

110TH CONGRESS  
1ST SESSION

# H. R. 719

---

IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2007

Received; read twice and referred to the Committee on the Judiciary

---

## AN ACT

To authorize additional appropriations for supervision of Internet access by sex offenders convicted under Federal law, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Keeping the Internet  
3 Devoid of Sexual Predators Act of 2007” or the “KIDS  
4 Act of 2007”.

5 **SEC. 2. ADDITIONAL AUTHORIZATION OF APPROPRIATIONS**  
6 **FOR SUPERVISION OF INTERNET ACCESS BY**  
7 **SEX OFFENDERS CONVICTED UNDER FED-**  
8 **ERAL LAW.**

9 In addition to any other sums authorized to be appro-  
10 priated for the purposes of supervising persons on proba-  
11 tion and pretrial release in connection with convictions for  
12 Federal offenses, there are authorized to be appropriated  
13 \$5,000,000 for each fiscal years 2008 through 2013 for  
14 any or all of the following purposes:

15 (1) To evaluate computer internet filtering,  
16 monitoring and other programs and devices that are  
17 designed to filter access to certain web sites, permit  
18 monitoring of the use by persons under supervision  
19 of internet, and related purposes.

20 (2) To purchase those programs and devices de-  
21 termined through that evaluation to be the best for  
22 those purposes.

23 (3) To train probation officers in the use of  
24 those programs and devices.

25 (4) To train probation officers in the super-  
26 vision of sex offenders.

1           (5) To hire probation officers and other per-  
2           sonnel as required to supervise convicted sex offend-  
3           ers effectively.

4 **SEC. 3. DISCRETIONARY CONDITION OF PROBATION AND**  
5 **SUPERVISED RELEASE FOR SEX OFFENDERS.**

6           (a) PROBATION.—Section 3563(b) of title 18, United  
7 States Code, is amended—

8           (1) in paragraph (22), by striking “or”;

9           (2) by striking the period at the end of para-  
10          graph (23) and inserting “; or” and

11          (3) by inserting after paragraph (23) the fol-  
12          lowing:

13               “(24) if required to register under the Sex Of-  
14          fender Registration and Notification Act—

15                       “(A) obtain access to the Internet only  
16                       from computers approved by the probation offi-  
17                       cer;

18                       “(B) consent and fully cooperate with peri-  
19                       odic examinations of the computers by the pro-  
20                       bation officer, including the retrieval and copy-  
21                       ing of all data from those computers and re-  
22                       moval of the computer equipment for a reason-  
23                       able period of time for the purpose of con-  
24                       ducting a more thorough inspection;

1           “(C) consent and fully cooperate with the  
2           installation on the computers any hardware or  
3           software filtering systems designated by the  
4           probation officer that restrict the defendant’s  
5           access to classes of web sites designated by the  
6           officer as to which, under the circumstances of  
7           the offense, access should be restricted;

8           “(D) consent and fully cooperate with the  
9           installation on the computers of monitoring sys-  
10          tems or hardware that permit the probation of-  
11          ficer to monitor the defendant’s computer use  
12          to assure compliance with the law, conditions of  
13          probation, and to protect public safety; and

14          “(E) take no steps to disable or evade the  
15          filtering or monitoring programs or devices.”.

16          (b) SUPERVISED RELEASE.—Section 3583(d) of title  
17          18, United States Code, is amended by striking “any con-  
18          dition set forth as a discretionary condition of probation  
19          in section 3563(b)(1) through (b)(10) and (b)(12) through  
20          (b)(20)” and inserting “a condition set forth in section  
21          3563(b), other than that described in paragraph (11) of  
22          that section”.

23          **SEC. 4. DIRECTION TO SENTENCING COMMISSION.**

24          The United States Sentencing Commission, pursuant  
25          to its authority under section 994 of title 28, United

1 States Code, and in accordance with this section, shall re-  
2 view and, if appropriate amend the Federal sentencing  
3 guidelines (including its policy statements) applicable to  
4 persons convicted of sex offenses involving children in cir-  
5 cumstances where the offense is committed or facilitated  
6 by the use of the Internet, and—

7 (1) a misrepresentation is made over the Inter-  
8 net as to the age of the offender; or

9 (2) there is a failure of the offender to reveal  
10 the offender’s status as a sex offender.

11 **SEC. 5. MODIFICATION OF MINIMUM STANDARDS RE-**  
12 **QUIRED FOR ELECTRONIC MONITORING**  
13 **UNITS USED IN SEXUAL OFFENDER MONI-**  
14 **TORING PILOT PROGRAM.**

15 (a) IN GENERAL.—Subparagraph (C) of section  
16 621(a)(1) of the Adam Walsh Child Protection and Safety  
17 Act of 2006 (42 U.S.C. 16981(a)(1)) is amended to read  
18 as follows:

19 “(C) MINIMUM STANDARDS.—The elec-  
20 tronic monitoring units used in the pilot pro-  
21 gram shall at a minimum—

22 “(i) provide a tracking device for each  
23 offender that contains a central processing  
24 unit with global positioning system; and

1                   “(ii) permit continuous monitoring of  
2                   offenders 24 hours a day.”.

3           (b) **EFFECTIVE DATE.**—The amendment made by  
4 subsection (a) shall apply to grants provided on or after  
5 the date of the enactment of this Act.

6 **SEC. 6. FINANCIAL FACILITATION OF ACCESS TO CHILD**  
7 **PORNOGRAPHY.**

8           (a) **OFFENSE.**—Chapter 95 of title 18, United States  
9 Code, is amended by adding at the end the following:

10 **“§ 1960A. Financial facilitation of access to child por-**  
11 **nography**

12           “Whoever knowingly conducts, or attempts or con-  
13 spires to conduct, a financial transaction (as defined in  
14 section 1956(c)) in or affecting interstate or foreign com-  
15 merce, knowing that such transaction will facilitate access  
16 to, or possession of, child pornography (as defined in Sec-  
17 tion 2256) shall be fined under this title or imprisoned  
18 not more than 20 years, or both.”.

19           (b) **AMENDMENT TO TABLE OF SECTIONS.**—The  
20 table of sections at the beginning of chapter 95 of title  
21 18, United States Code, is amended by adding at the end  
22 the following new item:

“1960A. Financial facilitation of access to child pornography.”.

1 **SEC. 7. CHANGE IN DEFINITION OF MONETARY INSTRU-**  
2 **MENTS FOR MONEY LAUNDERING AND**  
3 **OTHER OFFENSES.**

4 Section 1956(e)(5) of title 18, United States Code,  
5 is amended—

6 (1) by striking “or” at the end of clause (i);

7 and

8 (2) by inserting “, (iii) electronic or digital cur-  
9 rencies, and the corresponding monetary value of  
10 any associated account, or (iv) stored value cards or  
11 similar devices” after “delivery”.

Passed the House of Representatives November 14,  
2007.

Attest: LORRAINE C. MILLER,  
*Clerk.*