

115TH CONGRESS
1ST SESSION

H. R. 1808

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 2017

Mr. GUTHRIE (for himself and Mr. COURTNEY) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend and improve 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 “Improving Support for
5 Missing and Exploited Children Act of 2017”.

6 **SEC. 2. FINDINGS.**

7 Section 402 of the Missing Children’s Assistance Act
8 (42 U.S.C. 5771) is amended—

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

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

6 (2) by striking paragraphs (4) and (5),

7 (3) in paragraph (6) by inserting “, including
8 child sex trafficking and sextortion” after “exploit-
9 ation”,

10 (4) in paragraph (8) by adding “and” at the
11 end,

12 (5) by striking paragraph (9),

13 (6) by amending paragraph (10) to read as fol-
14 lows:

15 “(10) a key component of such programs is the
16 National Center for Missing and Exploited Children
17 that—

18 “(A) serves as a nonprofit, national re-
19 source center and clearinghouse to provide as-
20 sistance to victims, families, child-serving pro-
21 fessionals, and the general public;

22 “(B) works with the Department of Jus-
23 tice, the Federal Bureau of Investigation, the
24 United States Marshals Service, the Depart-
25 ment of the Treasury, the Department of State,

1 the United States Immigration and Customs
2 Enforcement, the United States Secret Service,
3 the United States Postal Inspection Service,
4 other agencies, and nongovernmental organiza-
5 tions in the effort to find missing children and
6 to prevent child victimization; and

7 “(C) coordinates with each of the missing
8 children clearinghouses operated by the 50
9 States, the District of Columbia, Puerto Rico,
10 and international organizations to transmit im-
11 ages and information regarding missing and ex-
12 ploited children to law enforcement, nongovern-
13 mental organizations, and corporate partners
14 across the United States and around the world
15 instantly.”, and

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

19 **SEC. 3. DEFINITIONS.**

20 Section 403 of the Missing Children’s Assistance Act
21 (42 U.S.C. 5772) is amended—

22 (1) in paragraph (1)—

23 (A) by striking “legal custodian” each
24 place it appears and inserting “parent”,

1 (B) in subparagraph (A) by striking
2 “custodian’s” and inserting “parent’s”, and

3 (C) in subparagraph (C) by striking the
4 period at the end and inserting a semicolon,

5 (2) in paragraph (2) by striking “and” at the
6 end and inserting a semicolon,

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

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

10 “(4) the term ‘parent’ includes a legal guardian
11 or other individual standing in loco parentis (such as
12 a grandparent or stepparent with whom the child
13 lives, or an individual who is legally responsible for
14 the child’s welfare).”.

15 **SEC. 4. DUTIES AND FUNCTIONS OF THE ADMINISTRATOR.**

16 Section 404 of the Missing Children’s Assistance Act
17 (42 U.S.C. 5773(b)) is amended—

18 (1) in subsection (a)—

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

21 (B) in paragraph (6)(E)—

22 (i) by striking “telephone line” and
23 inserting “hotline”,

24 (ii) by striking “(b)(1)(A) and” and
25 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, and
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 and (G),

1 (D) by amending subparagraph (H) to
2 read as follows:

3 “(H) provide technical assistance and
4 training to families, law enforcement agencies,
5 State and local governments, elements of the
6 criminal justice system, nongovernmental agen-
7 cies, local educational agencies, and the general
8 public—

9 “(i) in the prevention, investigation,
10 prosecution, and treatment of cases involv-
11 ing missing and exploited children;

12 “(ii) to respond to foster children
13 missing from the State child welfare sys-
14 tem in coordination with child welfare
15 agencies and courts handling juvenile jus-
16 tice and dependency matters; and

17 “(iii) in the identification, location,
18 and recovery of victims of, and children at
19 risk for, child sex trafficking;”

20 (E) by amending subparagraphs (I), (J),
21 and (K) to read as follows:

22 “(I) provide assistance to families, law en-
23 forcement agencies, State and local govern-
24 ments, nongovernmental agencies, child-serving
25 professionals, and other individuals involved in

1 the location and recovery of missing and ab-
2 ducted children, both nationally, and in co-
3 operation with the Department of State, inter-
4 nationally;

5 “(J) provide support and technical assist-
6 ance to child-serving professionals involved in
7 helping to recover missing and exploited chil-
8 dren by searching public records databases to
9 help in the identification, location, and recovery
10 of such children, and help in the location and
11 identification of potential abductors and offend-
12 ers;

13 “(K) provide forensic and direct on-site
14 technical assistance and consultation to fami-
15 lies, law enforcement agencies, child-serving
16 professionals, and nongovernmental organiza-
17 tions in child abduction and exploitation cases,
18 including facial reconstruction of skeletal re-
19 mains and similar techniques to assist in the
20 identification of unidentified deceased chil-
21 dren;”,

22 (F) by striking subparagraphs (L) and
23 (M),

24 (G) by amending subparagraph (N) to
25 read as follows:

1 “(N) provide training, technical assistance,
2 and information to nongovernmental organiza-
3 tions relating to non-compliant sex offenders
4 and to law enforcement agencies in identifying
5 and locating such individuals;”,

6 (H) by striking subparagraph (P),

7 (I) by amending subparagraph (Q) to read
8 as follows:

9 “(Q) work with families, law enforcement
10 agencies, Internet service providers, electronic
11 payment service providers, technology compa-
12 nies, nongovernmental organizations, and others
13 on methods to reduce the existence and dis-
14 tribution of online images and videos of sexually
15 exploited children—

16 “(i) by operating a tipline to provide
17 to individuals and electronic service pro-
18 viders an effective means of reporting
19 Internet-related and other instances of
20 child sexual exploitation in the areas of—

21 “(I) possession, manufacture,
22 and distribution of child pornography;

23 “(II) online enticement of chil-
24 dren for sexual acts;

25 “(III) child sex trafficking;

1 “(IV) sex tourism involving chil-
2 dren;

3 “(V) extra familial child sexual
4 molestation;

5 “(VI) unsolicited obscene mate-
6 rial sent to a child;

7 “(VII) misleading domain names;
8 and

9 “(VIII) misleading words or dig-
10 ital images on the Internet,

11 and subsequently to make such reports
12 available to the appropriate law enforce-
13 ment agency for its review and potential
14 investigation;

15 “(ii) by operating a child victim iden-
16 tification program to assist law enforce-
17 ment agencies in identifying victims of
18 child pornography and other sexual crimes
19 to support the recovery of children from
20 sexually exploitative situations; and

21 “(iii) by utilizing emerging tech-
22 nologies to provide additional outreach and
23 educational materials to parents and fami-
24 lies;”,

25 (J) by striking subparagraph (R),

1 (K) by amending subparagraphs (S) and
2 (T) to read as follows:

3 “(S) develop and disseminate programs
4 and information to families, child-serving pro-
5 fessionals, law enforcement agencies, State and
6 local governments, nongovernmental organiza-
7 tions, schools, local educational agencies, child-
8 serving organizations, and the general public
9 on—

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

12 “(ii) internet safety, including tips for
13 social media and cyberbullying; and

14 “(iii) sexting and sextortion; and

15 “(T) provide technical assistance and
16 training to local educational agencies, schools,
17 State and local law enforcement agencies, indi-
18 viduals, and other nongovernmental organiza-
19 tions that assist with finding missing and ab-
20 ducted children in identifying and recovering
21 such children.”, and

22 (L) by redesignating subparagraphs (G),
23 (H), (I), (J), (K), (O), (Q), (S), and (T) as
24 subparagraphs (E) through (M), respectively.

1 **SEC. 5. GRANTS.**

2 Section 405 of the Missing Children’s Assistance Act
3 (42 U.S.C. 5775) is amended—

4 (1) in subsection (a)—

5 (A) in paragraph (7) by striking “(as de-
6 fined in section 403(1)(A))”, and

7 (B) in paragraph (8)—

8 (i) by striking “legal custodians” and
9 inserting “parents”, and

10 (ii) by striking “custodians’” and in-
11 sserting “parents’”, and

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

14 **SEC. 6. REPORTING.**

15 The Missing Children’s Assistance Act (42 U.S.C.
16 5771 et seq.) is amended—

17 (1) by redesignating sections 407 and 408 as
18 sections 408 and 409, respectively, and

19 (2) by inserting after section 406 the following:

20 **“SEC. 407. REPORTING.**

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

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

3 “(2) the number of children nationwide who are
4 reported to the grantee as victims of non-family ab-
5 ductions;

6 “(3) the number of children nationwide who are
7 reported to the grantee as victims of family abduc-
8 tions; and

9 “(4) the number of missing and abducted chil-
10 dren recovered nationwide whose recovery was re-
11 ported to the grantee.

12 “(b) INCIDENCE OF ATTEMPTED CHILD ABDUC-
13 TIONS.—As a condition of receiving funds under section
14 404(b), the grant recipient shall—

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

17 “(2) provide such information to law enforce-
18 ment agencies; and

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

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