

109TH CONGRESS  
2D SESSION

# H. R. 4905

To provide for the registration of sex offenders and for appropriate notification of their whereabouts, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2006

Mr. FOLEY (for himself and Mr. CRAMER) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To provide for the registration of sex offenders and for appropriate notification of their whereabouts, 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 “Sex Offender Registra-  
5       tion and Notification Act”.

6       **SEC. 2. DECLARATION OF PURPOSE.**

7       In order to protect the public from sex offenders and  
8       offenders against children, and in response to the vicious  
9       attacks by violent sexual predators against the victims list-

1 ed below, Congress in this Act establishes a comprehensive  
2 national system for the registration of those offenders:

3 (1) Jacob Wetterling, who was 11 years old,  
4 was abducted in 1989 in Minnesota, and remains  
5 missing.

6 (2) Megan Nicole Kanka, who was 7 years old,  
7 was abducted, sexually assaulted and murdered in  
8 1994, in New Jersey.

9 (3) Pam Lychner, who was 31 years old, was  
10 attacked by a career offender in Houston, Texas.

11 (4) Jetseta Gage, who was 10 years old, was  
12 kidnapped, sexually assaulted, and murdered in  
13 2005 in Cedar Rapids, Iowa.

14 (5) Dru Sjodin, who was 22 years old, was sex-  
15 ually assaulted and murdered in 2003, in North Da-  
16 kota.

17 (6) Jessica Lunsford, who was 9 years, was ab-  
18 ducted, sexually assaulted, buried alive, and mur-  
19 dered in 2005, in Homosassa, Florida.

20 (7) Sarah Lunde, who was 13 years old, was  
21 strangled and murdered in 2005, in Ruskin, Florida.

22 (8) Amie Zyla, who was 8 years old, was sexu-  
23 ally assaulted in 1996 by a juvenile offender in  
24 Waukesha, Wisconsin, and has become an advocate

1       for child victims and protection of children from ju-  
2       venile sex offenders.

3           (9) Christy Ann Fornoff, who was 13 years old,  
4       was abducted, sexually assaulted and murdered in  
5       1984, in Tempe, Arizona.

6           (10) Alexandra Nicole Zapp, who was 30 years  
7       old, was brutally attacked and murdered in a public  
8       restroom by a repeat sex offender in 2002, in  
9       Bridgewater, Massachusetts.

10          (11) Polly Klaas, who was 12 years old, was ab-  
11       ducted, sexually assaulted and murdered in 1993 by  
12       a career offender in California.

13          (12) Jimmy Ryce, who was 9 years old, was  
14       kidnapped and murdered in Florida on September  
15       11, 1995.

16          (13) Carlie Brucia, who was 11 years old, was  
17       abducted and murdered in Florida in February,  
18       2004.

1 **TITLE I—JACOB WETTERLING**  
2 **SEX OFFENDER REGISTRA-**  
3 **TION AND NOTIFICATION**  
4 **PROGRAM**

5 **SEC. 101. RELEVANT DEFINITIONS, INCLUDING AMIE ZYLA**  
6 **EXPANSION OF SEX OFFENDER DEFINITION**  
7 **AND EXPANDED INCLUSION OF CHILD PRED-**  
8 **ATORS.**

9 In this Act the following definitions apply:

10 (1) **SEX OFFENDER REGISTRY.**—The term “sex  
11 offender registry” means a registry of sex offenders,  
12 and a notification program, maintained by a juris-  
13 diction.

14 (2) **JURISDICTION.**—The term jurisdiction  
15 means any of the following:

16 (A) A State.

17 (B) The District of Columbia.

18 (C) The Commonwealth of Puerto Rico.

19 (D) Guam.

20 (E) American Samoa.

21 (F) The Northern Mariana Islands.

22 (G) The United States Virgin Islands.

23 (H) To the extent provided and subject to  
24 the requirements of section 127, a federally rec-  
25 ognized Indian tribe.

1           (3) SEX OFFENDER.—The term “sex offender”  
2       means an individual who, either before or after the  
3       enactment of this Act, was convicted of, or adjudicated as a juvenile delinquent for, a sex offense.

5           (4) EXPANSION OF DEFINITION OF OFFENSE  
6       TO INCLUDE ALL CHILD PREDATORS.—The term  
7       “specified offense against a minor” means an offense against a minor that involves any of the following:  
9

10           (A) An offense (unless committed by a  
11       parent) involving kidnapping.

12           (B) An offense (unless committed by a  
13       parent) involving false imprisonment.

14           (C) Solicitation to engage in sexual conduct.  
15

16           (D) Use in a sexual performance.

17           (E) Solicitation to practice prostitution.

18           (F) Possession, production, or distribution  
19       of child pornography.

20           (G) Criminal sexual conduct involving a  
21       minor, or the use of the Internet to facilitate or  
22       attempt such conduct.

23           (H) Any conduct that by its nature is a  
24       sex offense against a minor.

1 (I) Video voyeurism, as described in sec-  
2 tion 1801 of title 18, United States Code.

3 (J) Any attempt or conspiracy to commit  
4 an offense described in this paragraph.

5 (5) TIER I SEX OFFENDER.—The term “tier I  
6 sex offender” means a sex offender whose offense is  
7 punishable by imprisonment for one year or less.

8 (6) TIER II SEX OFFENDER.—The term “tier II  
9 sex offender” means a sex offender who is not a Tier  
10 III sex offender whose offense—

11 (A) is punishable by imprisonment for  
12 more than one year; or

13 (B) occurs after the offender becomes a  
14 tier I sex offender.

15 (7) TIER III SEX OFFENDER.—The term “tier  
16 III sex offender” means a sex offender whose offense  
17 is punishable by imprisonment for more than one  
18 year and—

19 (A) involves a crime of violence as defined  
20 in section 16 of title 18, United States Code,  
21 against the person of another, except a crime of  
22 violence consisting of an abusive sexual contact,  
23 as defined in section 2246;

24 (B) is an offense where the victim had not  
25 attained the age of 13 years; or

1 (C) occurs after the offender becomes a  
2 tier II sex offender.

3 (8) AMY ZYLA EXPANSION OF SEX OFFENSE  
4 DEFINITION.—The term “sex offense” means—

5 (A) a State, local, tribal, foreign, or other  
6 criminal offense that has an element involving  
7 a sexual act or sexual contact with another or  
8 an attempt or conspiracy to commit such an of-  
9 fense, but does not include an offense involving  
10 consensual sexual conduct where the victim was  
11 an adult or was at least 13 years old and the  
12 offender was not more than 4 years older than  
13 the victim;

14 (B) a State, local, tribal, foreign, or other  
15 specified offense against a minor;

16 (C) a Federal offense (including an offense  
17 prosecuted under section 1152 or 1153 of title  
18 18, United States Code) under section 1201,  
19 1591, or 1801, or chapter 109A, 110, or 117,  
20 of title 18, United States Code, or any other  
21 Federal offense designated by the Attorney  
22 General for the purposes of this paragraph; or

23 (D) a military offense specified by the Sec-  
24 retary of Defense under section 115(a)(8)(C)(i)  
25 of Public Law 105–119 (10 U.S.C. 951 note).

1           (9) STUDENT.—The term “student” means an  
2           individual who enrolls or attends an educational in-  
3           stitution, including (whether public or private) a sec-  
4           ondary school, trade or professional school, and in-  
5           stitution of higher education.

6           (10) EMPLOYEE.—The term “employee” in-  
7           cludes an individual who is self-employed or works  
8           for any other entity, whether compensated or not.

9           (11) RESIDES.—The term “resides” means,  
10          with respect to an individual, the location of the in-  
11          dividual’s home or other place where the individual  
12          lives.

13          (12) MINOR.—The term “minor” means an in-  
14          dividual who has not attained the age of 18 years.

15          (13) CONVICTED.—The term “convicted” or a  
16          variant thereof, used with respect to a sex offense,  
17          includes adjudicated delinquent as a juvenile for that  
18          offense.

19 **SEC. 102. REGISTRY REQUIREMENTS FOR JURISDICTIONS.**

20          Each jurisdiction shall maintain a jurisdiction-wide  
21          sex offender registry conforming to the requirements of  
22          this Act. The Attorney General shall issue guidelines and  
23          regulations to interpret and implement this Act.



1 **SEC. 103. REGISTRY REQUIREMENTS FOR SEX OFFENDERS.**

2 (a) IN GENERAL.—A sex offender must register, and  
3 keep the registration current, in each jurisdiction where  
4 the offender was convicted, where the offender resides,  
5 where the offender is an employee, and where the offender  
6 is a student.

7 (b) INITIAL REGISTRATION.—The sex offender shall  
8 initially register—

9 (1) before completing a sentence of imprison-  
10 ment with respect to the offense giving rise to the  
11 registration requirement; or

12 (2) not later than 5 days after being sentenced  
13 for that offense, if the sex offender is not sentenced  
14 to a term of imprisonment.

15 (c) KEEPING THE REGISTRATION CURRENT.—A sex  
16 offender must inform each jurisdiction involved, not later  
17 than 3 days after each change of residence, employment,  
18 or student status.

19 (d) INITIAL REGISTRATION OF SEX OFFENDERS UN-  
20 ABLE TO COMPLY WITH SUBSECTION (b).—The Attorney  
21 General shall prescribe rules for the registration of sex of-  
22 fenders convicted before the enactment of this Act or its  
23 implementation in a particular jurisdiction, and for other  
24 categories of sex offenders who are unable to comply with  
25 subsection (b).

1 (e) STATE PENALTY FOR FAILURE TO COMPLY.—

2 Each jurisdiction, other than a Federally recognized In-  
3 dian tribe, shall provide a criminal penalty, that includes  
4 a maximum term of imprisonment that is greater than one  
5 year, and a minimum term of imprisonment that is no less  
6 than 90 days, for the failure of a sex offender to comply  
7 with the requirements of this Act.

8 **SEC. 104. INFORMATION REQUIRED IN REGISTRATION.**

9 (a) PROVIDED BY THE OFFENDER.—The sex of-  
10 fender must provide the following information to the ap-  
11 propriate official for inclusion in the sex offender registry:

12 (1) The name and physical description of the  
13 sex offender (including any alias used by the indi-  
14 vidual).

15 (2) The Social Security number of the sex of-  
16 fender.

17 (3) The address of the residence at which the  
18 sex offender resides or will reside.

19 (4) The name and address of the place where  
20 the sex offender is employed or will be employed.

21 (5) The name and address of the place where  
22 the sex offender is a student or will be a student.

23 (6) The license plate number and description of  
24 any vehicle owned or operated by the sex offender.

25 (7) A photograph of the sex offender.

1           (8) A set of fingerprints and palm prints of the  
2 sex offender, if the appropriate official determines  
3 that the jurisdiction does not already have available  
4 an accurate set.

5           (9) A DNA sample of the sex offender, if the  
6 appropriate official determines that the jurisdiction  
7 does not already have available an appropriate DNA  
8 sample.

9           (10) A photocopy of a valid driver's license or  
10 identification card issued to the sex offender by a ju-  
11 risdiction.

12           (11) Any other information required by the At-  
13 torney General.

14       (b) PROVIDED BY THE JURISDICTION.—The jurisdic-  
15 tion in which the sex offender registers shall include the  
16 following information in the registry for that sex offender:

17           (1) A statement of the facts of the offense giv-  
18 ing rise to the requirement to register under this  
19 Act, including the date of the offense, and whether  
20 or not the sex offender was prosecuted as a juvenile  
21 at the time of the offense.

22           (2) The criminal history of the sex offender.

23           (3) Any other information required by the At-  
24 torney General.

1 **SEC. 105. DURATION OF REGISTRATION REQUIREMENT.**

2 A sex offender shall keep the registration current for  
3 a period (excluding any time the sex offender is in custody  
4 or civilly committed) of—

5 (1) 20 years, if the offender is a tier I sex of-  
6 fender;

7 (2) 30 years, if the offender is a tier II sex of-  
8 fender; and

9 (3) the life of the offender, if the offender is a  
10 tier III sex offender.

11 **SEC. 106. IN PERSON VERIFICATION.**

12 A sex offender shall appear in person, provide a cur-  
13 rent photograph, and verify the information in each reg-  
14 istry in which that offender is required to be registered  
15 not less frequently than—

16 (1) every six months, if the offender is a tier I  
17 sex offender;

18 (2) every 3 months, if the offender is a tier II  
19 sex offender; and

20 (3) every month, if the offender is a tier III sex  
21 offender.

22 **SEC. 107. DUTY TO NOTIFY SEX OFFENDERS OF REGISTRA-**  
23 **TION REQUIREMENTS AND TO REGISTER.**

24 An appropriate official shall, shortly before release  
25 from custody of the sex offender, or, if the sex offender  
26 is not in custody, immediately after the sentencing of the

1 sex offender, for the offense giving rise to the duty to reg-  
 2 ister—

3 (1) inform the sex offender of the duty to reg-  
 4 ister and explain that duty;

5 (2) require the sex offender to read and sign a  
 6 form stating that the duty to register has been ex-  
 7 plained and that the sex offender understands the  
 8 registration requirement; and

9 (3) ensure that the sex offender is registered.

10 **SEC. 108. JESSICA LUNSFORD ADDRESS VERIFICATION**  
 11 **PROGRAM.**

12 (a) ESTABLISHMENT.—There is established the Jes-  
 13 sica Lunsford Address Verification Program (hereinafter  
 14 in this section referred to as the “Program”).

15 (b) VERIFICATION.—In the Program, an appropriate  
 16 official shall verify the residence of each registered sex of-  
 17 fender not less than—

18 (1) semi-annually, if the offender is a tier I sex  
 19 offender;

20 (2) quarterly, if the offender is a tier II sex of-  
 21 fender; and

22 (3) monthly, if the offender is a tier III sex of-  
 23 fender.

24 (c) USE OF MAILED FORM AUTHORIZED.—Such  
 25 verification may be achieved by mailing a nonforwardable

1 verification form to the last known address of the sex of-  
2 fender. The sex offender must return the form, including  
3 a notarized signature or a fingerprint verification, within  
4 a set period of time. A failure to return the form as re-  
5 quired may be a failure to register for the purposes of  
6 this Act.

7 **SEC. 109. NATIONAL SEX OFFENDER REGISTRY.**

8 (a) INTERNET.—The Attorney General shall main-  
9 tain a national database at the Federal Bureau of Inves-  
10 tigation for each sex offender and other person required  
11 to register in a jurisdiction’s sex offender registry. The  
12 database shall be known as the National Sex Offender  
13 Registry.

14 (b) ELECTRONIC FORWARDING.—The Attorney Gen-  
15 eral shall ensure (through the National Sex Offender Reg-  
16 istry or otherwise) that updated information about a sex  
17 offender is immediately transmitted by electronic for-  
18 warding to all relevant jurisdictions.

19 **SEC. 110. DRU SJODIN NATIONAL SEX OFFENDER PUBLIC**  
20 **WEBSITE.**

21 (a) ESTABLISHMENT.—There is established the Dru  
22 Sjodin National Sex Offender Public Website (hereinafter  
23 referred to as the “Website”).

24 (b) INFORMATION TO BE PROVIDED.—The Attorney  
25 General shall maintain the Website as a site on the Inter-

1 net which allows the public to obtain relevant information  
2 for each sex offender by a single query in a form estab-  
3 lished by the Attorney General.

4 **SEC. 111. PUBLIC ACCESS TO SEX OFFENDER INFORMA-**  
5 **TION THROUGH THE INTERNET.**

6 (a) IN GENERAL.—Except as provided in subsection  
7 (b), each jurisdiction shall make available on the Internet  
8 all information about each sex offender in the registry, ex-  
9 cept for the offender’s Social Security number, the identity  
10 of any victim, and any other information exempted from  
11 disclosure by the Attorney General. The jurisdiction shall  
12 provide this information in a manner that is readily acces-  
13 sible to the public.

14 (b) EXCEPTION.—To the extent authorized by the At-  
15 torney General, a jurisdiction need not make available on  
16 the Internet information about a tier I sex offender whose  
17 offense is a juvenile adjudication.

18 **SEC. 112. MEGAN NICOLE KANKA AND ALEXANDRA NICOLE**  
19 **ZAPP COMMUNITY NOTIFICATION PROGRAM.**

20 (a) ESTABLISHMENT OF PROGRAM.—There is estab-  
21 lished the Megan Nicole Kanka and Alexandra Nicole  
22 Zapp Community Program (hereinafter in this section re-  
23 ferred to as the “Program”).

24 (b) PROGRAM NOTIFICATION.—Except as provided in  
25 subsection (c), not later than 5 days after a sex offender

1 registers or updates a registration, an appropriate official  
2 in the jurisdiction shall provide the information in the reg-  
3 istry (other than information exempted from disclosure by  
4 the Attorney General) about that offender to the following:

5           (1) The Attorney General, who shall include  
6           that information in the National Sex Offender Reg-  
7           istry or other appropriate data bases.

8           (2) Appropriate law enforcement agencies (in-  
9           cluding probation agencies, if appropriate), and each  
10          school and public housing agency, in each area in  
11          which the individual resides, is employed, or is a stu-  
12          dent.

13          (3) Each jurisdiction where the sex offender re-  
14          sides, works, or attends school, and each jurisdiction  
15          from or to which a change of residence, work, or  
16          student status occurs.

17          (4) Any agency responsible for conducting em-  
18          ployment-related background checks under section 3  
19          of the National Child Protection Act of 1993 (42  
20          U.S.C. 5119a).

21          (5) Social service entities responsible for pro-  
22          tecting minors in the child welfare system.

23          (6) Volunteer organizations in which contact  
24          with minors or other vulnerable individuals might  
25          occur.



1 (7) The community at large.

2 (c) EXCEPTION.—In the case of a tier I sex offender  
3 whose offense is a juvenile adjudication, the Attorney Gen-  
4 eral may authorize limitation of the entities to which the  
5 Program notification is given when the Attorney General  
6 determines it is consistent with public safety to do so.

7 **SEC. 113. ACTIONS TO BE TAKEN WHEN SEX OFFENDER**  
8 **FAILS TO COMPLY.**

9 An appropriate official shall notify the Attorney Gen-  
10 eral and appropriate State, local, and tribal law enforce-  
11 ment agencies of any failure by a sex offender to comply  
12 with the requirements of a registry. The appropriate offi-  
13 cial, the Attorney General, and each such law enforcement  
14 agency shall take any appropriate action to ensure compli-  
15 ance.

16 **SEC. 114. IMMUNITY FOR GOOD FAITH CONDUCT.**

17 The Federal Government, jurisdictions, political sub-  
18 divisions of jurisdictions, and their agencies, officers, em-  
19 ployees, and agents shall be immune from liability for good  
20 faith conduct under this Act.

21 **SEC. 115. DEVELOPMENT AND AVAILABILITY OF REGISTRY**  
22 **MANAGEMENT SOFTWARE.**

23 The Attorney General shall develop and support soft-  
24 ware for use to establish, maintain, publish, and share sex  
25 offender registries.

1 **SEC. 116. FEDERAL DUTY WHEN STATE PROGRAMS NOT**  
2 **MINIMALLY SUFFICIENT.**

3 If the Attorney General determines that a jurisdiction  
4 does not have a minimally sufficient sex offender registra-  
5 tion program, the Department of Justice shall, to the ex-  
6 tent practicable, carry out the duties imposed on that ju-  
7 risdiction by this Act.

8 **SEC. 117. PERIOD FOR IMPLEMENTATION BY JURISDIC-**  
9 **TIONS.**

10 Each jurisdiction shall implement this Act not later  
11 than 2 years after the date of the enactment of this Act.  
12 However, the Attorney General may authorize up to two  
13 one-year extensions of the deadline.

14 **SEC. 118. FAILURE TO COMPLY.**

15 (a) IN GENERAL.—For any fiscal year after the end  
16 of the period for implementation, a jurisdiction that fails,  
17 as determined by the Attorney General, substantially to  
18 implement this Act shall not receive 10 percent of the  
19 funds that would otherwise be allocated for that fiscal year  
20 to the jurisdiction under subpart 1 of part E of title I  
21 of the Omnibus Crime Control and Safe Streets Act of  
22 1968 (42 U.S.C. 3570 et seq.).

23 (b) REALLOCATION.—Amounts not allocated under a  
24 program referred to in paragraph (1) to a jurisdiction for  
25 failure to fully implement this Act shall be reallocated  
26 under that program to jurisdictions that have not failed

1 to implement this Act or may be reallocated to a jurisdic-  
2 tion from which they were withheld to be used solely for  
3 the purpose of implementing this Act.

4 (c) RULE OF CONSTRUCTION.—The provisions of this  
5 Act that are cast as directions to jurisdictions or their offi-  
6 cials constitute, in relation to States, only conditions re-  
7 quired to avoid the reduction of Federal funding under  
8 this section.

9 **SEC. 119. SEX OFFENDER MANAGEMENT ASSISTANCE**  
10 **(SOMA) PROGRAM.**

11 (a) IN GENERAL.—The Attorney General shall estab-  
12 lish and implement a Sex Offender Management Assist-  
13 ance program (in this Act referred to as the “SOMA pro-  
14 gram”) under which the Attorney General may award a  
15 grant to a jurisdiction to offset the costs of implementing  
16 this Act.

17 (b) APPLICATION.—The chief executive of a jurisdic-  
18 tion shall, on an annual basis, submit to the Attorney Gen-  
19 eral an application in such form and containing such infor-  
20 mation as the Attorney General may require.

21 (c) BONUS PAYMENTS FOR PROMPT COMPLIANCE.—  
22 A jurisdiction that, as determined by the Attorney Gen-  
23 eral, has substantially implemented this Act not later than  
24 two years after the date of the enactment of this Act is  
25 eligible for a bonus payment. The Attorney General may

1 make such a payment under the SOMA program for the  
2 first fiscal year beginning after that determination. The  
3 amount of the payment shall be—

4 (1) 10 percent of the total received by the juris-  
5 diction under the SOMA program for the preceding  
6 fiscal year, if that implementation is not later than  
7 one year after the date of enactment of this Act; and

8 (2) 5 percent of such total, if not later than two  
9 years after that date.

10 (d) AUTHORIZATION OF APPROPRIATIONS.—In addi-  
11 tion to any amounts otherwise authorized to be appro-  
12 priated, there are authorized to be appropriated such sums  
13 as may be necessary to the Attorney General, to be avail-  
14 able only for the SOMA program, for fiscal years 2006  
15 through 2008.

16 **SEC. 120. DEMONSTRATION PROJECT FOR USE OF ELEC-**  
17 **TRONIC MONITORING DEVICES.**

18 (a) PROJECT REQUIRED.—The Attorney General  
19 shall carry out a demonstration project under which the  
20 Attorney General makes grants to jurisdictions to dem-  
21 onstrate the extent to which electronic monitoring devices  
22 can be used effectively in a sex offender management pro-  
23 gram.

24 (b) USE OF FUNDS.—The jurisdiction may use grant  
25 amounts under this section directly, or through arrange-

1 ments with public or private entities, to carry out pro-  
2 grams under which the whereabouts of sex offenders are  
3 monitored by electronic monitoring devices.

4 (c) PARTICIPANTS.—Not more than 10 jurisdictions  
5 may participate in the demonstration project at any one  
6 time.

7 (d) FACTORS.—In selecting jurisdictions to partici-  
8 pate in the demonstration project, the Attorney General  
9 shall consider the following factors:

10 (1) The total number of sex offenders in the ju-  
11 risdiction.

12 (2) The percentage of those sex offenders who  
13 fail to comply with registration requirements.

14 (3) The threat to public safety posed by those  
15 sex offenders who fail to comply with registration re-  
16 quirements.

17 (4) Any other factor the Attorney General con-  
18 siders appropriate.

19 (e) DURATION.—The Attorney General shall carry  
20 out the demonstration project for fiscal years 2007, 2008,  
21 and 2009.

22 (f) INNOVATION.—In making grants under this sec-  
23 tion, the Attorney General shall ensure that different ap-  
24 proaches to monitoring are funded to allow an assessment  
25 of effectiveness.

1 (g) ONE-TIME REPORT AND RECOMMENDATIONS.—

2 Not later than April 1, 2008, the Attorney General shall  
3 submit to Congress a report—

4 (1) assessing the effectiveness and value of pro-  
5 grams funded by this section;

6 (2) comparing the cost-effectiveness of the elec-  
7 tronic monitoring to reduce sex offenses compared to  
8 other alternatives; and

9 (3) making recommendations for continuing  
10 funding and the appropriate levels for such funding.

11 (h) AUTHORIZATION OF APPROPRIATIONS.—There  
12 are authorized to be appropriated to carry out this section  
13 such sums as may be necessary.

14 **SEC. 121. BONUS PAYMENTS TO STATES THAT IMPLEMENT**  
15 **ELECTRONIC MONITORING.**

16 (a) IN GENERAL.—A jurisdiction that, within 3 years  
17 after the date of the enactment of this Act, has in effect  
18 laws and policies described in subsection (b) shall be eligi-  
19 ble for a bonus payment described in subsection (c), to  
20 be paid by the Attorney General from any amounts avail-  
21 able to the Attorney General for such purpose.

22 (b) ELECTRONIC MONITORING LAWS AND POLI-  
23 CIES.—

24 (1) IN GENERAL.—Laws and policies referred  
25 to in subsection (a) are laws and policies that ensure

1 that electronic monitoring is required of a person if  
2 that person is released after being convicted of a sex  
3 offense in which an individual who has not attained  
4 the age of 18 years is the victim.

5 (2) MONITORING REQUIRED.—The monitoring  
6 required under paragraph (1) is a system that ac-  
7 tively monitors and identifies the person’s location  
8 and timely reports or records the person’s presence  
9 near or within a crime scene or in a prohibited area  
10 or the person’s departure from specified geographic  
11 limitations.

12 (3) DURATION.—The electronic monitoring re-  
13 quired by paragraph (1) shall be required of the per-  
14 son—

15 (A) for the life of the person, if—

16 (i) an individual who has not attained  
17 the age of 12 years is the victim; or

18 (ii) the person has a prior sex convic-  
19 tion (as defined in section 3559(e) of title  
20 18, United States Code); and

21 (B) for the period during which the person  
22 is on probation, parole, or supervised release for  
23 the offense, in any other case.

24 (4) JURISDICTION REQUIRED TO MONITOR ALL  
25 SEX OFFENDERS RESIDING IN JURISDICTION.—In

1 addition, laws and policies referred to in subsection  
2 (a) also include laws and policies that ensure that  
3 the jurisdiction frequently monitors each person re-  
4 siding in the jurisdiction for whom electronic moni-  
5 toring is required, whether such monitoring is re-  
6 quired under this section or under section  
7 3563(a)(9) of title 18, United States Code.

8 (c) BONUS PAYMENTS.—The bonus payment referred  
9 to in subsection (a) is a payment equal to 10 percent of  
10 the funds that would otherwise be allocated for that fiscal  
11 year to the jurisdiction under subpart 1 of part E of title  
12 I of the Omnibus Crime Control and Safe Streets Act of  
13 1968 (42 U.S.C. 3570 et seq.).

14 **SEC. 122. ACCESS TO NATIONAL CRIME INFORMATION**  
15 **DATABASES.**

16 (a) IN GENERAL.—Notwithstanding any other provi-  
17 sion of law, the Attorney General shall ensure access to  
18 the national crime information databases (as defined in  
19 section 534 of title 28, United States Code) by—

20 (1) the National Center for Missing and Ex-  
21 ploited Children, to be used only within the scope of  
22 the Center’s duties and responsibilities under Fed-  
23 eral law to assist or support law enforcement agen-  
24 cies in administration of criminal justice functions;  
25 and



1           (2) governmental social service agencies with  
 2           child protection responsibilities, to be used by such  
 3           agencies only in investigating or responding to re-  
 4           ports of child abuse, neglect, or exploitation.

5           (b) CONDITIONS OF ACCESS.—The access provided  
 6           under this section, and associated rules of dissemination,  
 7           shall be—

8           (1) defined by the Attorney General; and

9           (2) limited to personnel of the Center or such  
 10          agencies that have met all requirements set by the  
 11          Attorney General, including training, certification,  
 12          and background screening.

13   **SEC. 123. LIMITED IMMUNITY FOR NATIONAL CENTER FOR**  
 14                   **MISSING AND EXPLOITED CHILDREN WITH**  
 15                   **RESPECT TO CYBERTIPLINE.**

16          Section 227 of the Victims of Child Abuse Act of  
 17          1990 (42 U.S.C. 13032) is amended by adding at the end  
 18          the following new subsection:

19          “(g) LIMITATION ON LIABILITY.—

20               “(1) IN GENERAL.—Except as provided in para-  
 21          graphs (2) and (3), the National Center for Missing  
 22          and Exploited Children, including any of its direc-  
 23          tors, officers, employees, or agents, is not liable in  
 24          any civil or criminal action arising from the perform-

1       ance of its CyberTipline responsibilities and func-  
2       tions as defined by this section.

3               “(2) INTENTIONAL, RECKLESS, OR OTHER MIS-  
4       CONDUCT.—Paragraph (1) does not apply in an ac-  
5       tion in which a party proves that the National Cen-  
6       ter for Missing and Exploited Children, or its offi-  
7       cer, employee, or agent as the case may be, engaged  
8       in intentional misconduct or acted, or failed to act,  
9       with actual malice, with reckless disregard to a sub-  
10      stantial risk of causing injury without legal justifica-  
11      tion, or for a purpose unrelated to the performance  
12      of responsibilities or functions under this section.

13              “(3) ORDINARY BUSINESS ACTIVITIES.—Para-  
14      graph (1) does not apply to an act or omission re-  
15      lated to an ordinary business activity, such as an ac-  
16      tivity involving general administration or operations,  
17      the use of motor vehicles, or personnel manage-  
18      ment.”.

19   **SEC. 124. TREATMENT AND MANAGEMENT OF SEX OFFEND-**  
20                           **ERS IN THE BUREAU OF PRISONS.**

21       Section 3621 of title 18, United States Code, is  
22   amended by adding at the end the following new sub-  
23   section:

24       “(f) SEX OFFENDER MANAGEMENT.—

1           “(1) IN GENERAL.—The Bureau of Prisons  
2           shall make available appropriate treatment to sex of-  
3           fenders who are in need of and suitable for treat-  
4           ment, as follows:

5                   “(A) SEX OFFENDER MANAGEMENT PRO-  
6                   GRAMS.—The Bureau of Prisons shall establish  
7                   non-residential sex offender management pro-  
8                   grams to provide appropriate treatment, moni-  
9                   toring, and supervision of sex offenders and to  
10                  provide aftercare during pre-release custody.

11                  “(B) RESIDENTIAL SEX OFFENDER  
12                  TREATMENT PROGRAMS.—The Bureau of Pris-  
13                  ons shall establish residential sex offender  
14                  treatment programs to provide treatment to sex  
15                  offenders who volunteer for such programs and  
16                  are deemed by the Bureau of Prisons to be in  
17                  need of and suitable for residential treatment.

18                  “(2) REGIONS.—At least one sex offender man-  
19                  agement program under paragraph (1)(A), and at  
20                  least one residential sex offender treatment program  
21                  under paragraph (1)(B), shall be established in each  
22                  region within the Bureau of Prisons.

23                  “(3) AUTHORIZATION OF APPROPRIATIONS.—  
24                  There are authorized to be appropriated to the Bu-

1       reau of Prisons for each fiscal year such sums as  
2       may be necessary to carry out this subsection.”.

3   **SEC. 125. GAO STUDIES ON FEASIBILITY OF USING DRIV-**  
4                   **ER’S LICENSE REGISTRATION PROCESSES AS**  
5                   **ADDITIONAL REGISTRATION REQUIREMENTS**  
6                   **FOR SEX OFFENDERS.**

7       For the purposes of determining the feasibility of  
8       using driver’s license registration processes as additional  
9       registration requirements for sex offenders to improve the  
10      level of compliance with sex offender registration require-  
11      ments for change of address upon relocation and other re-  
12      lated updates of personal information, the Congress re-  
13      quires the following studies:

14           (1) Not later than 180 days after the date of  
15      the enactment of this Act, the Government Account-  
16      ability Office shall complete a study for the Com-  
17      mittee on the Judiciary of the House of Representa-  
18      tives to survey a majority of the States to assess the  
19      relative systems capabilities to comply with a Fed-  
20      eral law that required all State driver’s license sys-  
21      tems to automatically access State and national  
22      databases of registered sex offenders in a form simi-  
23      lar to the requirement of the Nevada law described  
24      in paragraph (2). The Government Accountability  
25      Office shall use the information drawn from this

1 survey, along with other expert sources, to determine  
2 what the potential costs to the States would be if  
3 such a Federal law came into effect, and what level  
4 of Federal grants would be required to prevent an  
5 unfunded mandate. In addition, the Government Ac-  
6 countability Office shall seek the views of Federal  
7 and State law enforcement agencies, including in  
8 particular the Federal Bureau of Investigation, with  
9 regard to the anticipated effects of such a national  
10 requirement, including potential for undesired side  
11 effects in terms of actual compliance with this Act  
12 and related laws.

13 (2) Not later than October 2006, the Govern-  
14 ment Accountability Office shall complete a study to  
15 evaluate the provisions of Chapter 507 of Statutes  
16 of Nevada 2005 to determine—

17 (A) if those provisions are effective in in-  
18 creasing the registration compliance rates of sex  
19 offenders;

20 (B) the aggregate direct and indirect costs  
21 for the state of Nevada to bring those provi-  
22 sions into effect; and

23 (C) whether those provisions should be  
24 modified to improve compliance by registered  
25 sex offenders.

1 **SEC. 126. ASSISTANCE IN IDENTIFICATION AND LOCATION**  
2 **OF SEX OFFENDERS RELOCATED AS A RE-**  
3 **SULT OF A MAJOR DISASTER.**

4 The Attorney General shall provide technical assist-  
5 ance to jurisdictions to assist them in the identification  
6 and location of a sex offender relocated as a result of a  
7 major disaster.

8 **SEC. 127. ELECTION BY INDIAN TRIBES.**

9 (a) ELECTION.—

10 (1) IN GENERAL.—A federally recognized In-  
11 dian tribe may, by resolution or other enactment of  
12 the tribal council or comparable governmental  
13 body—

14 (A) elect to carry out this title as a juris-  
15 diction subject to its provisions; or

16 (B) elect to delegate its functions under  
17 this title to another jurisdiction or jurisdictions  
18 within which the territory of the tribe is located  
19 and to provide access to its territory and such  
20 other cooperation and assistance as may be  
21 needed to enable such other jurisdiction or ju-  
22 risdictions to carry out and enforce the require-  
23 ments of this title.

24 (2) IMPUTED ELECTION IN CERTAIN CASES.—A  
25 tribe shall be treated as if it had made the election  
26 described in paragraph (1)(B) if—

1 (A) it is a tribe subject to the law enforce-  
2 ment jurisdiction of a State under section 1162  
3 of title 18, United States Code;

4 (B) the tribe does not make an election  
5 under paragraph (1) within 1 year of the enact-  
6 ment of this Act or rescinds an election under  
7 paragraph (1)(A); or

8 (C) the Attorney General determines that  
9 the tribe has not implemented the requirements  
10 of this title and is not likely to become capable  
11 of doing so within a reasonable amount of time.

12 (b) COOPERATION BETWEEN TRIBAL AUTHORITIES  
13 AND OTHER JURISDICTIONS.—

14 (1) NONDUPLICATION.—A tribe subject to this  
15 title is not required to duplicate functions under this  
16 title which are fully carried out by another jurisdic-  
17 tion or jurisdictions within which the territory of the  
18 tribe is located.

19 (2) COOPERATIVE AGREEMENTS.—A tribe may,  
20 through cooperative agreements with such a jurisdic-  
21 tion or jurisdictions—

22 (A) arrange for the tribe to carry out any  
23 function of such a jurisdiction under this title  
24 with respect to sex offenders subject to the  
25 tribe's jurisdiction; and

1 (B) arrange for such a jurisdiction to carry  
2 out any function of the tribe under this title  
3 with respect to sex offenders subject to the  
4 tribe's jurisdiction.

5 **SEC. 128. REGISTRATION OF PRISONERS RELEASED FROM**  
6 **FOREIGN IMPRISONMENT.**

7 The Attorney General, in consultation with the Sec-  
8 retary of State and the Secretary of Homeland Security,  
9 shall establish and maintain a system for informing the  
10 relevant jurisdictions about persons entering the United  
11 States who are required to register under this Act.

12 **SEC. 129. SEX OFFENDER RISK CLASSIFICATION STUDY.**

13 (a) STUDY.—The Attorney General shall conduct a  
14 study of risk-based sex offender classification systems,  
15 which shall include an analysis of—

16 (1) various risk-based sex offender classification  
17 systems;

18 (2) the methods and assessment tools available  
19 to assess the risks posed by sex offenders;

20 (3) the efficiency and effectiveness of risk-based  
21 sex offender classification systems, in comparison to  
22 offense-based sex offender classification systems,  
23 in—

24 (A) reducing threats to public safety posed  
25 by sex offenders; and



1 (B) assisting law enforcement agencies and  
2 the public in identifying the most dangerous sex  
3 offenders;

4 (4) the resources necessary to implement, and  
5 the legal implications of implementing, risk-based  
6 sex offender classification systems for sex offender  
7 registries; and

8 (5) any other information the Attorney General  
9 determines necessary to evaluate risk-based sex of-  
10 fender classification systems.

11 (b) REPORT.—Not later than 18 months after the  
12 date of enactment of this Act, the Attorney General shall  
13 report to the Congress the results of the study under this  
14 section.

15 (c) STUDY CONDUCTED BY TASK FORCE.—The At-  
16 torney General may establish a task force to conduct the  
17 study and prepare the report required under this section.  
18 Any task force established under this section shall be com-  
19 posed of members, appointed by the Attorney General,  
20 who—

21 (1) represent national, State, and local inter-  
22 ests; and

23 (2) are especially qualified to serve on the task  
24 force by virtue of their education, training, or expe-  
25 rience, particularly in the fields of sex offender man-

1       agement, community education, risk assessment of  
2       sex offenders, and sex offender victim issues.

3   **SEC. 130. STUDY OF THE EFFECTIVENESS OF RESTRICTING**  
4                   **THE ACTIVITIES OF SEX OFFENDERS TO RE-**  
5                   **DUCE THE OCCURRENCE OF REPEAT OF-**  
6                   **FENSES.**

7       (a) STUDY.—The Attorney General shall conduct a  
8       study to evaluate the effectiveness of monitoring and re-  
9       stricting the activities of sex offenders to reduce the occur-  
10      rence of repeat offenses by such sex offenders. The study  
11      shall evaluate—

12           (1) the effectiveness of methods of monitoring  
13           and restricting the activities of sex offenders, includ-  
14           ing restrictions—

15                   (A) on the areas in which sex offenders  
16                   can reside, work, and attend school;

17                   (B) limiting access by sex offenders to the  
18                   Internet or to specific Internet sites;

19                   (C) preventing access by sex offenders to  
20                   pornography and other obscene materials; and

21                   (D) imposed as part of supervised release  
22                   or probation conditions;

23           (2) the ability of law enforcement agencies and  
24           courts to enforce such restrictions; and

1 (3) the efficacy of any other restrictions that  
 2 may reduce the occurrence of repeat offenses by sex  
 3 offenders.

4 (b) REPORT.—Not later than 6 months after the date  
 5 of enactment of this Act, the Attorney General shall report  
 6 to the Committee on the Judiciary of the House of Rep-  
 7 resentatives and the Committee on the Judiciary of the  
 8 Senate the results of the study under this section.

9 **TITLE II—CRIMINAL LAW EN-**  
 10 **FORCEMENT OF REGISTRA-**  
 11 **TION REQUIREMENTS**

12 **SEC. 201. AMENDMENTS TO TITLE 18, UNITED STATES**  
 13 **CODE, RELATING TO SEX OFFENDER REG-**  
 14 **ISTRATION.**

15 (a) CRIMINAL PENALTIES FOR NONREGISTRATION.—  
 16 Part I of title 18, United States Code, is amended by in-  
 17 serting after chapter 109A the following:

18 **“CHAPTER 109B—SEX OFFENDER AND**  
 19 **CRIMES AGAINST CHILDREN REGISTRY**

“Sec.  
 “2250. Failure to register.

20 **“§ 2250. Failure to register**

21 “Whoever is required to register under the Sex Of-  
 22 fender Registration and Notification Act and—

1           “(1) is a sex offender as defined for the pur-  
 2           poses of that Act by reason of a conviction under  
 3           Federal law; or

4           “(2) travels in interstate or foreign commerce,  
 5           or enters or leaves, or resides in, Indian country;  
 6           and knowingly fails to register as required shall be fined  
 7           under this title or imprisoned not more than 20 years, or  
 8           both.”.

9           (b) CLERICAL AMENDMENT.—The table of chapters  
 10          for part I of title 18, United States Code, is amended by  
 11          inserting after the item relating to chapter 109A the fol-  
 12          lowing new item:

**“109B. Sex offender and crimes against children registry 2250”.**

13          (c) FALSE STATEMENT OFFENSE.—Section 1001(a)  
 14          of title 18, United States Code, is amended by adding at  
 15          the end the following: “If the matter relates to an offense  
 16          under chapter 109A, 109B, 110, or 117, or section 1591,  
 17          then the term of imprisonment imposed under this section  
 18          shall be not more than 10 years.”.

19          (d) PROBATION.—Paragraph (8) of section 3563(a)  
 20          of title 18, United States Code, is amended to read as  
 21          follows:

22                 “(8) for a person required to register under the  
 23                 Sex Offender Registration and Notification Act, that  
 24                 the person comply with the requirements of that  
 25                 Act; and”.

1 (e) SUPERVISED RELEASE.—Section 3583 of title 18,  
2 United States Code, is amended—

3 (1) in subsection (d), in the sentence beginning  
4 with “The court shall order, as an explicit condition  
5 of supervised release for a person described in sec-  
6 tion 4042(c)(4)”, by striking “described in section  
7 4042(c)(4)” and all that follows through the end of  
8 the sentence and inserting “required to register  
9 under the Sex Offender Registration and Notifica-  
10 tion Act that the person comply with the require-  
11 ments of that Act.”; and

12 (2) in subsection (k)—

13 (A) by striking “2244(a)(1), 2244(a)(2)”  
14 and inserting “2243, 2244, 2245, 2250”;

15 (B) by inserting “not less than 5,” after  
16 “any term of years”; and

17 (C) by adding at the end the following: “If  
18 a defendant required to register under the Sex  
19 Offender Registration and Notification Act vio-  
20 lates the requirements of that Act or commits  
21 any criminal offense for which imprisonment for  
22 a term longer than one year can be imposed,  
23 the court shall revoke the term of supervised re-  
24 lease and require the defendant to serve a term  
25 of imprisonment under subsection (e)(3) with-

1 out regard to the exception contained therein.  
2 Such term shall be not less than 5 years, and  
3 if the offense was an offense under chapter  
4 109A, 109B, 110, or 117, or section 1591, not  
5 less than 10 years.”.

6 (f) DUTIES OF BUREAU OF PRISONS.—Paragraph  
7 (3) of section 4042(c) of title 18, United States Code, is  
8 amended to read as follows:

9 “(3) The Director of the Bureau of Prisons shall in-  
10 form a person who is released from prison and required  
11 to register under the Sex Offender Registration and Noti-  
12 fication Act of the requirements of that Act as they apply  
13 to that person and the same information shall be provided  
14 to a person sentenced to probation by the probation officer  
15 responsible for supervision of that person.”.

16 (g) CONFORMING AMENDMENTS TO CROSS REF-  
17 ERENCES.—Paragraphs (1) and (2) of section 4042(c) of  
18 title 18, United States Code, are each amended by striking  
19 “(4)” each place it appears and inserting “(3)”.

20 (h) CONFORMING REPEAL OF DEADWOOD.—Para-  
21 graph (4) of section 4042(c) of title 18, United States  
22 Code, is repealed.

23 (i) MILITARY OFFENSES.—

24 (1) Section 115(a)(8)(C)(i) of Public Law 105–  
25 119 (111 Stat. 2466) is amended by striking “which

1 encompass” and all that follows through “and (B))”  
 2 and inserting “which are sex offenses as that term  
 3 is defined in the Sex Offender Registration and No-  
 4 tification Act”.

5 (2) Section 115(a)(8)(C)(iii) of Public Law  
 6 105–119 (111 Stat. 2466; 10 U.S.C. 951 note) is  
 7 amended by striking “the amendments made under  
 8 subparagraphs (A) and (B)” and inserting “the Sex  
 9 Offender Registration and Notification Act”.

10 (j) CONFORMING AMENDMENT RELATING TO PA-  
 11 ROLE.—Section 4209(a) of title 18, United States Code,  
 12 is amended in the second sentence by striking “described”  
 13 and all that follows through the end of the sentence and  
 14 inserting “required to register under the Sex Offender  
 15 Registration and Notification Act that the person comply  
 16 with the requirements of that Act.”.

17 **SEC. 202. FEDERAL INVESTIGATION OF SEX OFFENDER VIO-**  
 18 **LATIONS OF REGISTRATION REQUIREMENTS.**

19 (a) IN GENERAL.—The Attorney General shall assist  
 20 jurisdictions in locating and apprehending sex offenders  
 21 who violate sex offender registration requirements.

22 (b) AUTHORIZATION OF APPROPRIATIONS.—There  
 23 are authorized to be appropriated such sums as may be  
 24 necessary for fiscal years 2006 through 2008 to implement  
 25 this section.

1 **SEC. 203. SEX OFFENDER APPREHENSION GRANTS.**

2 Title I of the Omnibus Crime Control and Safe  
3 Streets Act of 1968 is amended by adding at the end the  
4 following new part:

5 **“PART JJ—SEX OFFENDER APPREHENSION**  
6 **GRANTS**

7 **“SEC. 3011. AUTHORITY TO MAKE SEX OFFENDER APPRE-**  
8 **HENSION GRANTS.**

9 “(a) IN GENERAL.—From amounts made available to  
10 carry out this part, the Attorney General may make grants  
11 to States, units of local government, Indian tribal govern-  
12 ments, other public and private entities, and multi-juris-  
13 dictional or regional consortia thereof for activities speci-  
14 fied in subsection (b).

15 “(b) COVERED ACTIVITIES.—An activity referred to  
16 in subsection (a) is any program, project, or other activity  
17 to assist a State in enforcing sex offender registration re-  
18 quirements.

19 **“SEC. 3012. AUTHORIZATION OF APPROPRIATIONS.**

20 “There are authorized to be appropriated such sums  
21 as may be necessary for fiscal years 2006 through 2008  
22 to carry out this part.”.



1 **SEC. 204. USE OF ANY CONTROLLED SUBSTANCE TO FA-**  
2 **CILITATE SEX OFFENSE, AND PROHIBITION**  
3 **ON INTERNET SALES OF DATE RAPE DRUGS.**

4 (a) INCREASED PUNISHMENT.—Chapter 109A of  
5 title 18, United States Code, is amended by adding at the  
6 end the following:

7 **“§ 2249. Use of any controlled substance to facilitate**  
8 **sex offense**

9 “(a) Whoever, knowingly uses a controlled substance  
10 to substantially impair the ability of a person to appraise  
11 or control conduct, in order to commit a sex offense, other  
12 than an offense where such use is an element of the of-  
13 fense, shall, in addition to the punishment provided for  
14 the sex offense, be imprisoned for any term of years not  
15 more than 10 years.

16 “(b) As used in this section, the term ‘sex offense’  
17 means an offense under this chapter other than an offense  
18 under this section.

19 **“§ 2250. Internet sales of date rape drugs**

20 “(a) Whoever knowingly uses the Internet to dis-  
21 tribute (as that term is defined for the purposes of the  
22 Controlled Substances Act) a date rape drug to any person  
23 shall be fined under this title or imprisoned not more than  
24 20 years, or both.

25 “(b) As used in this section, the term ‘date rape drug’  
26 means gamma hydroxybutyric acid, ketamine, or

1 flunitrazepam, or any analogue of such a substance, in-  
 2 cluding gamma butyrolactone or 1,4-butanediol.”.

3 (b) AMENDMENT TO TABLE OF SECTIONS.—The  
 4 table of sections at the beginning of chapter 109A of title  
 5 18, United States Code, is amended by adding at the end  
 6 the following new item:

“2249. Use of any controlled substance to facilitate sex offense.

“2250. Internet sales of date rape drugs.”.

7 **SEC. 205. REPEAL OF PREDECESSOR SEX OFFENDER PRO-**  
 8 **GRAM.**

9 Sections 170101 (42 U.S.C. 14071) and 170102 (42  
 10 U.S.C. 14072) of the Violent Crime Control and Law En-  
 11 forcement Act of 1994, and section 8 of the Pam Lychner  
 12 Sexual Offender Tracking and Identification Act of 1996  
 13 (42 U.S.C. 14073), are repealed.

14 **SEC. 206. ASSISTANCE FOR PROSECUTION OF CASES**  
 15 **CLEARED THROUGH USE OF DNA BACKLOG**  
 16 **CLEARANCE FUNDS.**

17 (a) IN GENERAL.—The Attorney General may make  
 18 grants to train and employ personnel to help prosecute  
 19 cases cleared through use of funds provided for DNA  
 20 backlog elimination.

21 (b) AUTHORIZATION.—There are authorized to be ap-  
 22 propriated such sums as may be necessary for each of fis-  
 23 cal years 2006 through 2010 to carry out this section.

1 **SEC. 207. GRANTS TO COMBAT SEXUAL ABUSE OF CHIL-**  
2 **DREN.**

3 (a) IN GENERAL.—The Bureau of Justice Assistance  
4 shall make grants to law enforcement agencies for pur-  
5 poses of this section. The Bureau shall make such a  
6 grant—

7 (1) to each law enforcement agency that serves  
8 a jurisdiction with 50,000 or more residents; and

9 (2) to each law enforcement agency that serves  
10 a jurisdiction with fewer than 50,000 residents,  
11 upon a showing of need.

12 (b) USE OF GRANT AMOUNTS.—Grants under this  
13 section may be used by the law enforcement agency to—

14 (1) hire additional law enforcement personnel,  
15 or train existing staff to combat the sexual abuse of  
16 children through community education and outreach,  
17 investigation of complaints, enforcement of laws re-  
18 lating to sex offender registries, and management of  
19 released sex offenders;

20 (2) investigate the use of the Internet to facili-  
21 tate the sexual abuse of children; and

22 (3) purchase computer hardware and software  
23 necessary to investigate sexual abuse of children over  
24 the Internet, access local, State, and Federal data-  
25 bases needed to apprehend sex offenders, and facili-

1       tate the creation and enforcement of sex offender  
2       registries.

3       (c) AUTHORIZATION OF APPROPRIATIONS.—There  
4       are authorized to be appropriated such sums as may be  
5       necessary for fiscal years 2006 through 2008 to carry out  
6       this section.

7       **SEC. 208. EXPANSION OF TRAINING AND TECHNOLOGY EF-**  
8       **FORTS.**

9       (a) TRAINING.—The Attorney General, in consulta-  
10      tion with the Office of Juvenile Justice and Delinquency  
11      Prevention, shall—

12           (1) expand training efforts with Federal, State,  
13           and local law enforcement officers and prosecutors  
14           to effectively respond to the threat to children and  
15           the public posed by sex offenders who use the Inter-  
16           net and technology to solicit or otherwise exploit  
17           children;

18           (2) facilitate meetings, between corporations  
19           that sell computer hardware and software or provide  
20           services to the general public related to use of the  
21           Internet, to identify problems associated with the  
22           use of technology for the purpose of exploiting chil-  
23           dren;

24           (3) host national conferences to train Federal,  
25           State, and local law enforcement officers, probation

1 and parole officers, and prosecutors regarding pro-  
2 active approaches to monitoring sex offender activity  
3 on the Internet;

4 (4) develop and distribute, for personnel listed  
5 in paragraph (3), information regarding multi-dis-  
6 ciplinary approaches to holding offenders account-  
7 able to the terms of their probation, parole, and sex  
8 offender registration laws; and

9 (5) partner with other agencies to improve the  
10 coordination of joint investigations among agencies  
11 to effectively combat on-line solicitation of children  
12 by sex offenders.

13 (b) TECHNOLOGY.—The Attorney General, in con-  
14 sultation with the Office of Juvenile Justice and Delin-  
15 quency Prevention, shall—

16 (1) deploy, to all Internet Crimes Against Chil-  
17 dren Task Forces and their partner agencies, tech-  
18 nology modeled after the Canadian Child Exploi-  
19 tation Tracking System; and

20 (2) conduct training in the use of that tech-  
21 nology.

22 (c) REPORT.—Not later than July 1, 2006, the Attor-  
23 ney General, in consultation with the Office of Juvenile  
24 Justice and Delinquency Prevention, shall submit to Con-  
25 gress a report on the activities carried out under this sec-

tion. The report shall include any recommendations that the Attorney General, in consultation with the Office, considers appropriate.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General, for fiscal year 2006—

(1) \$1,000,000 to carry out subsection (a); and

(2) \$2,000,000 to carry out subsection (b).

**SEC. 209. REVOCATION OF PROBATION OR SUPERVISED RELEASE.**

(a) PROBATION.—Section 3565(b) of title 18, United States Code, is amended—

(1) in paragraph (3) by striking ‘or’ at the end;

and

(2) by inserting after paragraph (4) the following:

“(5) commits a felony crime of violence; or

“(6) commits a crime of violence against, or an offense that consists of or is intended to facilitate unlawful sexual contact (as defined in section 2246) with, a person who has not attained the age of 18 years;”.

(b) SUPERVISED RELEASE.—Section 3583(g) of title 18, United States Code, is amended—

1 (1) in paragraph (3) by striking `or' at the end;  
2 and

3 (2) by inserting after paragraph (4) the fol-  
4 lowing:

5 “(5) commits a felony crime of violence; or

6 “(6) commits a crime of violence against, or an  
7 offense that consists of or is intended to facilitate  
8 unlawful sexual contact (as defined in section 2246)  
9 with, a person who has not attained the age of 18  
10 years;”.

11 **TITLE III—OFFICE ON SEXUAL**  
12 **VIOLENCE AND CRIMES**  
13 **AGAINST CHILDREN**

14 **SEC. 301. ESTABLISHMENT.**

15 There is established within the Department of Jus-  
16 tice, under the general authority of the Attorney General,  
17 an Office on Sexual Violence and Crimes against Children  
18 (hereinafter in this title referred to as the “Office”).

19 **SEC. 302. DIRECTOR.**

20 The Office shall be headed by a Director who shall  
21 be appointed by the President. The Director shall report  
22 to the Attorney General through the Assistant Attorney  
23 General for the Office of Justice Programs and shall have  
24 final authority for all grants, cooperative agreements, and  
25 contracts awarded by the Office. The Director shall not

1 engage in any employment other than that of serving as  
2 the Director, nor shall the Director hold any office in, or  
3 act in any capacity for, any organization, agency, or insti-  
4 tution with which the Office makes any contract or other  
5 arrangement.

6 **SEC. 303. DUTIES AND FUNCTIONS.**

7 The Office is authorized to—

8 (1) administer the standards for sex offender  
9 registration and notification programs set forth in  
10 this Act;

11 (2) administer grant programs relating to sex  
12 offender registration and notification authorized by  
13 this Act and other grant programs authorized by  
14 this Act as directed by the Attorney General;

15 (3) cooperate with and provide technical assist-  
16 ance to States, units of local government, tribal gov-  
17 ernments, and other public and private entities in-  
18 volved in activities related to sex offender registra-  
19 tion or notification or to other measures for the pro-  
20 tection of children or other members of the public  
21 from sexual abuse or exploitation; and

22 (4) perform such other functions as the Attor-  
23 ney General may delegate.

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