

Whereas Demetrius Darnell Homer—

(1) in August 2011 was sentenced to 20 years in prison on charges of sex trafficking of a minor for violently forcing a 14-year-old Atlanta girl into prostitution, controlling her through beatings, threatening her with a knife, shocking her with a taser in front of another underage girl whom he had placed in prostitution, and forcing her to engage in prostitution while she was pregnant with his child; and

(2) used Backpage.com to facilitate the prostitution;

Whereas Leighton Martin Curtis—

(1) in February 2012 was sentenced to 30 years in prison on charges of sex trafficking of a minor and production of child pornography for pimping a 15-year-old girl throughout Florida, Georgia, and North Carolina to approximately 20 to 35 customers each week for more than a year; and

(2) used Backpage.com to facilitate the prostitution;

Whereas Ronnie Leon Tramble—

(1) in March 2012 was sentenced to 15 years in prison on charges of sex trafficking through force, fraud, and coercion for forcing more than 5 young women and minors into prostitution over a period of at least 5 years throughout the State of Washington, during which time period he constantly subjected the victims to brutal physical and emotional abuse; and

(2) used Backpage.com to facilitate the prostitution;

Whereas, according to AIM Group, 80 percent of online prostitution advertising revenue for the month of February 2012 was attributed to Backpage.com;

Whereas, according to AIM Group, the number of Backpage.com advertisements for “escorts” and “body rubs”, a thinly veiled code for prostitution, increased by nearly 5 percent between February 2011 and February 2012;

Whereas, according to AIM Group, Backpage.com earned an estimated \$26,000,000 from prostitution advertisements between February 2011 and February 2012;

Whereas Backpage.com vice president Carl Ferrer acknowledged to the National Association of Attorneys General that the company identifies more than 400 “adult entertainment” posts that may involve minors each month;

Whereas the actual number of “adult entertainment” posts on Backpage.com each month that involve minors may be far greater than 400;

Whereas, according to the National Association of Attorneys General, Missouri investigators found that the review procedures of Backpage.com are ineffective in policing illegal activity;

Whereas, in September 2010, Craigslist.com removed the “adult services” section of its website following calls for removal from law enforcement and advocacy organizations;

Whereas, by September 16, 2011, 51 attorneys general of States and territories of the United States had called on Backpage.com to shut down the “adult entertainment” section of its website;

Whereas, on September 16, 2011, the Tri-City Herald of the State of Washington published an editorial entitled “Attorneys general target sexual exploitation of kids”, writing, “. . . we’d also encourage the owners of Backpage.com to give the attorneys general what they are asking for”;

Whereas, on October 25, 2011, 36 clergy members from across the United States published an open letter to Village Voice Media in the New York Times, calling on the company to shut down the “adult entertainment” section of Backpage.com;

Whereas, on December 2, 2011, 55 anti-trafficking organizations called on Village Voice

Media to shut down the “adult entertainment” section of Backpage.com;

Whereas, on December 29, 2011, the Seattle Times published an editorial entitled “Murders strengthen case against Backpage.com”, writing, “Backpage.com cannot continue to dismiss the women and children exploited through the website, nor the 3 women in Detroit who are dead possibly because they were trafficked on the site. Revenue from the exploitation and physical harm of women and minors is despicable. Village Voice Media, which owns Backpage.com, must shut this site down. Until then, all the pressure that can be brought to bear must continue.”;

Whereas, on March 18, 2012, Nicholas Kristof of the New York Times wrote in an opinion piece entitled “Where Pimps Peddle Their Goods” that “[t]here are no simple solutions to end sex trafficking, but it would help to have public pressure on Village Voice Media to stop carrying prostitution advertising.”;

Whereas, on March 29, 2012, Change.org delivered a petition signed by more than 240,000 individuals to Village Voice Media, calling on the company to shut down the “adult entertainment” section of Backpage.com;

Whereas, on January 12, 2012, John Buffalo Mailer, son of Village Voice co-founder Norman Mailer, joined the Change.org petition to shut down the “adult entertainment” section of Backpage.com, stating, “For the sake of the Village Voice brand and for the sake of the legacy of a great publication, take down the adult section of Backpage.com, before the Village Voice must answer for yet another child who is abused and exploited because you did not do enough to prevent it.”;

Whereas, on March 30, 2012, a private equity firm owned by Goldman Sachs Group, Inc. completed a deal to sell its 16 percent ownership stake in Village Voice Media back to management;

Whereas, in *M.A. ex rel. P.K. v. Village Voice Media Holdings, LLC* (809 F. Supp. 2d 1041 (E.D. Mo. 2011)), the United States District Court for the Eastern District of Missouri held that section 230 of the Communications Act of 1934 (47 U.S.C. 230) (as added by section 509 of the Communications Decency Act of 1996 (Public Law 104-104; 110 Stat. 137)) protects Backpage.com from civil liability for the “horrific victimization” the teenage plaintiff suffered at the hands of the criminal who posted on the website to perpetrate her vicious crimes; and

Whereas the Communications Decency Act of 1996 (Public Law 104-104; 110 Stat. 56) and the amendments made by that Act do not preclude a service provider from voluntarily removing a portion of a website known to facilitate the sexual exploitation of minors in order to protect children in the United States; Now, therefore, be it

Resolved, That the Senate—

(1) supports the efforts of law enforcement agencies to provide training to law enforcement agents on how to identify victims of sex trafficking, investigate cases of sex trafficking, prosecute sex trafficking offenses, and rescue victims of sex trafficking;

(2) supports services for trafficking victims provided by the Federal Government, State and local governments, and non-profit and faith-based organizations, including medical, legal, mental health, housing, and other social services; and

(3) calls on Village Voice Media Holdings, LLC to act as a responsible global citizen and immediately eliminate the “adult entertainment” section of the classified advertising website Backpage.com to terminate the website’s rampant facilitation of online sex trafficking.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2085. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table.

SA 2086. Mr. CORNYN (for himself, Mr. KIRK, Mr. BENNET, Mr. MCCONNELL, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 1925, supra; which was ordered to lie on the table.

SA 2087. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1925, supra; which was ordered to lie on the table.

SA 2088. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 1925, supra; which was ordered to lie on the table.

SA 2089. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 1925, supra; which was ordered to lie on the table.

SA 2090. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 1925, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2085. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . IDENTIFYING UNNECESSARY DUPLICATION WITHIN THE DEPARTMENT OF JUSTICE.

(a) REQUIREMENT TO IDENTIFY AND DESCRIBE PROGRAMS.—Each fiscal year, for purposes of the report required by subsection (c), the Attorney General shall—

(1) identify and describe every program administered by the Department of Justice;

(2) for each such program—

(A) determine the total administrative expenses of the program;

(B) determine the expenditures for services for the program;

(C) estimate the number of clients served by the program and beneficiaries who received assistance under the program (if applicable); and

(D) estimate—

(i) the number of full-time employees who administer the program; and

(ii) the number of full-time equivalents (whose salary is paid in part or full by the Federal Government through a grant or contract, a subaward of a grant or contract, a cooperative agreement, or another form of financial award or assistance) who assist in administering the program; and

(3) identify programs within the Federal Government (whether inside or outside the agency) with duplicative or overlapping missions, services, and allowable uses of funds.

(b) RELATIONSHIP TO CATALOG OF DOMESTIC ASSISTANCE.—With respect to the requirements of paragraphs (1) and (2)(B) of subsection (a), the Attorney General may use the same information provided in the catalog of domestic and international assistance programs in the case of any program that is a domestic or international assistance program.

(c) REPORT.—Not later than February 1 of each fiscal year, the Attorney General shall publish on the official public website of the agency a report containing the following:

(1) The information required under subsection (a) with respect to the preceding fiscal year.

(2) The latest performance reviews (including the program performance reports required under section 1116 of title 31, United States Code) of each program of the agency identified under subsection (a)(1), including performance indicators, performance goals, output measures, and other specific metrics used to review the program and how the program performed on each.

(3) For each program that makes payments, the latest improper payment rate of the program and the total estimated amount of improper payments, including fraudulent payments and overpayments.

(4) The total amount of unspent and unobligated program funds held by the Department and grant recipients (not including individuals) stated as an amount—

(A) held as of the beginning of the fiscal year in which the report is submitted; and

(B) held for five fiscal years or more.

(5) Such recommendations as the Attorney General considers appropriate—

(A) to consolidate programs that are duplicative or overlapping;

(B) to eliminate waste and inefficiency; and

(C) to terminate lower priority, outdated, and unnecessary programs and initiatives.

(d) CONSOLIDATING UNNECESSARY DUPLICATION WITHIN THE DEPARTMENT OF JUSTICE.—Notwithstanding any other provision of law and not later than 150 days after the date of enactment of this section, the Attorney General shall—

(1) use available administrative authority to eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in—

(A) the February 2012 Government Accountability Office report to Congress entitled “2012 Annual Report: Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO 12 342SP); and

(B) subsection (a);

(2) identify and report to Congress any legislative changes required to further eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in—

(A) the February 2012 Government Accountability Office report to Congress entitled “2012 Annual Report: Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO 12 342SP); and

(B) subsection (c); and

(3) develop a plan that would result in financial cost savings of no less than 20 percent of the nearly \$3,900,000,000 in duplicative grant programs identified by the Government Accountability Office as a result of the actions required by paragraph (1).

(e) ELIMINATING THE BACKLOG OF UNANALYZED DNA FROM SEXUAL ASSAULT, RAPE, KIDNAPPING, AND OTHER CRIMINAL CASES.—Notwithstanding any other provision of law and not later than 1 year after the enactment of this section, the Director of the Office of Management and Budget in consultation with Attorney General shall—

(1) rescind from the appropriate accounts the total amount of cost savings from the plan required in subsection (d)(3);

(2) use as much as 75 percent of the savings towards alleviating any backlogs of analysis and placement of DNA samples from rape, sexual assault, homicide, kidnapping and other criminal cases, including casework sample and convicted offender backlogs, into the Combined DNA Index System; and

(3) return the remainder of the savings to the Treasury for the purpose of deficit reduction.

(f) REPORTING THE SAVINGS RESULTING FROM CONSOLIDATING UNNECESSARY DUPLICA-

TION.—Notwithstanding any other provision of law, the Attorney General shall post a report on the public Internet website of the Department of Justice detailing—

(1) the programs consolidated as a result of this section, including any programs eliminated;

(2) the total amount saved from reducing such duplication;

(3) the total amount of such savings directed towards the analysis and placement of DNA samples into the Combined DNA Index System;

(4) the total amount of such savings returned to the Treasury for the purpose of deficit reduction; and

(5) additional recommendations for consolidating duplicative programs, offices, and initiatives within the Department of Justice.

(g) DEFINITIONS.—In this section:

(1) ADMINISTRATIVE EXPENSES.—The term “administrative expenses” has the meaning as determined by the Director of the Office of Management and Budget under section 504(b)(2) of Public Law 111–85 (31 U.S.C. 1105 note), except the term shall also include, for purposes of that section and this section—

(A) costs incurred by the Department as well as costs incurred by grantees, subgrantees, and other recipients of funds from a grant program or other program administered by the Department; and

(B) expenses related to personnel salaries and benefits, property management, travel, program management, promotion, reviews and audits, case management, and communication about, promotion of, and outreach for programs and program activities administered by the Department.

(2) PERFORMANCE INDICATOR; PERFORMANCE GOAL; OUTPUT MEASURE; PROGRAM ACTIVITY.—The terms “performance indicator”, “performance goal”, “output measure”, and “program activity” have the meanings provided by section 1115 of title 31, United States Code.

(3) PROGRAM.—The term “program” has the meaning provided by the Director of the Office of Management and Budget in consultation with the Attorney General and shall include any organized set of activities directed toward a common purpose or goal undertaken by the Department of an agency that includes services, projects, processes, or financial or other forms of assistance, including grants, contracts, cooperative agreements, compacts, loans, leases, technical support, consultation, or other guidance.

(4) SERVICES.—The term “services” has the meaning provided by the Attorney General and shall be limited to only activities, assistance, and aid that provide a direct benefit to a recipient, such as the provision of medical care, assistance for housing or tuition, or financial support (including grants and loans).

SA 2086. Mr. CORNYN (for himself, Mr. KIRK, Mr. BENNET, Mr. MCCONNELL, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE XI—THE SAFER ACT

SECTION 1101. SHORT TITLE.

This title may be cited as the “Sexual Assault Forensic Evidence Registry Act of 2012” or the “SAFER Act of 2012”.

SEC. 1102. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

“(6) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.”;

(2) in subsection (c), by adding at the end the following new paragraph:

“(4) ALLOCATION OF GRANT AWARDS FOR AUDITS.—For each of fiscal years 2012 through 2016, not less than 7 percent of the grant amounts distributed under paragraph (1) shall be awarded for the purpose described in subsection (a)(6).”; and

(3) by adding at the end the following new subsection:

“(n) USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.—

“(1) ELIGIBILITY.—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(6) only if the State or unit of local government—

“(A) submits a plan for performing the audit of samples described in such subsection; and

“(B) includes in such plan a good-faith estimate of the number of such samples.

“(2) GRANT CONDITIONS.—A State or unit of local government receiving a grant for the purpose described in subsection (a)(6) shall—

“(A) not later than 1 year after receiving such grant—

“(i) complete the audit referred to in paragraph (1)(A) in accordance with the plan submitted under such paragraph; and

“(ii) for each sample of sexual assault evidence identified in such audit, subject to paragraph (4), enter into the Sexual Assault Forensic Evidence Registry established under subsection (o) the information listed in subsection (o)(2);

“(B) not later than 21 days after receiving possession of a sample of sexual assault evidence that was not in the possession of the State or unit of local government at the time of such audit, subject to paragraph (4), enter into the Sexual Assault Forensic Evidence Registry the information listed in subsection (o)(2) with respect to the sample; and

“(C) not later than 30 days after a change in the status referred to in subsection (o)(2)(A)(v) of a sample with respect to which the State or unit of local government has entered information into such Registry, update such status.

“(3) EXTENSION OF INITIAL DEADLINE.—The Attorney General may grant an extension of the deadline under paragraph (2)(A) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

“(4) SAMPLES EXEMPT FROM REGISTRY REQUIREMENT.—A State or unit of local government is not required under paragraph (2) to enter into the Registry described in such paragraph information with respect to a sample of sexual assault evidence if—

“(A) the sample is not considered criminal evidence (such as a sample collected anonymously from a victim who is unwilling to make a criminal complaint); or

“(B) the sample relates to a sexual assault for which the prosecution of each perpetrator is barred by a statute of limitations.

“(5) DEFINITIONS.—In this subsection:

“(A) AWAITING TESTING.—The term ‘awaiting testing’ means, with respect to a sample of sexual assault evidence, that—

“(i) the sample has been collected and is in the possession of a State or unit of local government;

“(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

“(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

“(B) FINAL DISPOSITION.—The term ‘final disposition’ means, with respect to a criminal case or investigation to which a sample of sexual assault evidence relates—

“(i) the conviction or acquittal of all suspected perpetrators of the crime involved;

“(ii) a determination by the State or unit of local government in possession of the sample that the case is unfounded; or

“(iii) a declaration by the victim of the crime involved that the act constituting the basis of the crime was not committed.

“(C) POSSESSION.—

“(i) IN GENERAL.—The term ‘possession’, used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

“(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal rights or privileges for non-governmental vendor laboratories described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).”

SEC. 1103. SEXUAL ASSAULT FORENSIC EVIDENCE REGISTRY.

(a) IN GENERAL.—Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135), as amended by section 1102 of this title, is further amended by adding at the end the following new subsection:

“(o) SEXUAL ASSAULT FORENSIC EVIDENCE REGISTRY.—

“(1) IN GENERAL.—Subject to subsection (j), not later than 1 year after the date of enactment of the SAFER Act of 2012, the Attorney General shall establish a Sexual Assault Forensic Evidence Registry (in this subsection referred to as the ‘Registry’) that—

“(A) allows States and units of local government to enter information into the Registry about samples of sexual assault evidence that are in the possession of such States or units of local government and are awaiting testing; and

“(B) tracks the testing and processing of such samples.

“(2) INFORMATION IN REGISTRY.—

“(A) IN GENERAL.—A State or unit of local government that chooses to enter information into the Registry about a sample of sexual assault evidence shall include the following information:

“(i) The date of the sexual assault to which the sample relates.

“(ii) The city, county, or other appropriate locality in which the sexual assault occurred.

“(iii) The date on which the sample was collected.

“(iv) The date on which information relating to the sample was entered into the Registry.

“(v) The status of the progression of the sample through testing and other stages of the evidentiary handling process, including the identity of the entity in possession of the sample.

“(vi) The date or dates after which the State or unit of local government would be barred by any applicable statutes of limitations from prosecuting a perpetrator of the sexual assault for the sexual assault.

“(vii) Such other information as the Attorney General considers appropriate.

“(B) PERSONALLY IDENTIFIABLE INFORMATION.—The Attorney General shall ensure that the Registry does not include personally identifiable information or details about a sexual assault that might lead to the identification of the individuals involved, except

for the information listed in subparagraph (A).

“(3) SAMPLE IDENTIFICATION NUMBER.—

“(A) IN GENERAL.—A State or unit of local government that chooses to enter information about a sample of sexual assault evidence into the Registry shall assign to the sample a unique numeric or alphanumeric identifier.

“(B) UNIQUE IDENTIFIER REQUIRED.—In assigning the identifier under subparagraph (A), a State or unit of local government may use a case-numbering system used for other purposes, but the Attorney General shall ensure that the identifier assigned to each sample is unique with respect to all samples entered by all States and units of local government.

“(4) UPDATE OF INFORMATION.—A State or unit of local government that chooses to enter information about a sample of sexual assault evidence into the Registry shall, not later than 30 days after a change in the status of the sample referred to in paragraph (2)(A)(v), update such status.

“(5) INTERNET ACCESS.—The Attorney General shall make publicly available aggregate non-individualized and non-personally identifying data gathered from the Registry, to allow for comparison of backlog data by State and unit of local government, on an appropriate Internet website.

“(6) TECHNICAL ASSISTANCE.—The Attorney General shall—

“(A) provide a means by which an entity that does not have access to the Internet may enter information into the Registry; and

“(B) provide the technical assistance necessary to allow States and units of local government to participate in the Registry.”

(b) FUNDING.—Section 2(j) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(j)) is amended—

(1) by inserting “and for carrying out subsection (o)” after “for grants under subsection (a)”;

(2) by adding at the end the following new sentence: “For each of fiscal years 2012 through 2016, not less than 1 percent of the amount authorized to be appropriated under the previous sentence for such fiscal year shall be for carrying out subsection (o).”

SEC. 1104. REPORTS TO CONGRESS.

Not later than 90 days after the end of each fiscal year for which a grant is made for the purpose described in section 2(a)(6) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1102 of this title, the Attorney General shall submit to Congress a report that—

(1) lists the States and units of local government that have been awarded such grants and the amount of the grant received by each such State or unit of local government;

(2) states the number of extensions granted by the Attorney General under section 2(n)(3) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1102 of this title; and

(3) summarizes the processing status of the samples of sexual assault evidence about which information has been entered into the Sexual Assault Forensic Evidence Registry established under section 2(o) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1103(a) of this title, including the number of samples that have not been tested.

TITLE XII—JUSTICE FOR VICTIMS

SEC. 1201. REDUCING THE RAPE KIT BACKLOG.

Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)) is amended by adding at the end the following:

“(C) For each of fiscal years 2012 through 2014, not less than 75 percent of the total

grant amounts shall be awarded for a combination of purposes under paragraphs (2) and (3) of subsection (a).”

SEC. 1202. ENHANCED PENALTIES FOR AGGRAVATED INTERSTATE DOMESTIC VIOLENCE.

Section 2261(b) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting “not less than 15 years” after “any term of years”;

(2) in paragraph (2), by striking “20 years” and inserting “25 years”; and

(3) in paragraph (3), by striking “10 years” and inserting “15 years”.

SEC. 1203. ENHANCED PENALTIES FOR AGGRAVATED SEXUAL ABUSE.

Section 2241 of title 18, United States Code, is amended—

(1) in subsection (a), in the undesignated matter following paragraph (2), by striking “any term of years or life” and inserting “not less than 10 years or imprisoned for life”; and

(2) in subsection (b), in the undesignated matter following paragraph (2), by striking “any term of years or life” and inserting “not less than 5 years or imprisoned for life”.

SEC. 1204. ENHANCED PENALTIES FOR INTERSTATE TRANSPORTATION OF CHILD PROSTITUTES.

Section 2423(a) of title 18, United States Code, is amended by striking the period at the end and inserting the following: “, but if the individual who was transported in interstate or foreign commerce had not attained 12 years of age, imprisoned not less than 20 years or for life.”

SEC. 1205. FINDING FUGITIVE SEX OFFENDERS.

(a) SUBPOENA AUTHORITY FOR THE UNITED STATES MARSHALS SERVICE.—Section 566(e)(1) of title 28, United States Code, is amended—

(1) in subparagraph (A), by striking “and” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(C) issue administrative subpoenas in accordance with section 3486 of title 18 solely for the purpose of investigating unregistered sex offenders (as that term is defined in section 3486 of title 18).”

(b) CONFORMING AMENDMENT TO ADMINISTRATIVE SUBPOENA STATUTE.—

(1) IN GENERAL.—Section 3486(a)(1) of title 18, United States Code, is amended—

(A) in subparagraph (A)—

(i) in clause (i)(II), by striking “or” at the end;

(ii) by redesignating clause (ii) as clause (iii); and

(iii) by inserting after clause (i) the following:

“(ii) an unregistered sex offender conducted by the United States Marshals Service, the Director of the United States Marshals Service; or”; and

(B) by striking subparagraph (D) and inserting the following:

“(D) As used in this paragraph—

“(i) the term ‘Federal offense involving the sexual exploitation or abuse of children’ means an offense under section 1201, 1591, 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423, in which the victim is an individual who has not attained the age of 18 years; and

“(ii) the term ‘sex offender’ means an individual required to register under the Sex Offender Registration and Notification Act (42 U.S.C. 16901 et seq.).”

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Section 3486(a) of title 18, United States Code, is amended—

(A) in paragraph (6)(A), by striking “United State” and inserting “United States”;

(B) in paragraph (9), by striking “or (1)(A)(ii)” and inserting “or (1)(A)(iii)”; and

(C) in paragraph (10), by striking “paragraph (1)(A)(ii)” and inserting “paragraph (1)(A)(iii)”.

(c) **REPORT.**—Section 3486 of title 18, United States Code, is amended by adding at the end the following:

“(f) **REPORTS.**—The Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives an annual report containing—

“(1) the number of subpoenas issued by the United States Marshals pursuant to section 566(e)(1)(C) of title 28;

“(2) the crime being investigated pursuant to the issuance of each subpoena; and

“(3) the number of unregistered sex offenders arrested by the United States Marshals subsequent to the issuance of a subpoena pursuant to section 566(e)(1)(C) of title 28 and the information that led to each individual’s arrest.”.

SEC. 1206. REPORT ON COMPLIANCE WITH THE DNA FINGERPRINT ACT OF 2005.

Not later than 180 days after date of the enactment of this Act, the Secretary of Homeland Security shall prepare and submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that—

(1) describes, in detail, the measures and procedures taken by the Secretary to comply with any regulation promulgated pursuant to section 3(e)(1) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135a(e)(1)); and

(2) provides a detailed explanation of the circumstances and specific cases, if available, in which—

(A) the Secretary failed to comply with any regulation promulgated pursuant to such section 3(e)(1);

(B) the Secretary requested the Attorney General approve additional limitations to, or exceptions from, any regulation promulgated pursuant to such section 3(e)(1); or

(C) the Secretary consulted with the Attorney General to determine that the collection of DNA samples is not feasible because of operational exigencies or resource limitations.

SEC. 1207. SENSE OF CONGRESS.

(a) **FINDINGS.**—Congress finds the following:

(1) According to the Department of Justice, there was a 59 percent increase in identified victims of human trafficking worldwide between 2009 and 2010.

(2) According to the Department of Health and Human Services, human trafficking is the fastest growing criminal enterprise in the world.

(3) Experts estimate that up to 300,000 children are at risk of sexual exploitation each year in the United States.

(4) Experts estimate that the average female victim of sex trafficking is forced into prostitution for the first time between the ages of 12 and 14 and the average male victim is forced into prostitution for the first time between the ages of 11 and 13.

(5) The Bureau of Justice Statistics found that 40 percent of incidents investigated by federally funded task forces on human trafficking between 2008 and 2010 involved the sexual exploitation of a child.

(6) According to the classified advertising consultant Advanced Interactive Media Group (referred to in this subsection as “AIM Group”), Backpage.com is the leading United States website for prostitution advertising.

(7) Backpage.com is owned by Village Voice Media Holdings, LLC (referred to in this section as “Village Voice Media”).

(8) The National Association of Attorneys General has tracked more than 50 cases in which charges were filed against those trafficking or attempting to traffic minors on Backpage.com.

(9) In February 2011, Myrelle and Tyrelle Locket were each sentenced to 4 years in prison on charges of trafficking of persons for forced labor or services for operating an Illinois sex trafficking ring that included minors. The Lockets used Backpage.com to facilitate the prostitution.

(10) In March 2011, Arthur James Chappell was sentenced to 28 years in prison on charges of sex trafficking of a minor for running a prostitution ring with at least 1 juvenile victim in Minnesota. Arthur Chappell used Backpage.com to facilitate the prostitution.

(11) In April 2011, Brandon Quincy Thompson was sentenced to life imprisonment for sex trafficking a child by force and an additional 120 months for soliciting the murder of a Federal witness. Brandon Thompson ran a South Dakota prostitution ring involving multiple underage girls. Brandon Thompson used Backpage.com to facilitate the prostitution.

(12) In May 2011, Clint Eugene Wilson was sentenced to 20 years in prison on charges of sex trafficking of a minor by force, fraud or coercion for forcing a 16-year-old Dallas girl into prostitution. Clint Wilson threatened to assault the girl and forced her to get a tattoo that branded her as his property. Clint Wilson used Backpage.com to facilitate the prostitution.

(13) In August 2011, Demetrius Darnell Homer was sentenced to 20 years in prison on charges of sex trafficking of a minor for violently forcing a 14-year-old Atlanta girl into prostitution. Demetrius Homer controlled the girl through beatings, threatened her with a knife, shocked her with a taser in front of another underage girl he placed in prostitution, and forced the girl to engage in prostitution while she was pregnant with his child. Demetrius Homer used Backpage.com to facilitate the prostitution.

(14) In February 2012, Leighton Martin Curtis was sentenced to 30 years in prison on charges of sex trafficking of a minor and production of child pornography for pimping a 15-year-old girl throughout Florida, Georgia, and North Carolina for more than a year. Leighton Curtis prostituted the girl to approximately 20 to 35 customers per week through advertisements on Backpage.com. Leighton Curtis used Backpage.com to facilitate the prostitution.

(15) In March 2012, Ronnie Leon Tramble was sentenced to 15 years in prison on charges of sex trafficking through force, fraud and coercion for forcing more than 5 young women and minors into prostitution over a period of at least 5 years throughout the State of Washington. Ronnie Tramble constantly subjected the victims to brutal physical and emotional abuse during this time period. Ronnie Tramble used Backpage.com to facilitate the prostitution.

(16) According to AIM Group, 80 percent of online prostitution advertising revenue for the month of February 2012 was attributed to Backpage.com.

(17) According to AIM Group, the number of Backpage.com advertisements for “escorts” and “body rubs,” a thinly veiled code for prostitution, increased by nearly 5 percent from February 2011 to February 2012.

(18) According to AIM Group, Backpage.com earned an estimated \$26,000,000 between February 2011 and February 2012 from prostitution ads.

(19) Backpage.com vice president, Carl Ferrer acknowledged to the National Association of Attorneys General that the company identifies more than 400 “adult enter-

tainment” posts every month that may involve minors. The actual figure could be far greater.

(20) According to the National Association of Attorneys General, Missouri investigators found that Backpage.com’s review procedures are ineffective in policing illegal activity.

(21) In September 2010, Craigslist.com removed the adult services section of its website following calls from law enforcement and advocacy organizations.

(22) As of September 16, 2011, 51 Attorneys General of States and territories had called on Backpage.com to shut down the “adult entertainment” section of its website.

(23) On September 16, 2011, the Tri-City Herald published an editorial, “Attorneys general target sexual exploitation of kids,” writing, “...we’d also encourage the owners of Backpage.com to give the attorneys general what they are asking for”.

(24) On October 25, 2011, 36 clergy members from across the country published an open letter to Village Voice Media in the New York Times, calling on the company to shut down Backpage.com’s “adult entertainment” section.

(25) On December 2, 2011, 55 anti-trafficking organizations called on Village Voice Media to shut down Backpage.com’s “adult entertainment” section.

(26) On December 29, 2011, the Seattle Times published an editorial, “Murders strengthen case against Backpage.com,” writing, “Backpage.com cannot continue to dismiss the women and children exploited through the website, nor the three women in Detroit who are dead possibly because they were trafficked on the site. Revenue from the exploitation and physical harm of women and minors is despicable. Village Voice Media, which owns Backpage.com, must shut this site down. Until then, all the pressure that can be brought to bear must continue.”

(27) On March 18, 2012, Nicholas Kristof of the New York Times wrote in an opinion piece entitled “Where Pimps Peddle Their Goods,” that “[t]here are no simple solutions to end sex trafficking, but it would help to have public pressure on Village Voice Media to stop carrying prostitution advertising.”

(28) On March 29, 2012, Change.org delivered a petition signed by more than 240,000 individuals to Village Voice Media, calling on the company to shut down Backpage.com’s “adult entertainment” section.

(29) On January 12, 2012, John Buffalo Mailer, son of Village Voice co-founder Norman Mailer, joined the Change.org petition to shut down the adult services section of Backpage.com, stating, “For the sake of the Village Voice brand and for the sake of the legacy of a great publication, take down the adult section of Backpage.com, before the Village Voice must answer for yet another child who is abused and exploited because you did not do enough to prevent it.”

(30) On March 30, 2012, a private equity firm owned by Goldman Sachs Group, Inc. completed a deal to sell its 16 percent ownership stake in Village Voice Media Holdings, LLC back to management.

(31) In *M.A., ex rel. P.K. v. Village Voice Media Holdings* (809 F. Supp. 2d 1041 (2011)), the United States District Court for the Eastern District of Missouri held that section 230 of the Communications Act of 1934 (47 U.S.C. 230) (as added by the Communications Decency Act of 1996 (Public Law 104-104; 110 Stat. 56)) protects Backpage.com from civil liability for the “horrific victimization” the teenage plaintiff suffered at the hands of the criminal who posted on the website to perpetrate her vicious crimes.

(32) The Communications Decency Act of 1996 (Public Law 104-104; 110 Stat. 56)) does

not preclude a service provider from voluntarily removing a portion of a website, known to facilitate the sexual exploitation of minors, in order to protect our children.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that Congress—

(1) supports the efforts of law enforcement agencies to provide training on how to identify victims of sex trafficking, investigate cases of sex trafficking, prosecute sex trafficking offenses, and rescue victims of sex trafficking;

(2) supports Federal Government, State and local government, non-profit, and faith-based services for trafficking victims, including medical, legal, mental health, housing and other social services; and

(3) calls on Village Voice Media to act as a responsible global citizen and immediately eliminate the “adult entertainment” section of the classified advertising website Backpage.com to terminate the website’s rampant facilitation of online sex trafficking.

SA 2087. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . LIMITATION ON DEFENSES.

(a) **IN GENERAL.**—Chapter 221 of title 18, United States Code, is amended by adding at the end the following:

“§ 3447. Limitation on defenses

“Foreign or religious law or custom shall not be a defense to any offense under this title.”

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for chapter 221 of title 18, United States Code, is amended by inserting after the item relating to section 3446 the following:

“3447. Limitation on defenses.”

SA 2088. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . CRIME VICTIMS FUND.

Notwithstanding any other provision of law, amounts deposited or available in the Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601) in any fiscal year shall be available for obligation in that fiscal year.

SA 2089. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . CRIME VICTIMS FUND.

Notwithstanding any other provision of law, amounts deposited or available in the Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601) in any fiscal year in excess of \$1,000,000,000 shall not be available for obligation until the following fiscal year.

SA 2090. Mr. CRAPO submitted an amendment intended to be proposed by

him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . CRIME VICTIMS FUND.

Notwithstanding any other provision of law, amounts deposited or available in the Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601) in any fiscal year in excess of 35 percent of the total funds in the Fund shall not be available for obligation until the following fiscal year.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on April 25, 2012, at 9 a.m. in room SR-328A of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 25, 2012, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Tax Reform: What It Means for State and Local Tax and Fiscal Policy.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on April 25, 2012, at 10 a.m. in SH-216.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 25, 2012, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on April 25, 2012, at 9:30 a.m. in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Oversight of the Department of Homeland Security.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be

authorized to meet during the session of the Senate on April 25, 2012, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS’ AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be authorized to meet during the session on April 25, 2012 in room 138 of the Senate Dirksen Office Building, beginning at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs’ Subcommittee on Housing, Transportation, and Community Development be authorized to meet during the session of the Senate on April 25, 2012, at 10 a.m., to conduct a hearing entitled “Helping Responsible Homeowners Save Money Through Refinancing.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PERSONNEL

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on April 25, 2012, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on April 25, 2012 at 1 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING THE BOSTON COLLEGE MEN’S ICE HOCKEY TEAM

Mr. REED. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 437, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 437) congratulating the Boston College men’s ice hockey team on winning its fifth National Collegiate Athletic Association Division I Men’s Hockey Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REED. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.