

115TH CONGRESS  
2D SESSION

# S. 3354

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## AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Missing Children’s As-  
3 sistance Act of 2018”.

4 **SEC. 2. IMPROVING SUPPORT FOR MISSING AND EX-**  
5 **PLOITED CHILDREN.**

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

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

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

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

16 (3) by redesignating paragraphs (6), (7), (8),  
17 and (10) as paragraphs (4), (5), (6), and (7), re-  
18 spectively;

19 (4) in paragraph (4), as so redesignated, by in-  
20 sserting “, including child sex trafficking and  
21 sextortion” after “exploitation”;

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

24 (6) by amending paragraph (7), as so redesign-  
25 ated, to read as follows:

1           “(7) the Office of Juvenile Justice and Delin-  
2           quency Prevention administers programs under this  
3           title, including programs that prevent and address  
4           offenses committed against vulnerable children and  
5           support missing children’s organizations, including  
6           the National Center for Missing and Exploited Chil-  
7           dren that—

8                   “(A) serves as a nonprofit, national re-  
9                   source center and clearinghouse to provide as-  
10                  sistance to victims, families, child-serving pro-  
11                  fessionals, and the general public;

12                  “(B) works with the Department of Jus-  
13                  tice, the Federal Bureau of Investigation, the  
14                  United States Marshals Service, the Depart-  
15                  ment of the Treasury, the Department of State,  
16                  U.S. Immigration and Customs Enforcement,  
17                  the United States Secret Service, the United  
18                  States Postal Inspection Service, other agencies,  
19                  and nongovernmental organizations in the effort  
20                  to find missing children and to prevent child  
21                  victimization; and

22                  “(C) coordinates with each of the missing  
23                  children clearinghouses operated by the 50  
24                  States, the District of Columbia, Puerto Rico,  
25                  and international organizations to transmit im-

1           ages and information regarding missing and ex-  
2           ploited children to law enforcement agencies,  
3           nongovernmental organizations, and corporate  
4           partners across the United States and around  
5           the world instantly.”.

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

8                 (1) by striking paragraph (1) and inserting the  
9           following:

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

13                 (2) in paragraph (2), by striking “and” at the  
14           end;

15                 (3) in paragraph (3), by striking the period at  
16           the end and inserting “; and”; and

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

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

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

24                 (1) in subsection (a)—

1 (A) in paragraph (3), by striking “tele-  
2 phone line” and inserting “hotline”; and

3 (B) in paragraph (6)(E)—

4 (i) by striking “telephone line” and  
5 inserting “hotline”;

6 (ii) by striking “(b)(1)(A) and” and  
7 inserting “(b)(1)(A),”; and

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

12 (2) in subsection (b)(1)—

13 (A) in subparagraph (A)—

14 (i) by striking “telephone line” each  
15 place it appears and inserting “hotline”;  
16 and

17 (ii) by striking “legal custodian” and  
18 inserting “parent”;

19 (B) in subparagraph (C)—

20 (i) in clause (i)—

21 (I) by striking “restaurant” and  
22 inserting “food”; and

23 (II) by striking “and” at the end;

24 (ii) in clause (ii) by adding “and” at  
25 the end; and

1 (iii) by adding at the end the fol-  
2 lowing:

3 “(iii) innovative and model programs,  
4 services, and legislation that benefit miss-  
5 ing and exploited children;”;

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

8 (D) by redesignating subparagraphs (H)  
9 through (K) as subparagraphs (E) through  
10 (H), respectively;

11 (E) by redesignating subparagraphs (N)  
12 and (O) as subparagraphs (I) and (J), respec-  
13 tively;

14 (F) by redesignating subparagraph (Q) as  
15 subparagraph (K);

16 (G) by redesignating subparagraphs (S)  
17 through (V) as subparagraphs (L) through (O),  
18 respectively;

19 (H) by amending subparagraph (E), as so  
20 redesignated, to read as follows:

21 “(E) provide technical assistance and  
22 training to families, law enforcement agencies,  
23 State and local governments, elements of the  
24 criminal justice system, nongovernmental agen-

1           cies, local educational agencies, and the general  
2           public—

3                   “(i) in the prevention, investigation,  
4                   prosecution, and treatment of cases involv-  
5                   ing missing and exploited children;

6                   “(ii) to respond to foster children  
7                   missing from the State child welfare sys-  
8                   tem in coordination with child welfare  
9                   agencies and courts handling juvenile jus-  
10                  tice and dependency matters; and

11                  “(iii) in the identification, location,  
12                  and recovery of victims of, and children at  
13                  risk for, child sex trafficking;”;

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

16                   “(F) provide assistance to families, law en-  
17                   forcement agencies, State and local govern-  
18                   ments, nongovernmental agencies, child-serving  
19                   professionals, and other individuals involved in  
20                   the location and recovery of missing and ab-  
21                   ducted children nationally and, in cooperation  
22                   with the Department of State, internationally;

23                   “(G) provide support and technical assist-  
24                   ance to child-serving professionals involved in  
25                   helping to recover missing and exploited chil-

1           dren by searching public records databases to  
2           help in the identification, location, and recovery  
3           of such children, and help in the location and  
4           identification of potential abductors and offend-  
5           ers;

6           “(H) provide forensic and direct on-site  
7           technical assistance and consultation to fami-  
8           lies, law enforcement agencies, child-serving  
9           professionals, and nongovernmental organiza-  
10          tions in child abduction and exploitation cases,  
11          including facial reconstruction of skeletal re-  
12          mains and similar techniques to assist in the  
13          identification of unidentified deceased chil-  
14          dren;”;

15          (J) by amending subparagraph (I), as so  
16          redesignated, to read as follows:

17          “(I) provide training, technical assistance,  
18          and information to nongovernmental organiza-  
19          tions relating to non-compliant sex offenders  
20          and to law enforcement agencies in identifying  
21          and locating such individuals;”;

22          (K) by amending subparagraph (K), as so  
23          redesignated, to read as follows:

24          “(K) work with families, law enforcement  
25          agencies, electronic service providers, electronic



1 payment service providers, technology compa-  
2 nies, nongovernmental organizations, and others  
3 on methods to reduce the existence and dis-  
4 tribution of online images and videos of sexually  
5 exploited children—

6 “(i) by operating a tipline to—

7 “(I) provide to individuals and  
8 electronic service providers an effec-  
9 tive means of reporting internet-re-  
10 lated and other instances of child sex-  
11 ual exploitation in the areas of—

12 “(aa) possession, manufac-  
13 ture, and distribution of child  
14 pornography;

15 “(bb) online enticement of  
16 children for sexual acts;

17 “(cc) child sex trafficking;

18 “(dd) sex tourism involving  
19 children;

20 “(ee) extra-familial child  
21 sexual molestation;

22 “(ff) unsolicited obscene ma-  
23 terial sent to a child;

24 “(gg) misleading domain  
25 names; and

1                   “(hh) misleading words or  
2                   digital images on the internet;  
3                   and

4                   “(II) make reports received  
5                   through the tipline available to the ap-  
6                   propriate law enforcement agency for  
7                   its review and potential investigation;

8                   “(ii) by operating a child victim iden-  
9                   tification program to assist law enforce-  
10                  ment agencies in identifying victims of  
11                  child pornography and other sexual crimes  
12                  to support the recovery of children from  
13                  sexually exploitative situations; and

14                  “(iii) by utilizing emerging tech-  
15                  nologies to provide additional outreach and  
16                  educational materials to parents and fami-  
17                  lies;”;

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

20                  “(L) develop and disseminate programs  
21                  and information to families, child-serving pro-  
22                  fessionals, law enforcement agencies, State and  
23                  local governments, nongovernmental organiza-  
24                  tions, schools, local educational agencies, child-

1 serving organizations, and the general public  
2 on—

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

5 “(ii) internet safety, including tips for  
6 social media and cyberbullying; and

7 “(iii) sexting and sextortion;

8 “(M) provide technical assistance and  
9 training to local educational agencies, schools,  
10 State and local law enforcement agencies, indi-  
11 viduals, and other nongovernmental organiza-  
12 tions that assist with finding missing and ab-  
13 ducted children in identifying and recovering  
14 such children;”.

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

17 (1) in subsection (a)—

18 (A) in paragraph (7), by striking “(as de-  
19 fined in section 403(1)(A))”; and

20 (B) in paragraph (8)—

21 (i) by striking “legal custodians” and  
22 inserting “parents”; and

23 (ii) by striking “custodians’” and in-  
24 serting “parents’”; and

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

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

5           (1) by redesignating sections 407 and 408 as  
6           sections 408 and 409, respectively; and

7           (2) by inserting after section 406 (34 U.S.C.  
8           11295) the following:

9           **“SEC. 407. REPORTING.**

10           “(a) REQUIRED REPORTING.—As a condition of re-  
11 ceiving funds under section 404(b), the grant recipient  
12 shall, based solely on reports received by the grantee and  
13 not involving any data collection by the grantee other than  
14 those reports, annually provide to the Administrator and  
15 make available to the general public, as appropriate—

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

18           “(2) the number of children nationwide who are  
19           reported to the grantee as victims of non-family ab-  
20           ductions;

21           “(3) the number of children nationwide who are  
22           reported to the grantee as victims of family abduc-  
23           tions; and

1           “(4) the number of missing children recovered  
2 nationwide whose recovery was reported to the  
3 grantee.

4           “(b) **INCIDENCE OF ATTEMPTED CHILD ABDUC-**  
5 **TIONS.**—As a condition of receiving funds under section  
6 404(b), the grant recipient shall—

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

9           “(2) provide such information to law enforce-  
10 ment agencies; and

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

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

15           (a) **AUTHORIZATION OF APPROPRIATIONS.**—Section  
16 409(a) of the Missing Children’s Assistance Act, as so re-  
17 designated by section 2, is amended by striking “2018”  
18 and inserting “2023”.

19           (b) **AUDIT REQUIREMENT.**—Section 408(1) of the  
20 Missing Children’s Assistance Act, as so redesignated by  
21 section 2, is amended by striking “2018” and inserting  
22 “2023”.

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

24           (a) **EFFECTIVE DATE.**—Except as provided in sub-  
25 section (b), this Act and the amendments made by this

1 Act shall take effect on the date of the enactment of this  
2 Act.

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

Passed the Senate September 27, 2018.

Attest:

*Secretary.*



115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 3354**

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**AN ACT**

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