

111TH CONGRESS
2D SESSION

H. R. 6566

To protect children from registered sex offenders, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 21, 2010

Mr. KING of New York (for himself and Mrs. LOWEY) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To protect children from registered sex offenders, 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 “Preventing Sex Offend-
5 ers Access to Children in Our Communities Act of 2010”.

1 **SEC. 2. EMPLOYMENT RESTRICTIONS FOR REGISTERED**
2 **SEX OFFENDERS.**

3 (a) IN GENERAL.—Subtitle A of the Sex Offender
4 Notification and Registration Act (42 U.S.C. 16911 et
5 seq.) is amended by adding at the end the following:

6 **“SEC. 132. EMPLOYMENT RESTRICTIONS FOR REGISTERED**
7 **SEX OFFENDERS.**

8 “(a) IN GENERAL.—Each jurisdiction shall prohibit
9 any sex offender registered with the jurisdiction under sec-
10 tion 113 from—

11 “(1) accepting a position of employment, in-
12 cluding a volunteer position, which by the inherent
13 nature of the position places the sex offender in di-
14 rect and substantial contact with minors; and

15 “(2) obtaining a permit or permission to carry
16 out an activity or performance that would present
17 direct and substantial contact with minors.

18 “(b) DEFINITION.—In this section, the term ‘direct
19 and substantial contact with minors’ means—

20 “(1) working with minors;

21 “(2) having the opportunity to be alone with
22 minors;

23 “(3) spending time specifically with minors; or

24 “(4) any other activity that is targeted to in-
25 involve minors.”.

1 (b) RULEMAKING REQUIRED.—Not later than 180
2 days after the date of enactment of this Act, the Attorney
3 General, in consultation with the appropriate agencies of
4 the Federal Government and State and local governments,
5 shall promulgate rules to implement the amendment made
6 by subsection (a).

7 **SEC. 3. GRANTS FOR IMPLEMENTATION OF A COMMUNITY**
8 **ACCESSIBLE SEX OFFENDER REGISTRATION**
9 **TIPS AND SUPPORT PROGRAM.**

10 (a) DEFINITIONS.—In this section—

11 (1) the term “direct and substantial contact
12 with minors” means—

13 (A) working with minors;

14 (B) having the opportunity to be alone
15 with minors;

16 (C) spending time specifically with minors;

17 or

18 (D) any other activity that is targeted to
19 involve minors;

20 (2) the term “minor” has the meaning given
21 the term in section 111 of the Sex Offender Notifi-
22 cation and Registration Act (42 U.S.C. 16911);

23 (3) the term “national crime information data-
24 bases” has the meaning given the term in section
25 534 of title 28, United States Code; and

1 (4) the term “sex offender” has the meaning
2 given the term in section 111 of the Sex Offender
3 Notification and Registration Act (42 U.S.C.
4 16911).

5 (b) IN GENERAL.—The Attorney General may award
6 grants to and enter into contracts with public agencies or
7 nonprofit private organizations, or combinations thereof,
8 to establish the program described in subsection (c).

9 (c) COMMUNITY ACCESSIBLE SEX OFFENDER TIPS
10 AND SUPPORT PROGRAM DESCRIBED.—The community
11 accessible sex offender registration tips and support pro-
12 gram established under subsection (b) shall—

13 (1) provide a forum for an individual to submit
14 an anonymous or confidential tip regarding any sex
15 offender required to be registered under the Sex Of-
16 fender Notification and Registration Act (42 U.S.C.
17 16911 et seq.) who—

18 (A) is not complying with the requirements
19 of such Act;

20 (B) is in a position which places the sex of-
21 fender in direct and substantial contact with
22 minors; or

23 (C) is engaged in—

1 (i) activities in violation of the condi-
2 tions of the probation or parole of the sex
3 offender; or

4 (ii) any other criminal activity;

5 (2) enable the analysis and coordination of tips
6 provided under paragraph (1);

7 (3) use existing Internet sex offender registries,
8 public information, and the national crime informa-
9 tion databases to compare and contrast information
10 and identify—

11 (A) sex offenders required to be registered
12 under the Sex Offender Notification and Reg-
13 istration Act (42 U.S.C. 16911 et seq.) who—

14 (i) are not complying with the require-
15 ments of such Act;

16 (ii) are in a position which place the
17 sex offender in direct and substantial con-
18 tact with minors; or

19 (iii) are engaged in high-risk or crimi-
20 nal activities in violation of the conditions
21 of supervision of the sex offender; and

22 (B) the location of any sex offenders iden-
23 tified under subparagraph (A) in order to aid
24 the taking of appropriate action by law enforce-
25 ment; and

1 (4) provide a victim of sexual assault, violent
2 crime, and other nonviolent crime who provide infor-
3 mation under paragraph (1) with an infrastructure
4 of direct advocacy, therapeutic support, concrete
5 services, and enforcement linkages by certified rape
6 crisis counselors.

7 (d) ACCESS TO THE NATIONAL CRIME INFORMATION
8 DATABASES.—Notwithstanding any other provision of
9 law, the Attorney General shall ensure that an agency or
10 organization that is awarded a grant or contract under
11 this section has access to the national crime information
12 databases to the extent that the access is for purposes
13 within the scope of the duties and responsibilities of the
14 agency or organization to assist or support law enforce-
15 ment agencies in the administration of criminal justice
16 functions relating to sex offenders.

17 (e) PRIORITY.—In making grants or contracts under
18 this section, the Attorney General shall give priority to ap-
19 plications submitted by public agencies or nonprofit pri-
20 vate organizations that demonstrate—

21 (1) success in educating the public regarding
22 Federal, State, and local sex offender registration
23 and notification requirements and restrictions;

1 (2) a responsible use of information collected
2 through an established interactive telephone helpline
3 or Internet Web site;

4 (3) success in collaborating and assisting the
5 public and community organizations in accessing—

6 (A) sex offender registration and notifica-
7 tion information; and

8 (B) minor and adult sexual abuse preven-
9 tion resources;

10 (4) success in processing tips from the public
11 regarding sex offenders, including the monitoring
12 and management of sex offenders through an estab-
13 lished sex offender registration and notification tele-
14 phone helpline or Internet Web site;

15 (5) experience in providing direct advocacy,
16 therapeutic support, and concrete services to victims
17 of sexual abuse and other violent and nonviolent
18 crimes by certified rape crisis counselors; and

19 (6) success in collaborating with law enforce-
20 ment agencies—

21 (A) in the provision of information received
22 from the public regarding sex offenders who are
23 not acting in compliance with the requirements
24 of the Sex Offender Notification and Registra-
25 tion Act (42 U.S.C. 16911 et seq.); and

(B) in mitigating the potential threat to public safety of sex offenders who—

(i) are engaged in high-risk or criminal activities; or

(ii) are in positions which place the sex offenders in direct and substantial contact with minors.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$3,000,000 to carry out the grants authorized under subsection (b) for each of fiscal years 2011 through 2015, and such sums as are necessary thereafter.

SEC. 4. REDUCING UNNECESSARY PRINTING AND PUBLISHING COSTS OF GOVERNMENT DOCUMENTS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall coordinate with the head of each Executive agency, as defined in section 105 of title 5, United States Code, to—

(1) determine which Government publications could be made available on Government Web sites and no longer printed; and

(2) devise a strategy to reduce overall Government printing costs by not less than a total of

1 \$15,000,000 over the 5-year period beginning with
2 fiscal year 2011.

3 (b) REQUIREMENT.—In carrying subsection (a), the
4 Director of the Office of Management and Budget shall
5 ensure that essential printed documents that are prepared
6 for individuals who receive benefits under the Social Secu-
7 rity program, Medicare beneficiaries, and individuals liv-
8 ing in areas with limited Internet access or use continue
9 to remain available in print.

10 **SEC. 5. SEVERABILITY.**

11 If any provision of this Act or any amendment made
12 by this Act, or the application of a provision or amend-
13 ment to any person or circumstance, is held to be uncon-
14 stitutional, the remainder of this Act and the amendments
15 made by this Act, and the application of the provisions
16 and amendments to any person or circumstance, shall not
17 be affected by the holding.

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