

115TH CONGRESS
2D SESSION

S. 3354

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 serting “, 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)—

(A) in paragraph (3), by striking “telephone line” and inserting “hotline”; and

(B) in paragraph (6)(E)—

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

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

(iii) by inserting “, and the number and types of reports to the tipline established under subsection (b)(1)(K)(i)” before the semicolon at the end;

(2) in subsection (b)(1)—

(A) in subparagraph (A)—

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

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

(B) in subparagraph (C)—

(i) in clause (i)—

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

(II) by striking “and” at the end;

(ii) in clause (ii) by adding “and” at 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;”; and

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.

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