

116TH CONGRESS
1ST SESSION

S. 1413

To require the Secretary of Defense to establish an initiative on improving the capacity of military criminal investigative organizations to prevent child sexual exploitation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 9, 2019

Mr. SCHATZ (for himself and Ms. MURKOWSKI) introduced the following bill;
which was read twice and referred to the Committee on Armed Services

A BILL

To require the Secretary of Defense to establish an initiative on improving the capacity of military criminal investigative organizations to prevent child sexual 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.**

4 This Act may be cited as the “End National Defense
5 Network Abuse Act of 2019” or the “END Network
6 Abuse Act of 2019”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1 (1) In a survey of online peer-to-peer networks,
2 there is an alarming amount of traffic related to the
3 online trading and sharing of child sexual exploi-
4 tation material.

5 (2) Child sexual exploitation, which includes
6 child pornography, child sexual abuse, and child sex
7 trafficking is a complex and growing problem that
8 requires a coordinated, multifaceted response.

9 (3) Victims of child sexual exploitation are less
10 likely to self-report or be identified by outside
11 sources because of their age and the nature of the
12 crimes committed against them.

13 (4) Individuals participating in the possession
14 and trade of child pornography are significantly
15 more likely to also participate in other forms of child
16 sexual exploitation, including child sexual abuse and
17 child trafficking.

18 (5) The detection of online peer-to-peer trading
19 of child pornography focuses on images of children
20 under age 12. Approximately 20 percent of the total
21 number of child sexual exploitation images discov-
22 ered feature children ages 0 to 4.

23 (6) The Internet Crimes Against Children Child
24 Online Protective Services (ICACCOPS) program
25 has been used to identify and collect evidence for the

1 purpose of prosecuting offenders online. The pro-
2 gram also catalogues images and creates a digital li-
3 brary for the purpose of identifying victims of child
4 sexual exploitation through these images.

5 (7) In 2017, using such program, which scans
6 the Internet for peer-to-peer trading of child pornog-
7 raphy, law enforcement officials identified 663,853
8 unique Internet Protocol (IP) addresses associated
9 with the possession or trading of child pornography.
10 Each unique Internet Protocol address is associated
11 with possessing or trading a range of images, with
12 some possessing more than 50,000 images that de-
13 pict the sexual abuse of children.

14 (8) Training military criminal investigative or-
15 ganizations on advanced tools is integral to the pro-
16 tection of both military and civilian children.

17 (9) Continued training on advanced techno-
18 logical tools will allow military criminal investigative
19 organizations to acquire, adapt, and maintain the
20 technical skills and knowledge needed to keep up
21 with the landscape of online child sexual exploi-
22 tation, which is constantly changing as perpetrators
23 take new steps to avoid detection.

24 (10) There are existing best practices and mod-
25 els that the Department of Defense should leverage,

1 including online technologies that can simplify the
2 investigative process.

3 **SEC. 3. INITIATIVE TO IMPROVE THE CAPACITY OF MILI-**
4 **TARY CRIMINAL INVESTIGATIVE ORGANIZA-**
5 **TIONS TO PREVENT CHILD SEXUAL EXPLOI-**
6 **TATION.**

7 (a) IN GENERAL.—Not later than 180 days after the
8 date of the enactment of this Act, the Secretary of Defense
9 shall establish an initiative on improving the capacity of
10 military criminal investigative organizations to prevent
11 child sexual exploitation. Under the initiative, the Sec-
12 retary shall work with an external partner to train military
13 criminal investigative organization officials at Department
14 of Defense installations from all military departments re-
15 garding—

- 16 (1) online investigative technology, tools, and
17 techniques;
18 (2) computer forensics;
19 (3) complex evidentiary issues;
20 (4) child victim identification;
21 (5) child victim referral for comprehensive in-
22 vestigation and treatment services; and
23 (6) related instruction.

1 (b) PARTNERSHIPS AND AGREEMENTS.—Under the
2 initiative, the Secretary shall develop partnerships and es-
3 tablish collaborative agreements with the following:

4 (1) The Department of Justice, Office of the
5 Attorney General, in better coordinating the inves-
6 tigative jurisdictions and law enforcement authori-
7 ties of the military criminal investigative organiza-
8 tions, and in improving the justice community’s un-
9 derstanding of those law enforcement authorities to
10 enforce Federal criminal statutes.

11 (2) Federal criminal investigative organizations
12 responsible for enforcement of Federal criminal stat-
13 utes related to combatting child sexual exploitation,
14 in order to ensure a streamlined process for trans-
15 ferring criminal investigations into child exploitation
16 to other jurisdictions, while maintaining the integrity
17 of the evidence already collected.

18 (3) A highly qualified national child protection
19 organization or law enforcement training center with
20 demonstrated expertise in the delivery of law en-
21 forcement training—

22 (A) to detect, identify, investigate, and
23 prosecute individuals engaged in the trading or
24 production of child pornography and the online
25 solicitation of children; and

1 (B) to train military criminal investigative
2 organization officials at Department of Defense
3 installations from all military departments.

4 (4) A highly qualified national child protection
5 organization with demonstrated expertise in the de-
6 velopment and delivery of multidisciplinary interven-
7 tion training including evidence-based forensic inter-
8 viewing, victim advocacy, trauma-informed mental
9 health services, medical services, and multidisci-
10 plinary coordination between the Department of De-
11 fense and civilian experts to improve outcomes for
12 victims of child sexual exploitation.

13 (5) Children's Advocacy Centers located in the
14 same communities as military installations that co-
15 ordinate the multidisciplinary team response and
16 child-friendly approach to identifying, investigating,
17 prosecuting, and intervening in child sexual exploi-
18 tation cases that can partner with military installa-
19 tions on law enforcement, child protection, prosecu-
20 tion, mental health, medical, and victim advocacy to
21 investigate sexual exploitation, help children heal
22 from sexual exploitation, and hold offenders account-
23 able.

24 (6) State and local authorities to address law
25 enforcement capacity in communities where military

1 installations are located, and to prevent lapses in ju-
2 risdiction that would undercut the Department's ef-
3 forts to prevent child sexual exploitation.

4 (7) The National Association to Protect Chil-
5 dren and the United States Special Operations Com-
6 mand Care Coalition to replicate successful outcomes
7 of the Human Exploitation Rescue Operative
8 (HERO) Child Rescue Corps, as established by sec-
9 tion 890A of the Homeland Security Act of 2002 (6
10 U.S.C. 473), within military criminal investigative
11 organizations and other Department components to
12 combat child sexual exploitation.

13 (c) LOCATIONS.—

14 (1) IN GENERAL.—The Secretary shall carry
15 out the initiative—

16 (A) in at least two States where there is a
17 high density of Department network users in
18 comparison to the overall population of the
19 States;

20 (B) in at least two States where there is
21 a high population of Department network users;

22 (C) in at least two States where there is a
23 large percentage of Indian children, including
24 children who are Alaska Native or Native Ha-
25 waiian;

1 (D) in at least one State with a population
2 with fewer than 2,000,000 people;

3 (E) in at least one State with a population
4 with fewer than 5,000,000 people, but not fewer
5 than 2,000,000 people;

6 (F) in at least one State with a population
7 with fewer than 10,000,000 people, but not
8 fewer than 5,000,000; and

9 (G) in at least one State with a population
10 with 10,000,000 or more people.

11 (2) GEOGRAPHIC DISTRIBUTION.—The Sec-
12 retary shall ensure that the locations at which the
13 initiative is carried out are distributed across dif-
14 ferent regions.

15 (d) ADDITIONAL REQUIREMENTS.—In carrying out
16 the initiative, the Secretary shall—

17 (1) participate in multi-jurisdictional task
18 forces;

19 (2) establish cooperative agreements to facili-
20 tate co-training and collaboration with Federal,
21 State, and local law enforcement; and

22 (3) develop a streamlined process to refer child
23 sexual abuse cases to other jurisdictions.

○