

115TH CONGRESS  
2D SESSION

# S. 3354

To amend the Missing Children’s Assistance Act, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

AUGUST 16, 2018

Mr. GRASSLEY (for himself, Mrs. FEINSTEIN, Mr. HATCH, Ms. KLOBUCHAR, and Mr. PORTMAN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend the Missing Children’s Assistance Act, 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 “Missing Children’s As-  
5 sistance Act of 2018”.

6 **SEC. 2. IMPROVING SUPPORT FOR MISSING AND EX-**  
7 **PLOITED CHILDREN.**

8 (a) FINDINGS.—Section 402 of the Missing Chil-  
9 dren’s Assistance Act (34 U.S.C. 11291) is amended—

1           (1) by amending paragraph (1) to read as fol-  
2           lows:

3           “(1) each year tens of thousands of children  
4           run away, or are abducted or removed, from the con-  
5           trol of a parent having legal custody without the  
6           consent of that parent, under circumstances which  
7           immediately place the child in grave danger;”;

8           (2) by striking paragraphs (4), (5), and (9);

9           (3) by redesignating paragraphs (6), (7), (8),  
10          and (10) as paragraphs (4), (5), (6), and (7), re-  
11          spectively;

12          (4) in paragraph (4), as so redesignated, by in-  
13          serting “, including child sex trafficking and  
14          sextortion” after “exploitation”;

15          (5) in paragraph (6), as so redesignated, by  
16          adding “and” at the end; and

17          (6) by amending paragraph (7), as so redesi-  
18          gnated, to read as follows:

19          “(7) the Office of Juvenile Justice and Delin-  
20          quency Prevention administers programs under this  
21          title, including programs that prevent and address  
22          offenses committed against vulnerable children and  
23          supports missing children’s organizations, including  
24          the National Center for Missing and Exploited Chil-  
25          dren that—

1           “(A) serves as a nonprofit, national re-  
2           source center and clearinghouse to provide as-  
3           sistance to victims, families, child-serving pro-  
4           fessionals, and the general public;

5           “(B) works with the Department of Jus-  
6           tice, the Federal Bureau of Investigation, the  
7           United States Marshals Service, the Depart-  
8           ment of the Treasury, the Department of State,  
9           U.S. Immigration and Customs Enforcement,  
10          the United States Secret Service, the United  
11          States Postal Inspection Service, other agencies,  
12          and nongovernmental organizations in the effort  
13          to find missing children and to prevent child  
14          victimization; and

15          “(C) coordinates with each of the missing  
16          children clearinghouses operated by the 50  
17          States, the District of Columbia, Puerto Rico,  
18          and international organizations to transmit im-  
19          ages and information regarding missing and ex-  
20          ploited children to law enforcement agencies,  
21          nongovernmental organizations, and corporate  
22          partners across the United States and around  
23          the world instantly.”.

24          (b) DEFINITIONS.—Section 403 of the Missing Chil-  
25          dren’s Assistance Act (34 U.S.C. 11292) is amended—

1 (1) by striking paragraph (1) and inserting the  
2 following:

3 “(1) the term ‘missing child’ means any indi-  
4 vidual less than 18 years of age whose whereabouts  
5 are unknown to such individual’s parent;”;

6 (2) in paragraph (2) by striking “and” at the  
7 end;

8 (3) in paragraph (3) by striking the period at  
9 the end and inserting “; and”; and

10 (4) by adding at the end the following:

11 “(4) the term ‘parent’ includes a legal guardian  
12 or other individual who may lawfully exercise paren-  
13 tal rights with respect to the child.”.

14 (c) DUTIES AND FUNCTIONS OF THE ADMINIS-  
15 TRATOR.—Section 404 of the Missing Children’s Assist-  
16 ance Act (34 U.S.C. 11293) is amended—

17 (1) in subsection (a)—

18 (A) in paragraph (3) by striking “tele-  
19 phone line” and inserting “hotline”; and

20 (B) in paragraph (6)(E)—

21 (i) by striking “telephone line” and  
22 inserting “hotline”;

23 (ii) by striking “(b)(1)(A) and” and  
24 inserting “(b)(1)(A),”; and

1 (iii) by inserting “, and the number  
2 and types of reports to the tipline estab-  
3 lished under subsection (b)(1)(K)(i)” be-  
4 fore the semicolon at the end;

5 (2) in subsection (b)(1)—

6 (A) in subparagraph (A)—

7 (i) by striking “telephone line” each  
8 place it appears and inserting “hotline”;  
9 and

10 (ii) by striking “legal custodian” and  
11 inserting “parent”;

12 (B) in subparagraph (C)—

13 (i) in clause (i)—

14 (I) by striking “restaurant” and  
15 inserting “food”; and

16 (II) by striking “and” at the end;

17 (ii) in clause (ii) by adding “and” at  
18 the end; and

19 (iii) by adding at the end the fol-  
20 lowing:

21 “(iii) innovative and model programs,  
22 services, and legislation that benefit miss-  
23 ing and exploited children;”;

24 (C) by striking subparagraphs (E), (F),  
25 (G), (L), (M), (P) and (R);

1 (D) by redesignating subparagraphs (H)  
2 through (K) as subparagraphs (E) through  
3 (H), respectively;

4 (E) by redesignating subparagraphs (N)  
5 and (O) as subparagraphs (I) and (J), respec-  
6 tively;

7 (F) by redesignating subparagraph (Q) as  
8 subparagraph (K);

9 (G) by redesignating subparagraphs (S)  
10 through (V) as subparagraphs (L) through (O),  
11 respectively;

12 (H) by amending subparagraph (E), as so  
13 redesignated, to read as follows:

14 “(E) provide technical assistance and  
15 training to families, law enforcement agencies,  
16 State and local governments, elements of the  
17 criminal justice system, nongovernmental agen-  
18 cies, local educational agencies, and the general  
19 public—

20 “(i) in the prevention, investigation,  
21 prosecution, and treatment of cases involv-  
22 ing missing and exploited children;

23 “(ii) to respond to foster children  
24 missing from the State child welfare sys-  
25 tem in coordination with child welfare

1 agencies and courts handling juvenile jus-  
2 tice and dependency matters; and

3 “(iii) in the identification, location,  
4 and recovery of victims of, and children at  
5 risk for, child sex trafficking;”;

6 (I) by amending subparagraphs (F), (G),  
7 and (H), as so redesignated, to read as follows:

8 “(F) provide assistance to families, law en-  
9 forcement agencies, State and local govern-  
10 ments, nongovernmental agencies, child-serving  
11 professionals, and other individuals involved in  
12 the location and recovery of missing and ab-  
13 ducted children nationally and, in cooperation  
14 with the Department of State, internationally;

15 “(G) provide support and technical assist-  
16 ance to child-serving professionals involved in  
17 helping to recover missing and exploited chil-  
18 dren by searching public records databases to  
19 help in the identification, location, and recovery  
20 of such children, and help in the location and  
21 identification of potential abductors and offend-  
22 ers;

23 “(H) provide forensic and direct on-site  
24 technical assistance and consultation to fami-  
25 lies, law enforcement agencies, child-serving

1 professionals, and nongovernmental organiza-  
2 tions in child abduction and exploitation cases,  
3 including facial reconstruction of skeletal re-  
4 mains and similar techniques to assist in the  
5 identification of unidentified deceased chil-  
6 dren;”;

7 (J) by amending subparagraph (I), as so  
8 redesignated, to read as follows:

9 “(I) provide training, technical assistance,  
10 and information to nongovernmental organiza-  
11 tions relating to non-compliant sex offenders  
12 and to law enforcement agencies in identifying  
13 and locating such individuals;”;

14 (K) by amending subparagraph (K), as so  
15 redesignated, to read as follows:

16 “(K) work with families, law enforcement  
17 agencies, electronic service providers, electronic  
18 payment service providers, technology compa-  
19 nies, nongovernmental organizations, and others  
20 on methods to reduce the existence and dis-  
21 tribution of online images and videos of sexually  
22 exploited children—

23 “(i) by operating a tipline to—

24 “(I) provide to individuals and  
25 electronic service providers an effec-



1           tive means of reporting Internet-re-  
2           lated and other instances of child sex-  
3           ual exploitation in the areas of—

4                   “(aa) possession, manufac-  
5                   ture, and distribution of child  
6                   pornography;

7                   “(bb) online enticement of  
8                   children for sexual acts;

9                   “(cc) child sex trafficking;

10                   “(dd) sex tourism involving  
11                   children;

12                   “(ee) extra familial child  
13                   sexual molestation;

14                   “(ff) unsolicited obscene ma-  
15                   terial sent to a child;

16                   “(gg) misleading domain  
17                   names; and

18                   “(hh) misleading words or  
19                   digital images on the Internet;  
20                   and

21                   “(II) make reports received  
22                   through the tipline available to the ap-  
23                   propriate law enforcement agency for  
24                   its review and potential investigation;

1           “(ii) by operating a child victim iden-  
2           tification program to assist law enforce-  
3           ment agencies in identifying victims of  
4           child pornography and other sexual crimes  
5           to support the recovery of children from  
6           sexually exploitative situations; and

7           “(iii) by utilizing emerging tech-  
8           nologies to provide additional outreach and  
9           educational materials to parents and fami-  
10          lies;” and

11          (L) by amending subparagraphs (L) and  
12          (M), as so redesignated, to read as follows:

13          “(L) develop and disseminate programs  
14          and information to families, child-serving pro-  
15          fessionals, law enforcement agencies, State and  
16          local governments, nongovernmental organiza-  
17          tions, schools, local educational agencies, child-  
18          serving organizations, and the general public  
19          on—

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

22                 “(ii) Internet safety, including tips for  
23                 social media and cyberbullying; and

24                 “(iii) sexting and sextortion; and

1           “(M) provide technical assistance and  
2           training to local educational agencies, schools,  
3           State and local law enforcement agencies, indi-  
4           viduals, and other nongovernmental organiza-  
5           tions that assist with finding missing and ab-  
6           ducted children in identifying and recovering  
7           such children;”.

8           (d) GRANTS.—Section 405 of the Missing Children’s  
9           Assistance Act (34 U.S.C. 11294) is amended—

10           (1) in subsection (a)—

11                   (A) in paragraph (7) by striking “(as de-  
12                   fined in section 403(1)(A))”; and

13                   (B) in paragraph (8)—

14                           (i) by striking “legal custodians” and  
15                           inserting “parents”; and

16                           (ii) by striking “custodians’” and in-  
17                           serting “parents’”; and

18           (2) in subsection (b)(1)(A), by striking “legal  
19           custodians” and inserting “parents”.

20           (e) REPORTING.—The Missing Children’s Assistance  
21           Act (34 U.S.C. 11291 et seq.) is amended—

22           (1) by redesignating sections 407 and 408 as  
23           sections 408 and 409, respectively; and

24           (2) by inserting after section 406 (34 U.S.C.  
25           11295) the following:

1 **“SEC. 407. REPORTING.**

2       “(a) **REQUIRED REPORTING.**—As a condition of re-  
3 ceiving funds under section 404(b), the grant recipient  
4 shall, based solely on reports received by the grantee and  
5 not involving any data collection by the grantee other than  
6 those reports, annually provide to the Administrator and  
7 make available to the general public, as appropriate—

8               “(1) the number of children nationwide who are  
9 reported to the grantee as missing;

10              “(2) the number of children nationwide who are  
11 reported to the grantee as victims of non-family ab-  
12 ductions;

13              “(3) the number of children nationwide who are  
14 reported to the grantee as victims of family abduc-  
15 tions; and

16              “(4) the number of missing children recovered  
17 nationwide whose recovery was reported to the  
18 grantee.

19       “(b) **INCIDENCE OF ATTEMPTED CHILD ABDUC-**  
20 **TIONS.**—As a condition of receiving funds under section  
21 404(b), the grant recipient shall—

22              “(1) track the incidence of attempted child ab-  
23 ductions in order to identify links and patterns;

24              “(2) provide such information to law enforce-  
25 ment agencies; and

1           “(3) make such information available to the  
2           general public, as appropriate.”.

3 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS; AUDIT RE-**  
4 **QUIREMENT.**

5           (a) AUTHORIZATION OF APPROPRIATIONS.—Section  
6 409(a) of the Missing Children’s Assistance Act, as so re-  
7 designated by section 2, is amended by striking “2018”  
8 and inserting “2023”.

9           (b) AUDIT REQUIREMENT.—Section 408(1) of the  
10 Missing Children’s Assistance Act, as so redesignated by  
11 section 2, is amended by striking “2018” and inserting  
12 “2023”.

13 **SEC. 4. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.**

14           (a) EFFECTIVE DATE.—Except as provided in sub-  
15 section (b), this Act and the amendments made by this  
16 Act shall take effect on the date of the enactment of this  
17 Act.

18           (b) APPLICATION OF AMENDMENTS.—The amend-  
19 ments made by section 2 shall apply with respect to fiscal  
20 years that begin after September 30, 2018.

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