAL TO MINORS

- Sec. 401. Transfer of obscene material to minors.

TITLE V—INCREASED PENALTIES FOR OFFENSES AGAINST CHILDREN AND FOR REPEAT OFFENDERS

- Sec. 501. Death or life in prison for certain offenses whose victims are children.
- Sec. 502. Sentencing enhancement for chapter 117 offenses.
- Sec. 503. Increased penalties for use of a computer in the sexual abuse or exploitation of a child.
- Sec. 504. Increased penalties for knowing misrepresentation in the sexual abuse or exploitation of a child.
- Sec. 505. Increased penalties for pattern of activity of sexual exploitation of children.
- Sec. 506. Clarification of definition of distribution of pornography.
- Sec. 507. Directive to the United States Sentencing Commission.

TITLE VI—CRIMINAL, PROCEDURAL, AND ADMINISTRATIVE REFORMS

- Sec. 601. Pretrial detention of sexual predators.
- Sec. 602. Criminal forfeiture for offenses against minors.
- Sec. 603. Civil forfeiture for offenses against minors.
- Sec. 604. Reporting of child pornography by electronic communication service providers.
- Sec. 605. Civil remedy for personal injuries resulting from certain sex crimes against children.
- Sec. 606. Administrative subpoenas.
- Sec. 607. Grants to States to offset costs associated with sexually violent offender registration requirements.

TITLE VII—MURDER AND KIDNAPPING INVESTIGATIONS

Sec. 701. Authority to investigate serial killings.

Sec. 702. Kidnapping.

Sec. 703. Morgan P. Hardiman Child Abduction and Serial Murder Investigative Resources Center.

TITLE VIII—RESTRICTED ACCESS TO INTERACTIVE COMPUTER SERVICES

Sec. 801. Prisoner access.

Sec. 802. Recommended prohibition.

Sec. 803. Survey.

TITLE IX—STUDIES

Sec. 901. Study on limiting the availability of pornography on the Internet.

Sec. 902. Study of hotlines.

1 **TITLE I—PROTECTION OF** 2 **CHILDREN FROM PREDATORS** 3 **SEC. 101. USE OF INTERSTATE FACILITIES TO TRANSMIT** 4 **IDENTIFYING INFORMATION ABOUT A MINOR** 5 **FOR CRIMINAL SEXUAL PURPOSES.**

6 (a) IN GENERAL.—Chapter 117 of title 18, United
7 States Code, is amended by adding at the end the follow-
8 ing:

9 **“§ 2425. Use of interstate facilities to transmit infor-** 10 **mation about a minor**

11 “Whoever, using the mail or any facility or means
12 of interstate or foreign commerce, or within the special
13 maritime and territorial jurisdiction of the United States,
14 knowingly initiates the transmission of the name, address,
15 telephone number, social security number, or electronic
16 mail address of another individual, knowing that such
17 other individual has not attained the age of 16 years, with
18 the intent to entice, encourage, offer, or solicit any person

1 to engage in any sexual activity for which any person can
 2 be charged with a criminal offense, or attempts to do so,
 3 shall be fined under this title, imprisoned not more than
 4 5 years, or both.”.

5 (b) TECHNICAL AND CONFORMING AMENDMENT.—
 6 The analysis for chapter 117 of title 18, United States
 7 Code, is amended by adding at the end the following:

“2425. Use of interstate facilities to transmit information about a minor.”.

8 **SEC. 102. COERCION AND ENTICEMENT.**

9 Section 2422 of title 18, United States Code, is
 10 amended—

11 (1) in subsection (a)—

12 (A) by inserting “or attempts to do so,”
 13 before “shall be fined”; and

14 (B) by striking “five” and inserting “10”;
 15 and

16 (2) by striking subsection (b) and inserting the
 17 following:

18 “(b) Whoever, using the mail or any facility or means
 19 of interstate or foreign commerce, or within the special
 20 maritime and territorial jurisdiction of the United States
 21 knowingly persuades, induces, entices, or coerces any indi-
 22 vidual who has not attained the age of 18 years, to engage
 23 in prostitution or any sexual activity for which any person
 24 can be charged with a criminal offense, or attempts to do

1 so, shall be fined under this title, imprisoned not more
2 than 15 years, or both.”.

3 **SEC. 103. INCREASED PENALTIES FOR TRANSPORTATION**
4 **OF MINORS OR ASSUMED MINORS FOR ILLE-**
5 **GAL SEXUAL ACTIVITY AND RELATED**
6 **CRIMES.**

7 Section 2423 of title 18, United States Code, is
8 amended—

9 (1) by striking subsection (a) and inserting the
10 following:

11 “(a) TRANSPORTATION WITH INTENT TO ENGAGE
12 IN CRIMINAL SEXUAL ACTIVITY.—A person who know-
13 ingly transports an individual who has not attained the
14 age of 18 years in interstate or foreign commerce, or in
15 any territory or possession of the United States, with in-
16 tent that the individual engage in prostitution, or in any
17 sexual activity for which any person can be charged with
18 a criminal offense, or attempts to do so, shall be fined
19 under this title, imprisoned not more than 15 years, or
20 both.”; and

21 (2) in subsection (b), by striking “10 years”
22 and inserting “15 years”.

1 **SEC. 104. REPEAT OFFENDERS IN TRANSPORTATION OF-**
 2 **FENSE.**

3 (a) IN GENERAL.—Chapter 117 of title 18, United
 4 States Code, is amended by adding at the end the follow-
 5 ing:

6 **“§ 2426. Repeat offenders**

7 “(a) MAXIMUM TERM OF IMPRISONMENT.—The
 8 maximum term of imprisonment for a violation of this
 9 chapter after a prior sex offense conviction shall be twice
 10 the term of imprisonment otherwise provided by this chap-
 11 ter.

12 “(b) DEFINITIONS.—In this section—

13 “(1) the term ‘prior sex offense conviction’
 14 means a conviction for an offense—

15 “(A) under this chapter, chapter 109A, or
 16 chapter 110; or

17 “(B) under State law for an offense con-
 18 sisting of conduct that would have been an of-
 19 fense under a chapter referred to in paragraph
 20 (1) if the conduct had occurred within the spe-
 21 cial maritime and territorial jurisdiction of the
 22 United States; and

23 “(2) STATE.—the term ‘State’ means a State of
 24 the United States, the District of Columbia, any
 25 commonwealth, possession, or territory of the United
 26 States.”.

1 (b) TECHNICAL AND CONFORMING AMENDMENT.—

2 The analysis for chapter 117 of title 18, United States

3 Code, is amended by adding at the end the following:

“2426. Repeat offenders.”.

4 **SEC. 105. INCLUSION OF OFFENSES RELATING TO CHILD**

5 **PORNOGRAPHY IN DEFINITION OF SEXUAL**

6 **ACTIVITY FOR WHICH ANY PERSON CAN BE**

7 **CHARGED WITH A CRIMINAL OFFENSE.**

8 (a) IN GENERAL.—Chapter 117 of title 18, United

9 States Code, is amended by adding at the end the follow-

10 ing:

11 **“§ 2427. Inclusion of offenses relating to child pornog-**

12 **raphy in definition of sexual activity for**

13 **which any person can be charged with a**

14 **criminal offense**

15 “In this chapter, the term ‘sexual activity for which

16 any person can be charged with a criminal offense’ in-

17 cludes the production of child pornography, as defined in

18 section 2256(8).”.

19 (b) TECHNICAL AND CONFORMING AMENDMENT.—

20 The analysis for chapter 117 of title 18, United States

21 Code, is amended by adding at the end the following:

“2427. Inclusion of offenses relating to child pornography in definition of sexual activity for which any person can be charged with a criminal offense.”.

1 **SEC. 106. TRANSPORTATION GENERALLY.**

2 Section 2421 of title 18, United States Code, is
3 amended—

4 (1) by inserting “or attempts to do so,” before
5 “shall be fined”; and

6 (2) by striking “five years” and inserting “10
7 years”.

8 **TITLE II—PROTECTION OF CHIL-**
9 **DREN FROM CHILD PORNOG-**
10 **RAPHY**

11 **SEC. 201. ADDITIONAL JURISDICTIONAL BASE FOR PROS-**
12 **ECUTION OF PRODUCTION OF CHILD POR-**
13 **NOGRAPHY.**

14 (a) **USE OF A CHILD.**—Section 2251(a) of title 18,
15 United States Code, is amended by inserting “if that vis-
16 ual depiction was produced using materials that have been
17 mailed, shipped, or transported in interstate or foreign
18 commerce by any means, including by computer,” before
19 “or if”.

20 (b) **ALLOWING USE OF A CHILD.**—Section 2251(b)
21 of title 18, United States Code, is amended by inserting
22 “, if that visual depiction was produced using materials
23 that have been mailed, shipped, or transported in inter-
24 state or foreign commerce by any means, including by
25 computer,” before “or if”.

1 (c) INCREASED PENALTIES IN SECTION 2251(d).—
 2 Section 2251(d) of title 18, United States Code, is amend-
 3 ed by striking “or chapter 109A” each place it appears
 4 and inserting “, chapter 109A, or chapter 117”.

5 **SEC. 202. INCREASED PENALTIES FOR CHILD PORNOG-**
 6 **RAPHY OFFENSES.**

7 (a) INCREASED PENALTIES IN SECTION 2252.—Sec-
 8 tion 2252(b) of title 18, United States Code, is amended—

9 (1) in each of paragraphs (1) and (2), by strik-
 10 ing “or chapter 109A” and inserting “, chapter
 11 109A, or chapter 117”; and

12 (2) in paragraph (2), by striking “the posses-
 13 sion of child pornography” and inserting “aggra-
 14 vated sexual abuse, sexual abuse, or abusive sexual
 15 conduct involving a minor or ward, or the produc-
 16 tion, possession, receipt, mailing, sale, distribution,
 17 shipment, or transportation of child pornography”.

18 (b) INCREASED PENALTIES IN SECTION 2252A.—
 19 Section 2252A(b) of title 18, United States Code, is
 20 amended—

21 (1) in each of paragraphs (1) and (2), by strik-
 22 ing “or chapter 109A” and inserting “, chapter
 23 109A, or chapter 117”; and

24 (2) in paragraph (2), by striking “the posses-
 25 sion of child pornography” and inserting “aggra-

vated sexual abuse, sexual abuse, or abusive sexual conduct involving a minor or ward, or the production, possession, receipt, mailing, sale, distribution, shipment, or transportation of child pornography”.

TITLE III—SEXUAL ABUSE PREVENTION

SEC. 301. ELIMINATION OF REDUNDANCY AND AMBIGUITIES.

(a) MAKING CONSISTENT LANGUAGE ON AGE DIFFERENTIAL.—Section 2241(c) of title 18, United States Code, is amended by striking “younger than that person” and inserting “younger than the person so engaging”.

(b) REDUNDANCY.—Section 2243(a) of title 18, United States Code, is amended by striking “crosses a State line with intent to engage in a sexual act with a person who has not attained the age of 12 years, or”.

(c) STATE DEFINED.—Section 2246 of title 18, United States Code, is amended—

(1) in paragraph (5), by striking the period at the end and inserting “; and”; and

(2) by adding at the end the following:

“(6) the term ‘State’ means a State of the United States, the District of Columbia, and any commonwealth, possession, or territory of the United States.”.

1 **SEC. 302. INCREASED PENALTIES FOR ABUSIVE SEXUAL**
2 **CONTACT.**

3 Section 2244 of title 18, United States Code, is
4 amended by adding at the end the following:

5 “(c) OFFENSES INVOLVING YOUNG CHILDREN.—If
6 the sexual contact that violates this section is with an indi-
7 vidual who has not attained the age of 12 years, the maxi-
8 mum term of imprisonment that may be imposed for the
9 offense shall be twice that otherwise provided in this sec-
10 tion.”.

11 **SEC. 303. REPEAT OFFENDERS IN SEXUAL ABUSE CASES.**

12 Section 2247 of title 18, United States Code, is
13 amended to read as follows:

14 **“§ 2247. Repeat offenders**

15 “(a) MAXIMUM TERM OF IMPRISONMENT.—The
16 maximum term of imprisonment for a violation of this
17 chapter after a prior sex offense conviction shall be twice
18 the term otherwise provided by this chapter.

19 “(b) PRIOR SEX OFFENSE CONVICTION DEFINED.—
20 In this section, the term ‘prior sex offense conviction’ has
21 the meaning given that term in section 2426(b).”.

1 **TITLE IV—PROHIBITION ON**
 2 **TRANSFER OF OBSCENE MA-**
 3 **TERIAL TO MINORS**

4 **SEC. 401. TRANSFER OF OBSCENE MATERIAL TO MINORS.**

5 (a) IN GENERAL.—Chapter 71 of title 18, United
 6 States Code, is amended by adding at the end the follow-
 7 ing:

8 **“§ 1470. Transfer of obscene material to minors**

9 “Whoever, using the mail or any facility or means
 10 of interstate or foreign commerce, knowingly transfers ob-
 11 scene matter to another individual who has not attained
 12 the age of 16 years, knowing that such other individual
 13 has not attained the age of 16 years, or attempts to do
 14 so, shall be fined under this title, imprisoned not more
 15 than 10 years, or both.”.

16 (b) TECHNICAL AND CONFORMING AMENDMENT.—
 17 The analysis for chapter 71 of title 18, United States
 18 Code, is amended by adding at the end the following:

“1470. Transfer of obscene material to minors.”.

1 **TITLE V—INCREASED PEN-**
 2 **ALTIES FOR OFFENSES**
 3 **AGAINST CHILDREN AND FOR**
 4 **REPEAT OFFENDERS**

5 **SEC. 501. DEATH OR LIFE IN PRISON FOR CERTAIN OF-**
 6 **FENSES WHOSE VICTIMS ARE CHILDREN.**

7 Section 3559 of title 18, United States Code, is
 8 amended by adding at the end the following:

9 “(d) DEATH OR IMPRISONMENT FOR CRIMES
 10 AGAINST CHILDREN.—

11 “(1) IN GENERAL.—Subject to paragraph (2)
 12 and notwithstanding any other provision of law, a
 13 person who is convicted of a Federal offense that is
 14 a serious violent felony (as defined in subsection (c))
 15 or a violation of section 2422, 2423, or 2251 shall,
 16 unless the sentence of death is imposed, be sen-
 17 tenced to imprisonment for life, if—

18 “(A) the victim of the offense has not at-
 19 tained the age of 14 years;

20 “(B) the victim dies as a result of the of-
 21 fense; and

22 “(C) the defendant, in the course of the of-
 23 fense, engages in conduct described in section
 24 3591(a)(2).

1 “(2) EXCEPTION.—With respect to a person
 2 convicted of a Federal offense described in para-
 3 graph (1), the court may impose any lesser sentence
 4 that is authorized by law to take into account any
 5 substantial assistance provided by the defendant in
 6 the investigation or prosecution of another person
 7 who has committed an offense, in accordance with
 8 the Federal Sentencing Guidelines and the policy
 9 statements of the Federal Sentencing Commission
 10 pursuant to section 994(p) of title 28, or for other
 11 good cause.”.

12 **SEC. 502. SENTENCING ENHANCEMENT FOR CHAPTER 117**
 13 **OFFENSES.**

14 (a) IN GENERAL.—Pursuant to its authority under
 15 section 994(p) of title 28, United States Code, the United
 16 States Sentencing Commission shall review and amend the
 17 Federal Sentencing Guidelines to provide a sentencing en-
 18 hancement for offenses under chapter 117 of title 18,
 19 United States Code.

20 (b) INSTRUCTION TO COMMISSION.—In carrying out
 21 subsection (a), the United States Sentencing Commission
 22 shall ensure that the sentences, guidelines, and policy
 23 statements for offenders convicted of offenses described in
 24 subsection (a) are appropriately severe and reasonably

1 consistent with other relevant directives and with other
2 Federal Sentencing Guidelines.

3 **SEC. 503. INCREASED PENALTIES FOR USE OF A COM-**
4 **PUTER IN THE SEXUAL ABUSE OR EXPLOI-**
5 **TATION OF A CHILD.**

6 Pursuant to its authority under section 994(p) of title
7 28, United States Code, the United States Sentencing
8 Commission shall—

9 (1) review the Federal Sentencing Guidelines
10 for—

11 (A) aggravated sexual abuse under section
12 2241 of title 18, United States Code;

13 (B) sexual abuse under section 2242 of
14 title 18, United States Code;

15 (C) sexual abuse of a minor or ward under
16 section 2243 of title 18, United States Code;
17 and

18 (D) coercion and enticement of a minor
19 under section 2422(b) of title 18, United States
20 Code, contacting a minor under section 2422(c)
21 of title 18, United States Code, and transpor-
22 tation of minors and travel under section 2423
23 of title 18, United States Code; and

24 (2) upon completion of the review under para-
25 graph (1), promulgate amendments to the Federal

1 Sentencing Guidelines to provide appropriate en-
2 hancement if the defendant used a computer with
3 the intent to persuade, induce, entice, coerce, or fa-
4 cilitate the transport of a child of an age specified
5 in the applicable provision of law referred to in para-
6 graph (1) to engage in any prohibited sexual activ-
7 ity.

8 **SEC. 504. INCREASED PENALTIES FOR KNOWING MIS-**
9 **REPRESENTATION IN THE SEXUAL ABUSE OR**
10 **EXPLOITATION OF A CHILD.**

11 Pursuant to its authority under section 994(p) of title
12 28, United States Code, the United States Sentencing
13 Commission shall—

14 (1) review the Federal Sentencing Guidelines on
15 aggravated sexual abuse under section 2241 of title
16 18, United States Code, sexual abuse under section
17 2242 of title 18, United States Code, sexual abuse
18 of a minor or ward under section 2243 of title 18,
19 United States Code, coercion and enticement of a
20 minor under section 2422(b) of title 18, United
21 States Code, contacting a minor under section
22 2422(c) of title 18, United States Code, and trans-
23 portation of minors and travel under section 2423 of
24 title 18, United States Code; and

1 (2) upon completion of the review under para-
2 graph (1), promulgate amendments to the Federal
3 Sentencing Guidelines to provide appropriate en-
4 hancement if the defendant knowingly misrep-
5 sented the actual identity of the defendant with the
6 intent to persuade, induce, entice, coerce, or facili-
7 tate the transport of a child of an age specified in
8 the applicable provision of law referred to in para-
9 graph (1) to engage in a prohibited sexual activity.

10 **SEC. 505. INCREASED PENALTIES FOR PATTERN OF ACTIV-**
11 **ITY OF SEXUAL EXPLOITATION OF CHILDREN.**

12 Pursuant to its authority under section 994(p) of title
13 28, United States Code, the United States Sentencing
14 Commission shall—

15 (1) review the Federal Sentencing Guidelines on
16 aggravated sexual abuse under section 2241 of title
17 18, United States Code, sexual abuse under section
18 2242 of title 18, United States Code, sexual abuse
19 of a minor or ward under section 2243 of title 18,
20 United States Code, coercion and enticement of a
21 minor under section 2422(b) of title 18, United
22 States Code, contacting a minor under section
23 2422(c) of title 18, United States Code, and trans-
24 portation of minors and travel under section 2423 of
25 title 18, United States Code; and

1 (2) upon completion of the review under para-
2 graph (1), promulgate amendments to the Federal
3 Sentencing Guidelines to increase penalties applica-
4 ble to the offenses referred to in paragraph (1) in
5 any case in which the defendant engaged in a pat-
6 tern of activity involving the sexual abuse or exploi-
7 tation of a minor.

8 **SEC. 506. CLARIFICATION OF DEFINITION OF DISTRIBUTION OF PORNOGRAPHY.**
9

10 Pursuant to its authority under section 994(p) of title
11 28, United States Code, the United States Sentencing
12 Commission shall—

13 (1) review the Federal Sentencing Guidelines
14 relating to the distribution of pornography covered
15 under chapter 110 of title 18, United States Code,
16 relating to the sexual exploitation and other abuse of
17 children; and

18 (2) upon completion of the review under para-
19 graph (1), promulgate such amendments to the Fed-
20 eral Sentencing Guidelines as are necessary to clar-
21 ify that the term “distribution of pornography” ap-
22 plies to the distribution of pornography—

23 (A) for monetary remuneration; or

24 (B) for a nonpecuniary interest.

1 **SEC. 507. DIRECTIVE TO THE UNITED STATES SENTENCING**
 2 **COMMISSION.**

3 In carrying out this title, the United States Sentenc-
 4 ing Commission shall—

5 (1) with respect to any action relating to the
 6 Federal Sentencing Guidelines subject to this title,
 7 ensure reasonable consistency with other guidelines
 8 of the Federal Sentencing Guidelines; and

9 (2) with respect to an offense subject to the
 10 Federal Sentencing Guidelines, avoid duplicative
 11 punishment under the Federal Sentencing Guide-
 12 lines for substantially the same offense.

13 **TITLE VI—CRIMINAL, PROCE-**
 14 **DURAL, AND ADMINISTRA-**
 15 **TIVE REFORMS**

16 **SEC. 601. PRETRIAL DETENTION OF SEXUAL PREDATORS.**

17 Section 3156(a)(4) of title 18, United States Code,
 18 is amended by striking subparagraph (C) and inserting
 19 the following:

20 “(C) any felony under chapter 109A, 110,
 21 or 117; and”.

22 **SEC. 602. CRIMINAL FORFEITURE FOR OFFENSES AGAINST**
 23 **MINORS.**

24 Section 2253 of title 18, United States Code, is
 25 amended by striking “or 2252 of this chapter” and insert-
 26 ing “2252, 2252A, or 2260 of this chapter, or who is con-

1 victed of an offense under section 2421, 2422, or 2423
 2 of chapter 117,”.

3 **SEC. 603. CIVIL FORFEITURE FOR OFFENSES AGAINST MI-**
 4 **NORS.**

5 Section 2254(a) of title 18, United States Code, is
 6 amended—

7 (1) in paragraph (2), by striking “or 2252 of
 8 this chapter” and inserting “2252, 2252A, or 2260
 9 of this chapter, or used or intended to be used to
 10 commit or to promote the commission of an offense
 11 under section 2421, 2422, or 2423 of chapter 117,”;
 12 and

13 (2) in paragraph (3), by striking “or 2252 of
 14 this chapter” and inserting “2252, 2252A, or 2260
 15 of this chapter, or obtained from a violation of sec-
 16 tion 2421, 2422, or 2423 of chapter 117,”.

17 **SEC. 604. REPORTING OF CHILD PORNOGRAPHY BY ELEC-**
 18 **TRONIC COMMUNICATION SERVICE PROVID-**
 19 **ERS.**

20 (a) IN GENERAL.—The Victims of Child Abuse Act
 21 of 1990 (42 U.S.C. 13001 et seq.) is amended by inserting
 22 after section 226 the following:

1 **“SEC. 227. REPORTING OF CHILD PORNOGRAPHY BY ELEC-**
2 **TRONIC COMMUNICATION SERVICE PROVID-**
3 **ERS.**

4 “(a) DEFINITIONS.—In this section—

5 “(1) the term ‘electronic communication service’
6 has the meaning given the term in section 2510 of
7 title 18, United States Code; and

8 “(2) the term ‘remote computing service’ has
9 the meaning given the term in section 2711 of title
10 18, United States Code.

11 “(b) REQUIREMENTS.—

12 “(1) DUTY TO REPORT.—Whoever, while en-
13 gaged in providing an electronic communication
14 service or a remote computing service to the public,
15 through a facility or means of interstate or foreign
16 commerce, obtains knowledge of facts or cir-
17 cumstances that provide probable cause to believe
18 that a violation of section 2251, 2251A, 2252,
19 2252A, or 2260 of title 18, United States Code, in-
20 volving child pornography (as defined in section
21 2256 of that title), has occurred shall, as soon as
22 reasonably possible, make a report of such facts or
23 circumstances to a law enforcement agency or agen-
24 cies designated by the Attorney General.

25 “(2) DESIGNATION OF AGENCIES.—Not later
26 than 180 days after the date of enactment of this

1 section, the Attorney General shall designate the law
2 enforcement agency or agencies to which a report
3 shall be made under paragraph (1).

4 “(3) FAILURE TO REPORT.—A provider of elec-
5 tronic communication services or remote computing
6 services described in paragraph (1) who knowingly
7 and willfully fails to make a report under that para-
8 graph shall be fined—

9 “(A) in the case of an initial failure to
10 make a report, not more than \$50,000; and

11 “(B) in the case of any second or subse-
12 quent failure to make a report, not more than
13 \$100,000.

14 “(c) CIVIL LIABILITY.—No provider or user of an
15 electronic communication service or a remote computing
16 service to the public shall be held liable on account of any
17 action taken in good faith to comply with this section.

18 “(d) LIMITATION OF INFORMATION OR MATERIAL
19 REQUIRED IN REPORT.—A report under subsection (b)(1)
20 may include additional information or material developed
21 by an electronic communication service or remote comput-
22 ing service, except that the Federal Government may not
23 require the production of such information or material in
24 that report.

1 “(e) MONITORING NOT REQUIRED.—Nothing in this
 2 section may be construed to require a provider of elec-
 3 tronic communication services or remote computing serv-
 4 ices to engage in the monitoring of any user, subscriber,
 5 or customer of that provider, or the content of any com-
 6 munication of any such person.

7 “(f) CONDITIONS OF DISCLOSURE OF INFORMATION
 8 CONTAINED WITHIN REPORT.—

9 “(1) IN GENERAL.—No law enforcement agency
 10 that receives a report under subsection (b)(1) shall
 11 disclose any information contained in that report,
 12 except that disclosure of such information may be
 13 made—

14 “(A) to an attorney for the government for
 15 use in the performance of the official duties of
 16 the attorney;

17 “(B) to such officers and employees of the
 18 law enforcement agency, as may be necessary in
 19 the performance of their investigative and rec-
 20 ordkeeping functions;

21 “(C) to such other government personnel
 22 (including personnel of a State or subdivision of
 23 a State) as are determined to be necessary by
 24 an attorney for the government to assist the at-
 25 torney in the performance of the official duties

1 of the attorney in enforcing Federal criminal
2 law; or

3 “(D) as permitted by a court at the re-
4 quest of an attorney for the government, upon
5 a showing that such information may disclose a
6 violation of State criminal law, to an appro-
7 priate official of a State or subdivision of a
8 State for the purpose of enforcing such State
9 law.

10 “(2) DEFINITIONS.—In this subsection, the
11 terms ‘attorney for the government’ and ‘State’ have
12 the meanings given those terms in Rule 54 of the
13 Federal Rules of Criminal Procedure.”.

14 (b) EXCEPTION TO PROHIBITION ON DISCLOSURE.—
15 Section 2702(b)(6) of title 18, United States Code, is
16 amended to read as follows:

17 “(6) to a law enforcement agency—

18 “(A) if the contents—

19 “(i) were inadvertently obtained by
20 the service provider; and

21 “(ii) appear to pertain to the commis-
22 sion of a crime; or

23 “(B) if required by section 227 of the
24 Crime Control Act of 1990.”.

1 **SEC. 605. CIVIL REMEDY FOR PERSONAL INJURIES RE-**
 2 **SULTING FROM CERTAIN SEX CRIMES**
 3 **AGAINST CHILDREN.**

4 Section 2255(a) of title 18, United States Code, is
 5 amended by striking “2251 or 2252” and inserting
 6 “2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260,
 7 2421, 2422, or 2423”.

8 **SEC. 606. ADMINISTRATIVE SUBPOENAS.**

9 (a) IN GENERAL.—Chapter 223 of title 18, United
 10 States Code, is amended—

11 (1) in section 3486, by striking the section des-
 12 ignation and heading and inserting the following:

13 **“§ 3486. Administrative subpoenas in Federal health**
 14 **care investigations”; and**

15 (2) by adding at the end the following:

16 **“§ 3486A. Administrative subpoenas in cases involv-**
 17 **ing child abuse and child sexual exploi-**
 18 **tation**

19 **“(a) AUTHORIZATION.—**

20 **“(1) IN GENERAL.—In any investigation relat-**
 21 **ing to any act or activity involving a violation of sec-**
 22 **tion 1201, 2241(c), 2242, 2243, 2251, 2251A,**
 23 **2252, 2252A, 2260, 2421, 2422, or 2423 of this**
 24 **title in which the victim is an individual who has not**
 25 **attained the age of 18 years, the Attorney General,**

1 or the designee of the Attorney General, may issue
2 in writing and cause to be served a subpoena—

3 “(A) requiring a provider of electronic
4 communication service or remote computing
5 service to disclose the name, address, local and
6 long distance telephone toll billing records, tele-
7 phone number or other subscriber number or
8 identity, and length of service of a subscriber to
9 or customer of such service and the types of
10 services the subscriber or customer utilized,
11 which may be relevant to an authorized law en-
12 forcement inquiry; or

13 “(B) requiring a custodian of records to
14 give testimony concerning the production and
15 authentication of such records or information.

16 “(2) ATTENDANCE OF WITNESSES.—Witnesses
17 summoned under this section shall be paid the same
18 fees and mileage that are paid witnesses in the
19 courts of the United States.

20 “(b) PROCEDURES APPLICABLE.—The same proce-
21 dures for service and enforcement as are provided with
22 respect to investigative demands in section 3486 apply
23 with respect to a subpoena issued under this section.”.

24 (b) TECHNICAL AND CONFORMING AMENDMENT.—
25 The analysis for chapter 223 of title 18, United States

1 Code, is amended by striking the item relating to section
2 3486 and inserting the following:

“3486. Administrative subpoenas in Federal health care investigations.

“3486A. Administrative subpoenas in cases involving child abuse and child sexual exploitation.”.

3 **SEC. 607. GRANTS TO STATES TO OFFSET COSTS ASSOCI-**
4 **ATED WITH SEXUALLY VIOLENT OFFENDER**
5 **REGISTRATION REQUIREMENTS.**

6 (a) IN GENERAL.—Section 170101 of the Violent
7 Crime Control and Law Enforcement Act of 1994 (42
8 U.S.C. 14071) is amended—

9 (1) by redesignating the second subsection des-
10 ignated as subsection (g) as subsection (h); and

11 (2) by adding at the end the following:

12 “(i) GRANTS TO STATES FOR COSTS OF COMPLI-
13 ANCE.—

14 “(1) PROGRAM AUTHORIZED.—

15 “(A) IN GENERAL.—The Director of the
16 Bureau of Justice Assistance (in this subsection
17 referred to as the ‘Director’) shall carry out a
18 program, which shall be known as the ‘Sex Of-
19 fender Management Assistance Program’ (in
20 this subsection referred to as the ‘SOMA pro-
21 gram’), under which the Director shall award a
22 grant to each eligible State to offset costs di-
23 rectly associated with complying with this sec-
24 tion.

1 “(B) USES OF FUNDS.—Each grant
2 awarded under this subsection shall be—

3 “(i) distributed directly to the State
4 for distribution to State and local entities;
5 and

6 “(ii) used for training, salaries, equip-
7 ment, materials, and other costs directly
8 associated with complying with this sec-
9 tion.

10 “(2) ELIGIBILITY.—

11 “(A) APPLICATION.—To be eligible to re-
12 ceive a grant under this subsection, the chief
13 executive of a State shall, on an annual basis,
14 submit to the Director an application (in such
15 form and containing such information as the
16 Director may reasonably require) assuring
17 that—

18 “(i) the State complies with (or made
19 a good faith effort to comply with) this
20 section; and

21 “(ii) where applicable, the State has
22 penalties comparable to or greater than
23 Federal penalties for crimes listed in this
24 section, except that the Director may waive
25 the requirement of this clause if a State

1 demonstrates an overriding need for assist-
2 ance under this subsection.

3 “(B) REGULATIONS.—

4 “(i) IN GENERAL.—Not later than 90
5 days after the date of enactment of this
6 subsection, the Director shall promulgate
7 regulations to implement this subsection
8 (including the information that must be in-
9 cluded and the requirements that the
10 States must meet) in submitting the appli-
11 cations required under this subsection. In
12 allocating funds under this subsection, the
13 Director may consider the annual number
14 of sex offenders registered in each eligible
15 State’s monitoring and notification pro-
16 grams.

17 “(ii) CERTAIN TRAINING PRO-
18 GRAMS.—Prior to implementing this sub-
19 section, the Director shall study the fea-
20 sibility of incorporating into the SOMA
21 program the activities of any technical as-
22 sistance or training program established as
23 a result of section 40152 of this Act. In a
24 case in which incorporating such activities
25 into the SOMA program will eliminate du-

plication of efforts or administrative costs,
the Director shall take administrative ac-
tions, as allowable, and make recommenda-
tions to Congress to incorporate such ac-
tivities into the SOMA program prior to
implementing the SOMA program.

“(3) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated to carry out
this subsection, \$25,000,000 for each of fiscal years
1999 and 2000.”.

(b) STUDY.—Not later than March 1, 2000, the Di-
rector shall conduct a study to assess the efficacy of the
Sex Offender Management Assistance Program under sec-
tion 170101(i) of the Violent Crime Control and Law En-
forcement Act of 1994 (42 U.S.C. 14071(i)), as added by
this section, and submit recommendations to Congress.

TITLE VII—MURDER AND KIDNAPPING INVESTIGATIONS

SEC. 701. AUTHORITY TO INVESTIGATE SERIAL KILLINGS.

(a) IN GENERAL.—Chapter 33 of title 28, United
States Code, is amended by adding at the end the follow-
ing:

“§ 540B. Investigation of serial killings

“(a) IN GENERAL.—The Attorney General and the
Director of the Federal Bureau of Investigation may in-

1 vestigate serial killings in violation of the laws of a State
 2 or political subdivision, if such investigation is requested
 3 by the head of a law enforcement agency with investigative
 4 or prosecutorial jurisdiction over the offense.

5 “(b) DEFINITIONS.—In this section:

6 “(1) KILLING.—The term ‘killing’ means con-
 7 duct that would constitute an offense under section
 8 1111 of title 18, United States Code, if Federal ju-
 9 risdiction existed.

10 “(2) SERIAL KILLINGS.—The term ‘serial
 11 killings’ means a series of 3 or more killings, not
 12 less than 1 of which was committed within the
 13 United States, having common characteristics such
 14 as to suggest the reasonable possibility that the
 15 crimes were committed by the same actor or actors.

16 “(3) STATE.—The term ‘State’ means a State
 17 of the United States, the District of Columbia, and
 18 any commonwealth, territory, or possession of the
 19 United States.”.

20 (b) TECHNICAL AND CONFORMING AMENDMENT.—
 21 The analysis for chapter 33 of title 28, United States
 22 Code, is amended by adding at end the following:

“540B. Investigation of serial killings.”.

23 **SEC. 702. KIDNAPPING.**

24 (a) CLARIFICATION OF ELEMENT OF OFFENSE.—
 25 Section 1201(a)(1) of title 18, United States Code, is

1 amended by inserting “, regardless of whether the person
 2 was alive when transported across a State boundary if the
 3 person was alive when the transportation began” before
 4 the semicolon.

5 (b) TECHNICAL AMENDMENT.—Section 1201(a)(5)
 6 of title 18, United States Code, is amended by striking
 7 “designated” and inserting “described”.

8 (c) 24-HOUR RULE.—Section 1201(b) of title 18,
 9 United States Code, is amended by adding at the end the
 10 following: “Notwithstanding the preceding sentence, the
 11 fact that the presumption under this section has not yet
 12 taken effect does not preclude a Federal investigation of
 13 a possible violation of this section before the 24-hour pe-
 14 riod has ended.”.

15 **SEC. 703. MORGAN P. HARDIMAN CHILD ABDUCTION AND**
 16 **SERIAL MURDER INVESTIGATIVE RE-**
 17 **SOURCES CENTER.**

18 (a) ESTABLISHMENT.—Not later than 90 days after
 19 the date of enactment of this Act, the Attorney General
 20 shall establish within the Federal Bureau of Investigation
 21 a Child Abduction and Serial Murder Investigative Re-
 22 sources Center to be known as the “Morgan P. Hardiman
 23 Child Abduction and Serial Murder Investigative Re-
 24 sources Center” (in this section referred to as the
 25 “CASMIRC”).

1 (b) PURPOSE.—The CASMIRC shall be managed by
2 National Center for the Analysis of Violent Crime of the
3 Critical Incident Response Group of the Federal Bureau
4 of Investigation (in this section referred to as the
5 “NCAVC”), and by multidisciplinary resource teams in
6 Federal Bureau of Investigation field offices, in order to
7 provide investigative support through the coordination and
8 provision of Federal law enforcement resources, training,
9 and application of other multidisciplinary expertise, to as-
10 sist Federal, State, and local authorities in matters involv-
11 ing child abductions, mysterious disappearance of chil-
12 dren, child homicide, and serial murder across the coun-
13 try. The CASMIRC shall be co-located with the NCAVC.

14 (c) DUTIES OF THE CASMIRC.—The CASMIRC
15 shall perform such duties as the Attorney General deter-
16 mines appropriate to carry out the purposes of the
17 CASMIRC, including—

18 (1) identifying, developing, researching, acquir-
19 ing, and refining multidisciplinary information and
20 specialties to provide for the most current expertise
21 available to advance investigative knowledge and
22 practices used in child abduction, mysterious dis-
23 appearance of children, child homicide, and serial
24 murder investigations;

1 (2) providing advice and coordinating the appli-
2 cation of current and emerging technical, forensic,
3 and other Federal assistance to Federal, State, and
4 local authorities in child abduction, mysterious dis-
5 appearances of children, child homicide, and serial
6 murder investigations;

7 (3) providing investigative support, research
8 findings, and violent crime analysis to Federal,
9 State, and local authorities in child abduction, mys-
10 terious disappearances of children, child homicide,
11 and serial murder investigations;

12 (4) providing, if requested by a Federal, State,
13 or local law enforcement agency, on site consultation
14 and advice in child abduction, mysterious disappear-
15 ances of children, child homicide and serial murder
16 investigations;

17 (5) coordinating the application of resources of
18 pertinent Federal law enforcement agencies, and
19 other Federal entities including, but not limited to,
20 the United States Customs Service, the Secret Serv-
21 ice, the Postal Inspection Service, and the United
22 States Marshals Service, as appropriate, and with
23 the concurrence of the agency head to support Fed-
24 eral, State, and local law enforcement involved in

1 child abduction, mysterious disappearance of a child,
2 child homicide, and serial murder investigations;

3 (6) conducting ongoing research related to child
4 abductions, mysterious disappearances of children,
5 child homicides, and serial murder, including identi-
6 fication and investigative application of current and
7 emerging technologies, identification of investigative
8 searching technologies and methods for physically lo-
9 cating abducted children, investigative use of of-
10 fender behavioral assessment and analysis concepts,
11 gathering statistics and information necessary for
12 case identification, trend analysis, and case linkages
13 to advance the investigative effectiveness of out-
14 standing abducted children cases, develop investiga-
15 tive systems to identify and track serious serial of-
16 fenders that repeatedly victimize children for com-
17 parison to unsolved cases, and other investigative re-
18 search pertinent to child abduction, mysterious dis-
19 appearance of a child, child homicide, and serial
20 murder covered in this section;

21 (7) working under the NCAVC in coordination
22 with the National Center For Missing and Exploited
23 Children and the Office of Juvenile Justice and De-
24 linquency Prevention of the Department of Justice
25 to provide appropriate training to Federal, State,

1 and local law enforcement in matters regarding child
2 abductions, mysterious disappearances of children,
3 child homicides; and

4 (8) establishing a centralized repository based
5 upon case data reflecting child abductions, mysteri-
6 ous disappearances of children, child homicides and
7 serial murder submitted by State and local agencies,
8 and an automated system for the efficient collection,
9 retrieval, analysis, and reporting of information re-
10 garding CASMIRC investigative resources, research,
11 and requests for and provision of investigative sup-
12 port services.

13 (d) APPOINTMENT OF PERSONNEL TO THE
14 CASMIRC.—

15 (1) SELECTION OF MEMBERS OF THE CASMIRC
16 AND PARTICIPATING STATE AND LOCAL LAW EN-
17 FORCEMENT PERSONNEL.—The Director of the Fed-
18 eral Bureau of Investigation shall appoint the mem-
19 bers of the CASMIRC. The CASMIRC shall be
20 staffed with Federal Bureau of Investigation person-
21 nel and other necessary personnel selected for their
22 expertise that would enable them to assist in the re-
23 search, data collection, and analysis, and provision
24 of investigative support in child abduction, mysteri-
25 ous disappearance of children, child homicide and se-

1 rial murder investigations. The Director may, with
2 concurrence of the appropriate State or local agency,
3 also appoint State and local law enforcement person-
4 nel to work with the CASMIRC.

5 (2) STATUS.—Each member of the CASMIRC
6 (and each individual from any State or local law en-
7 forcement agency appointed to work with the
8 CASMIRC) shall remain as an employee of that
9 member's or individual's respective agency for all
10 purposes (including the purpose of performance re-
11 view), and service with the CASMIRC shall be with-
12 out interruption or loss of civil service privilege or
13 status and shall be on a nonreimbursable basis, ex-
14 cept if appropriate to reimburse State and local law
15 enforcement for overtime costs for an individual ap-
16 pointed to work with the resource team. Addition-
17 ally, reimbursement of travel and per diem expenses
18 will occur for State and local law enforcement par-
19 ticipation in resident fellowship programs at the
20 NCAVC when offered.

21 (3) TRAINING.—CASMIRC personnel, under
22 the guidance of the Federal Bureau of Investiga-
23 tion's National Center for the Analysis of Violent
24 Crime and in consultation with the National Center
25 For Missing and Exploited Children, shall develop a

1 specialized course of instruction devoted to training
2 members of the CASMIRC consistent with the pur-
3 pose of this section. The CASMIRC shall also work
4 with the National Center For Missing and Exploited
5 Children and the Office of Juvenile Justice and De-
6 linquency Prevention of the Department of Justice
7 to develop a course of instruction for State and local
8 law enforcement personnel to facilitate the dissemi-
9 nation of the most current multidisciplinary exper-
10 tise in the investigation of child abductions, mysteri-
11 ous disappearances of children, child homicides, and
12 serial murder of children.

13 (e) REPORT TO CONGRESS.—One year after the es-
14 tablishment of the CASMIRC, the Attorney General shall
15 submit to Congress a report, which shall include—

16 (1) a description of the goals and activities of
17 the CASMIRC; and

18 (2) information regarding—

19 (A) the number and qualifications of the
20 members appointed to the CASMIRC;

21 (B) the provision of equipment, adminis-
22 trative support, and office space for the
23 CASMIRC; and

24 (C) the projected resource needs for the
25 CASMIRC.

1 (f) AUTHORIZATION OF APPROPRIATIONS.—There
 2 are authorized to be appropriated to carry out this section
 3 such sums as may be necessary for each of fiscal years
 4 1999, 2000, and 2001.

5 (g) CONFORMING AMENDMENT.—Subtitle C of title
 6 XVII of the Violent Crime Control and Law Enforcement
 7 Act of 1994 (42 U.S.C. 5776a et seq.) is repealed.

8 **TITLE VIII—RESTRICTED AC-**
 9 **CESS TO INTERACTIVE COM-**
 10 **PUTER SERVICES**

11 **SEC. 801. PRISONER ACCESS.**

12 Notwithstanding any other provision of law, no agen-
 13 cy, officer, or employee of the United States shall imple-
 14 ment, or provide any financial assistance to, any Federal
 15 program or Federal activity in which a Federal prisoner
 16 is allowed access to any electronic communication service
 17 or remote computing service without the supervision of an
 18 official of the Federal Government.

19 **SEC. 802. RECOMMENDED PROHIBITION.**

20 (a) FINDINGS.—Congress finds that—

21 (1) a Minnesota State prisoner, serving 23
 22 years for molesting teenage girls, worked for a non-
 23 profit work and education program inside the prison,
 24 through which the prisoner had unsupervised access
 25 to the Internet;

1 (2) the prisoner, through his unsupervised ac-
2 cess to the Internet, trafficked in child pornography
3 over the Internet;

4 (3) Federal law enforcement authorities caught
5 the prisoner with a computer disk containing 280
6 pictures of juveniles engaged in sexually explicit con-
7 duct;

8 (4) a jury found the prisoner guilty of conspir-
9 ing to trade in child pornography and possessing
10 child pornography;

11 (5) the United States District Court for the
12 District of Minnesota sentenced the prisoner to 87
13 months in Federal prison, to be served upon the
14 completion of his 23-year State prison term; and

15 (6) there has been an explosion in the use of
16 the Internet in the United States, further placing
17 our Nation's children at risk of harm and exploi-
18 tation at the hands of predators on the Internet and
19 increasing the ease of trafficking in child pornog-
20 raphy.

21 (b) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that State Governors, State legislators, and State
23 prison administrators should prohibit unsupervised access
24 to the Internet by State prisoners.

1 **SEC. 803. SURVEY.**

2 (a) SURVEY.—Not later than 6 months after the date
3 of enactment of this Act, the Attorney General shall con-
4 duct a survey of the States to determine to what extent
5 each State allows prisoners access to any interactive com-
6 puter service and whether such access is supervised by a
7 prison official.

8 (b) REPORT.—The Attorney General shall submit a
9 report to Congress of the findings of the survey conducted
10 pursuant to subsection (a).

11 (c) STATE DEFINED.—In this section, the term
12 “State” means each of the 50 States and the District of
13 Columbia.

14 **TITLE IX—STUDIES**

15 **SEC. 901. STUDY ON LIMITING THE AVAILABILITY OF POR-**
16 **NOGRAPHY ON THE INTERNET.**

17 (a) IN GENERAL.—Not later than 90 days after the
18 date of enactment of this Act, the Attorney General shall
19 request that the National Academy of Sciences, acting
20 through its National Research Council, enter into a con-
21 tract to conduct a study of computer-based technologies
22 and other approaches to the problem of the availability
23 of pornographic material to children on the Internet, in
24 order to develop possible amendments to Federal criminal
25 law and other law enforcement techniques to respond to
26 the problem.

1 (b) CONTENTS OF STUDY.—The study under this
 2 section shall address each of the following:

3 (1) The capabilities of present-day computer-
 4 based control technologies for controlling electronic
 5 transmission of pornographic images.

6 (2) Research needed to develop computer-based
 7 control technologies to the point of practical utility
 8 for controlling the electronic transmission of porno-
 9 graphic images.

10 (3) Any inherent limitations of computer-based
 11 control technologies for controlling electronic trans-
 12 mission of pornographic images.

13 (4) Operational policies or management tech-
 14 niques needed to ensure the effectiveness of these
 15 control technologies for controlling electronic trans-
 16 mission of pornographic images.

17 (c) FINAL REPORT.—Not later than 2 years after the
 18 date of enactment of this Act, the Attorney General shall
 19 submit to the Committees on the Judiciary of the House
 20 of Representatives and the Senate a final report of the
 21 study under this section, which report shall—

22 (1) set forth the findings, conclusions, and rec-
 23 ommendations of the Council; and

24 (2) be submitted by the Committees on the Ju-
 25 diciary of the House of Representatives and the Sen-

1 ate to relevant Government agencies and committees
2 of Congress.

3 **SEC. 902. STUDY OF HOTLINES.**

4 (a) IN GENERAL.—Not later than 1 year after the
5 date of the enactment of this Act, the Attorney General
6 shall conduct a study in accordance with subsection (b)
7 and submit to Congress a report on the results of that
8 study.

9 (b) CONTENTS OF STUDY.—The study under this
10 section shall include an examination of—

11 (1) existing State programs for informing the
12 public about the presence of sexual predators re-
13 leased from prison, as required in section 170101 of
14 the Violent Crime Control and Law Enforcement
15 Act of 1994 (42 U.S.C. 14071), including the use of
16 CD-ROMs, Internet databases, and Sexual Offender
17 Identification Hotlines, such as those used in the
18 State of California; and

19 (2) the feasibility of establishing a national hot-
20 line for parents to access a Federal Bureau of Inves-
21 tigation database that tracks the location of con-
22 victed sexual predators established under section
23 170102 of the Violent Crime Control and Law En-
24 forcement Act of 1994 (42 U.S.C. 14072) and, in
25 determining that feasibility, the Attorney General

1 shall examine issues including the cost, necessary
2 changes to Federal and State laws necessitated by
3 the creation of such a hotline, consistency with Fed-
4 eral and State case law pertaining to community no-
5 tification, and the need for, and accuracy and reli-
6 ability of, the information available through such a
7 hotline.

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