

section 20914 of this title to be included in the National Sex Offender Registry and the Dru Sjodin National Sex Offender Public Website regarding persons—

(1)(A) released from military corrections facilities; or

(B) convicted if the sentences adjudged by courts-martial under chapter 47 of title 10 (the Uniform Code of Military Justice) do not include confinement; and

(2) required to register under this subchapter.

(Pub. L. 109–248, title I, §128A, as added Pub. L. 114–22, title V, §502(a), May 29, 2015, 129 Stat. 258.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Dru Sjodin National Sex Offender Public Website, referred to in text, is located at <https://www.nsopw.gov>.

This subchapter, referred to in par. (2), was in the original “this title”, meaning title I of Pub. L. 109–248, July 27, 2006, 120 Stat. 590, known as the Sex Offender Registration and Notification Act. For complete classification of title I to the Code, see Short Title of 2006 Act note set out under section 10101 of this title and Tables.

##### CODIFICATION

Section was formerly classified to section 16928a of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

#### Statutory Notes and Related Subsidiaries

##### SHORT TITLE

For short title of title V of Pub. L. 114–22, which enacted this section, as the “Military Sex Offender Reporting Act of 2015”, see section 501 of Pub. L. 114–22, set out as a Short Title of 2015 Act note under section 10101 of this title.

#### § 20932. Immunity for good faith conduct

The Federal Government, jurisdictions, political subdivisions of jurisdictions, and their agencies, officers, employees, and agents shall be immune from liability for good faith conduct under this subchapter.

(Pub. L. 109–248, title I, §131, July 27, 2006, 120 Stat. 601.)

#### Editorial Notes

##### REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this title”, meaning title I of Pub. L. 109–248, July 27, 2006, 120 Stat. 590, known as the Sex Offender Registration and Notification Act. For complete classification of title I to the Code, see Short Title of 2006 Act note set out under section 10101 of this title and Tables.

##### CODIFICATION

Section was formerly classified to section 16929 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PART B—IMPROVING FEDERAL CRIMINAL LAW ENFORCEMENT TO ENSURE SEX OFFENDER COMPLIANCE WITH REGISTRATION AND NOTIFICATION REQUIREMENTS AND PROTECTION OF CHILDREN FROM VIOLENT PREDATORS

#### § 20941. Federal assistance with respect to violations of registration requirements

##### (a) In general

The Attorney General shall use the resources of Federal law enforcement, including the United States Marshals Service, to assist jurisdictions in locating and apprehending sex offenders who violate sex offender registration requirements. For the purposes of section 566(e)(1)(B) of title 28, a sex offender who violates a sex offender registration requirement shall be deemed a fugitive.

##### (b) Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary for fiscal years 2007 through 2009 to implement this section.

(Pub. L. 109–248, title I, §142, July 27, 2006, 120 Stat. 604.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 16941 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

#### § 20942. Project Safe Childhood

##### (a) Definitions

In this section:

##### (1) Child sexual abuse material

The term “child sexual abuse material” has the meaning given the term “child pornography” in section 2256 of title 18.

##### (2) Child sexual exploitation offense

The term “child sexual exploitation offense” means—

(A)(i) an offense involving a minor under section 1591 or chapter 117 of title 18;

(ii) an offense under subsection (a), (b), or (c) of section 2251 of title 18;

(iii) an offense under section 2251A or 2252A(g) of title 18; or

(iv) any attempt or conspiracy to commit an offense described in clause (i) or (ii); or

(B) an offense involving a minor under a State or Tribal statute that is similar to a provision described in subparagraph (A).

##### (3) Circle of trust offender

The term “circle of trust offender” means an offender who is related to, or in a position of trust, authority, or supervisory control with respect to, a child.

##### (4) Computer

The term “computer” has the meaning given the term in section 1030 of title 18.

##### (5) Contact sexual offense

The term “contact sexual offense” means—

(A) an offense involving a minor under chapter 109A of title 18, or any attempt or conspiracy to commit such an offense; or

(B) an offense involving a minor under a State or Tribal statute that is similar to a provision described in subparagraph (A).

**(6) Dual offender**

The term “dual offender” means—

- (A) a person who commits—
  - (i) a technology-facilitated child sexual exploitation offense or an offense involving child sexual abuse material; and
  - (ii) a contact sexual offense; and

(B) without regard to whether the offenses described in clauses (i) and (ii) of subparagraph (A)—

- (i) are committed as part of the same course of conduct; or
- (ii) involve the same victim.

**(7) Facilitator**

The term “facilitator” means an individual who facilitates the commission by another individual of—

- (A) a technology-facilitated child sexual exploitation offense or an offense involving child sexual abuse material; or
- (B) a contact sexual offense.

**(8) ICAC affiliate partner**

The term “ICAC affiliate partner” means a law enforcement agency that has entered into a formal operating agreement with the ICAC Task Force Program.

**(9) ICAC task force**

The term “ICAC task force” means a task force that is part of the ICAC Task Force Program.

**(10) ICAC Task Force Program**

The term “ICAC Task Force Program” means the National Internet Crimes Against Children Task Force Program established under section 21112 of this title.

**(11) Offense involving child sexual abuse material**

The term “offense involving child sexual abuse material” means—

- (A) an offense under section 2251(d), section 2252, or paragraphs (1) through (6) of section 2252A(a) of title 18, or any attempt or conspiracy to commit such an offense; or
- (B) an offense under a State or Tribal statute that is similar to a provision described in subparagraph (A).

**(12) Serious offender**

The term “serious offender” means—

- (A) an offender who has committed a contact sexual offense or child sexual exploitation offense;
- (B) a dual offender, circle of trust offender, or facilitator; or
- (C) an offender with a prior conviction for a contact sexual offense, a child sexual exploitation offense, or an offense involving child sexual abuse material.

**(13) State**

The term “State” means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

**(14) Technology-facilitated**

The term “technology-facilitated”, with respect to an offense, means an offense that is committed through the use of a computer, even if the use of a computer is not an element of the offense.

**(b) Establishment of program**

The Attorney General shall create and maintain a nationwide initiative to align Federal, State, and local entities to combat the growing epidemic of online child sexual exploitation and abuse, to be known as the “Project Safe Childhood program”, in accordance with this section.

**(c) Best practices**

The Attorney General, in coordination with the Child Exploitation and Obscenity Section of the Criminal Division of the Department of Justice and the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice, and in consultation with training and technical assistance providers under the ICAC Task Force Program who are funded by the Attorney General and with appropriate nongovernmental organizations, shall—

- (1) develop best practices to adopt a balanced approach to the investigation of suspect leads involving contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material, and the prosecution of those offenses, prioritizing when feasible the identification of a child victim or a serious offender, which approach shall incorporate the use of—
  - (A) proactively generated leads, including leads generated by current and emerging technology;
  - (B) in-district investigative referrals; and
  - (C) CyberTipline reports from the National Center for Missing and Exploited Children;

- (2) develop best practices to be used by each United States Attorney and ICAC task force to assess the likelihood that an individual could be a serious offender or that a child victim may be identified;

- (3) develop and implement a tracking and communication system for Federal, State, and local law enforcement agencies and prosecutor’s offices to report successful cases of victim identification and child rescue to the Department of Justice and the public; and

- (4) encourage the submission of all lawfully seized visual depictions to the Child Victim Identification Program of the National Center for Missing and Exploited Children.

**(d) Implementation**

Except as authorized under subsection (e), funds authorized under this section may only be used for the following 4 purposes:

- (1) Integrated Federal, State, and local efforts to investigate and prosecute contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material, including—

- (A) the partnership by each United States Attorney with each Internet Crimes Against Children Task Force within the district of such attorney;

- (B) training of Federal, State, and local law enforcement officers and prosecutors through—

(i) programs facilitated by the ICAC Task Force Program;

(ii) ICAC training programs supported by the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice;

(iii) programs facilitated by appropriate nongovernmental organizations with subject matter expertise, technical skill, or technological tools to assist in the identification of and response to serious offenders, contact sexual offenses, child sexual exploitation offenses, or offenses involving child sexual abuse material; and

(iv) any other program that provides training—

(I) on the investigation and identification of serious offenders or victims of contact sexual offenses, child sexual exploitation offenses, or offenses involving child sexual abuse material; or

(II) that specifically addresses the use of existing and emerging technologies to commit or facilitate contact sexual offenses, child sexual exploitation offenses, or offenses involving child sexual abuse material;

(C) the development by each United States Attorney of a district-specific strategic plan to coordinate with State and local law enforcement agencies and prosecutor's offices, including ICAC task forces and their ICAC affiliate partners, on the investigation of suspect leads involving serious offenders, contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material, and the prosecution of those offenders and offenses, which plan—

(i) shall include—

(I) the use of the best practices developed under paragraphs (1) and (2) of subsection (c);

(II) the development of plans and protocols to target and rapidly investigate cases involving potential serious offenders or the identification and rescue of a victim of a contact sexual offense, a child sexual exploitation offense, or an offense involving child sexual abuse material;

(III) the use of training and technical assistance programs to incorporate victim-centered, trauma-informed practices in cases involving victims of contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material, which may include the use of child protective services, children's advocacy centers, victim support specialists, or other supportive services;

(IV) the development of plans to track, report, and clearly communicate successful cases of victim identification and child rescue to the Department of Justice and the public;

(V) an analysis of the investigative and forensic capacity of law enforcement agencies and prosecutor's offices within the district, and goals for improving capacity and effectiveness;

(VI) a written policy describing the criteria for referrals for prosecution

from Federal, State, or local law enforcement agencies, particularly when the investigation may involve a potential serious offender or the identification or rescue of a child victim;

(VII) plans and budgets for training of relevant personnel on contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material;

(VIII) plans for coordination and cooperation with State, local, and Tribal law enforcement agencies and prosecutorial offices; and

(IX) evidence-based programs that educate the public about and increase awareness of such offenses; and

(ii) shall be developed in consultation, as appropriate, with—

(I) the local ICAC task force;

(II) the United States Marshals Service Sex Offender Targeting Center;

(III) training and technical assistance providers under the ICAC Task Force Program who are funded by the Attorney General;

(IV) nongovernmental organizations with subject matter expertise, technical skill, or technological tools to assist in the identification of and response to contact sexual offenses, child sexual exploitation offenses, or offenses involving child sexual abuse material;

(V) any relevant component of Homeland Security Investigations;

(VI) any relevant component of the Federal Bureau of Investigation;

(VII) the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice;

(VIII) the Child Exploitation and Obscenity Section of the Criminal Division of the Department of Justice;

(IX) the United States Postal Inspection Service;

(X) the United States Secret Service; and

(XI) each military criminal investigation organization of the Department of Defense; and

(D) a quadrennial assessment by each United States Attorney of the investigations within the district of such attorney of contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material—

(i) with consideration of—

(I) the variety of sources for leads;

(II) the proportion of work involving proactive or undercover law enforcement investigations;

(III) the number of serious offenders identified and prosecuted; and

(IV) the number of children identified or rescued; and

(ii) information from which may be used by the United States Attorney, as appropriate, to revise the plan described in subparagraph (C).

(2) Major case coordination by the Department of Justice (or other Federal agencies as

appropriate), including specific cooperation, as appropriate, with—

(A) the Child Exploitation and Obscenity Section of the Criminal Division of the Department of Justice;

(B) any relevant component of Homeland Security Investigations;

(C) any relevant component of the Federal Bureau of Investigation;

(D) the ICAC task forces and ICAC affiliate partners;

(E) the United States Marshals Service, including the Sex Offender Targeting Center;

(F) the United States Postal Inspection Service;

(G) the United States Secret Service;

(H) each Military Criminal Investigation Organization of the Department of Defense; and

(I) any task forces established in connection with the Project Safe Childhood program set forth under subsection (b).

(3) Increased Federal involvement in, and commitment to, the prevention and prosecution of technology-facilitated child sexual exploitation offenses or offenses involving child sexual abuse material by—

(A) using technology to identify victims and serious offenders;

(B) developing processes and tools to identify victims and offenders; and

(C) taking measures to improve information sharing among Federal law enforcement agencies, including for the purposes of implementing the plans and protocols described in paragraph (1)(C)(i)(II) to identify and rescue—

(i) victims of contact sexual offenses, child sexual exploitation offenses, and offenses involving child sexual abuse material; or

(ii) victims of serious offenders.

(4) The establishment, development, and implementation of a nationally coordinated “Safer Internet Day” every year developed in collaboration with the Department of Education, national and local internet safety organizations, parent organizations, social media companies, and schools to provide—

(A) national public awareness and evidence-based educational programs about the threats posed by circle of trust offenders and the threat of contact sexual offenses, child sexual exploitation offenses, or offenses involving child sexual abuse material, and the use of technology to facilitate those offenses;

(B) information to parents and children about how to avoid or prevent technology-facilitated child sexual exploitation offenses; and

(C) information about how to report possible technology-facilitated child sexual exploitation offenses or offenses involving child sexual abuse material through—

(i) the National Center for Missing and Exploited Children;

(ii) the ICAC Task Force Program; and

(iii) any other program that—

(I) raises national awareness about the threat of technology-facilitated child

sexual exploitation offenses or offenses involving child sexual abuse material; and

(II) provides information to parents and children seeking to report possible violations of technology-facilitated child sexual exploitation offenses or offenses involving child sexual abuse material.

#### (e) Expansion of Project Safe Childhood

Notwithstanding subsection (d), funds authorized under this section may be also be<sup>1</sup> used for the following purposes:

(1) The addition of not less than 20 Assistant United States Attorneys at the Department of Justice, relative to the number of such positions as of the day before December 23, 2024, who shall be—

(A) dedicated to the prosecution of cases in connection with the Project Safe Childhood program set forth under subsection (b); and

(B) responsible for assisting and coordinating the plans and protocols of each district under subsection (d)(1)(C)(i)(II).

(2) Such other additional and related purposes as the Attorney General determines appropriate.

#### (f) Authorization of appropriations

##### (1) In general

For the purpose of carrying out this section, there are authorized to be appropriated—

(A) for the activities described under paragraphs (1), (2), and (3) of subsection (d), \$28,550,000 for each of fiscal years 2023 through 2028;

(B) for the activities described under subsection (d)(4), \$4,000,000 for each of fiscal years 2023 through 2028; and

(C) for the activities described under subsection (e), \$29,100,000 for each of fiscal years 2023 through 2028.

##### (2) Supplement, not supplant

Amounts made available to State and local agencies, programs, and services under this section shall supplement, and not supplant, other Federal, State, or local funds made available for those agencies, programs, and services.

(Pub. L. 109-248, title I, §143, July 27, 2006, 120 Stat. 604; Pub. L. 118-159, div. E, title LII, §5202, Dec. 23, 2024, 138 Stat. 2433.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 16942 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

##### AMENDMENTS

2024—Pub. L. 118-159 amended section generally. Prior to amendment, section consisted of subsecs. (a) to (d) relating to establishment of Project Safe Childhood program, initial implementation, expansion of program, and authorization of appropriations for fiscal years 2007 through 2012, respectively.

<sup>1</sup> So in original.

**§ 20943. Federal assistance in identification and location of sex offenders relocated as a result of a major disaster**

The Attorney General shall provide assistance to jurisdictions in the identification and location of a sex offender relocated as a result of a major disaster.

(Pub. L. 109-248, title I, §144, July 27, 2006, 120 Stat. 606.)

**Editorial Notes**

CODIFICATION

Section was formerly classified to section 16943 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

**§ 20944. Expansion of training and technology efforts**

**(a) Training**

The Attorney General shall—

(1) expand training efforts with Federal, State, and local law enforcement officers and prosecutors to effectively respond to the threat to children and the public posed by sex offenders who use the Internet and technology to solicit or otherwise exploit children;

(2) facilitate meetings involving corporations that sell computer hardware and software or provide services to the general public related to use of the Internet, to identify problems associated with the use of technology for the purpose of exploiting children;

(3) host national conferences to train Federal, State, and local law enforcement officers, probation and parole officers, and prosecutors regarding pro-active approaches to monitoring sex offender activity on the Internet;

(4) develop and distribute, for personnel listed in paragraph (3), information regarding multidisciplinary approaches to holding offenders accountable to the terms of their probation, parole, and sex offender registration laws; and

(5) partner with other agencies to improve the coordination of joint investigations among agencies to effectively combat online solicitation of children by sex offenders.

**(b) Technology**

The Attorney General shall—

(1) deploy, to all Internet Crimes Against Children Task Forces and their partner agencies, technology modeled after the Canadian Child Exploitation Tracking System; and

(2) conduct training in the use of that technology.

**(c) Report**

Not later than July 1, 2007, the Attorney General,<sup>1</sup> shall submit to Congress a report on the activities carried out under this section. The report shall include any recommendations that the Attorney General considers appropriate.

**(d) Authorization of appropriations**

There are authorized to be appropriated to the Attorney General, for fiscal year 2007—

(1) \$1,000,000 to carry out subsection (a); and

(2) \$2,000,000 to carry out subsection (b).

(Pub. L. 109-248, title I, §145, July 27, 2006, 120 Stat. 606.)

**Editorial Notes**

CODIFICATION

Section was formerly classified to section 16944 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

**§ 20945. Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking**

**(a) Establishment**

There is established within the Department of Justice, under the general authority of the Attorney General, an Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (hereinafter in this section referred to as the “SMART Office”).

**(b) Director**

The SMART Office shall be headed by a Director who shall be appointed by the President. The Director shall report to the Attorney General through the Assistant Attorney General for the Office of Justice Programs and shall have final authority for all grants, cooperative agreements, and contracts awarded by the SMART Office. The Director shall not engage in any employment other than that of serving as the Director, nor shall the Director hold any office in, or act in any capacity for, any organization, agency, or institution with which the Office makes any contract or other arrangement.

**(c) Duties and functions**

The SMART Office is authorized to—

(1) administer the standards for the sex offender registration and notification program set forth in this chapter;

(2) administer grant programs relating to sex offender registration and notification authorized by this chapter and other grant programs authorized by this chapter as directed by the Attorney General;

(3) cooperate with and provide technical assistance to States, units of local government, tribal governments, and other public and private entities involved in activities related to sex offender registration or notification or to other measures for the protection of children or other members of the public from sexual abuse or exploitation; and

(4) perform such other functions as the Attorney General may delegate.

(Pub. L. 109-248, title I, §146, July 27, 2006, 120 Stat. 607.)

**Editorial Notes**

REFERENCES IN TEXT

This chapter, referred to in subsec. (c)(1), (2), was in the original “this Act”, meaning Pub. L. 109-248, July 27, 2006, 120 Stat. 587, known as the Adam Walsh Child Protection and Safety Act of 2006. For complete classification of this Act to the Code, see Short Title of 2006 Act note set out under section 10101 of this title and Tables.

<sup>1</sup> So in original. The comma probably should not appear.