

PUBLIC LAW 110-240—JUNE 3, 2008

PROTECTING OUR CHILDREN COMES FIRST
ACT OF 2007

Public Law 110-240
110th Congress

An Act

June 3, 2008
[H.R. 2517]

Protecting Our
Children Comes
First Act of 2007.
42 USC 5601
note.

To amend the Missing Children's Assistance Act to authorize appropriations; and
for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “Protecting Our Children Comes First Act of 2007”.

SEC. 2. FINDINGS.

Section 402 of the Missing Children's Assistance Act (42 U.S.C. 5771) is amended to read as follows:

“SEC. 402. FINDINGS.

“The Congress finds that—

“(1) each year thousands of children are abducted or removed from the control of a parent having legal custody without such parent's consent, under circumstances which immediately place the child in grave danger;

“(2) many missing children are at great risk of both physical harm and sexual exploitation;

“(3) in many cases, parents and local law enforcement officials have neither the resources nor the expertise to mount expanded search efforts;

“(4) abducted children are frequently moved from one locality to another, requiring the cooperation and coordination of local, State, and Federal law enforcement efforts;

“(5) growing numbers of children are the victims of child sexual exploitation, increasingly involving the use of new technology to access the Internet;

“(6) children may be separated from their parents or legal guardians as a result of national disasters such as hurricanes and floods;

“(7) sex offenders pose a threat to children;

“(8) the Office of Juvenile Justice and Delinquency Prevention administers programs under this Act through the Child Protection Division, including programs which prevent or address offenses committed against vulnerable children and which support missing children's organizations; and

“(9) a key component of such programs is the National Center for Missing and Exploited Children, which—

“(A) serves as a national resource center and clearing-house;

“(B) works in partnership with the Department of Justice, the Federal Bureau of Investigation, the United States Marshals Service, the Department of the Treasury, the Department of State, the Bureau of Immigration and Customs Enforcement, the United States Secret Service, the United States Postal Inspection Service, and many other agencies in the effort to find missing children and prevent child victimization; and

“(C) operates a national network, linking the Center online with each of the missing children clearinghouses operated by the 50 States, the District of Columbia, and Puerto Rico, as well as with international organizations, including Scotland Yard in the United Kingdom, the Royal Canadian Mounted Police, INTERPOL headquarters in Lyon, France, and others, which enable the Center to transmit images and information regarding missing and exploited children to law enforcement across the United States and around the world instantly.”.

SEC. 3. DUTIES AND FUNCTIONS OF THE ADMINISTRATOR.

Section 404(b) of the Missing Children’s Assistance Act (42 U.S.C. 5773(b)) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—The Administrator shall annually make Grants. a grant to the Center, which shall be used to—

“(A)(i) operate a national 24-hour toll-free telephone line by which individuals may report information regarding the location of any missing child, and request information pertaining to procedures necessary to reunite such child with such child’s legal custodian; and

“(ii) coordinate the operation of such telephone line with the operation of the national communications system referred to in part C of the Runaway and Homeless Youth Act (42 U.S.C. 5714–11);

“(B) operate the official national resource center and information clearinghouse for missing and exploited children;

“(C) provide to State and local governments, and public and private nonprofit agencies, and individuals, information regarding—

“(i) free or low-cost legal, restaurant, lodging, and transportation services that are available for the benefit of missing and exploited children and their families; and

“(ii) the existence and nature of programs being carried out by Federal agencies to assist missing and exploited children and their families;

“(D) coordinate public and private programs that locate, recover, or reunite missing children with their families;

“(E) disseminate, on a national basis, information relating to innovative and model programs, services, and legislation that benefit missing and exploited children;

“(F) based solely on reports received by the National Center for Missing and Exploited Children (NCMEC), and not involving any data collection by NCMEC other than

the receipt of those reports, annually provide to the Department of Justice's Office of Juvenile Justice and Delinquency Prevention—

“(i) the number of children nationwide who are reported to NCMEC as missing;

“(ii) the number of children nationwide who are reported to NCMEC as victims of non-family abductions;

“(iii) the number of children nationwide who are reported to NCMEC as victims of parental kidnappings; and

“(iv) the number of children recovered nationwide whose recovery was reported to NCMEC;

“(G) provide, at the request of State and local governments, and public and private nonprofit agencies, guidance on how to facilitate the lawful use of school records and birth certificates to identify and locate missing children;

“(H) provide technical assistance and training to law enforcement agencies, State and local governments, elements of the criminal justice system, public and private nonprofit agencies, and individuals in the prevention, investigation, prosecution, and treatment of cases involving missing and exploited children;

“(I) provide assistance to families and law enforcement agencies in locating and recovering missing and exploited children, both nationally and, in cooperation with the Department of State, internationally;

“(J) provide analytical support and technical assistance to law enforcement agencies through searching public records databases in locating and recovering missing and exploited children and helping to locate and identify abductors;

“(K) provide direct on-site technical assistance and consultation to law enforcement agencies in child abduction and exploitation cases;

“(L) provide forensic technical assistance and consultation to law enforcement and other agencies in the identification of unidentified deceased children through facial reconstruction of skeletal remains and similar techniques;

“(M) track the incidence of attempted child abductions in order to identify links and patterns, and provide such information to law enforcement agencies;

“(N) provide training and assistance to law enforcement agencies in identifying and locating non-compliant sex offenders;

“(O) facilitate the deployment of the National Emergency Child Locator Center to assist in reuniting missing children with their families during periods of national disasters;

“(P) operate a cyber tipline to provide online users and electronic service providers an effective means of reporting Internet-related child sexual exploitation in the areas of—

“(i) possession, manufacture, and distribution of child pornography;

“(ii) online enticement of children for sexual acts;

“(iii) child prostitution;

“(iv) sex tourism involving children;
“(v) extrafamilial child sexual molestation;
“(vi) unsolicited obscene material sent to a child;
“(vii) misleading domain names; and
“(viii) misleading words or digital images on the Internet,

and subsequently to transmit such reports, including relevant images and information, to the appropriate international, Federal, State or local law enforcement agency for investigation;

“(Q) work with law enforcement, Internet service providers, electronic payment service providers, and others on methods to reduce the distribution on the Internet of images and videos of sexually exploited children;

“(R) operate a child victim identification program in order to assist the efforts of law enforcement agencies in identifying victims of child pornography and other sexual crimes; and

“(S) develop and disseminate programs and information to the general public, schools, public officials, youth-serving organizations, and nonprofit organizations, directly or through grants or contracts with public agencies and public and private nonprofit organizations, on—

“(i) the prevention of child abduction and sexual exploitation; and

“(ii) internet safety.”; and

(2) in paragraph (2) by striking “\$20,000,000” and all that follows through “2008”, and inserting “\$40,000,000 for fiscal year 2008 and such sums as may be necessary for fiscal years 2009 through 2013”.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

Section 408(a) of the Missing Children’s Assistance Act (42 U.S.C. 5777(a)) is amended by striking “2007 through 2008” and inserting “2008 through 2013”.

SEC. 5. REPEALER.

The Missing Children's Assistance Act (42 U.S.C. 5771 et seq.) is amended—

42 USC 5776a.
42 USC 5777.

- (1) by striking section 407; and
- (2) by redesignating section 408 as section 407.

Approved June 3, 2008.

LEGISLATIVE HISTORY—H.R. 2517 (S. 1829):**CONGRESSIONAL RECORD:**

Vol. 153 (2007): Dec. 5, considered and passed House.
Vol. 154 (2008): May 20, considered and passed Senate.

