

118TH CONGRESS
1ST SESSION

S. 2051

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

IN THE SENATE OF THE UNITED STATES

JUNE 20, 2023

Mr. DURBIN (for himself and Mr. GRAHAM) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To reauthorize 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 Reauthorization Act of 2023”.

6 **SEC. 2. MISSING CHILDREN’S ASSISTANCE ACT AMEND-**
7 **MENTS.**

8 (a) IN GENERAL.—

9 (1) DEFINITIONS.—Section 403 of the Missing
10 Children’s Assistance Act (34 U.S.C. 11292) is
11 amended—

1 (A) in paragraph (3), by striking “and” at
2 the end;

3 (B) in paragraph (4), by striking the pe-
4 riod at the end and inserting a semicolon; and

5 (C) by adding at the end the following:

6 “(5) the term ‘child sexual abuse material’ has
7 the meaning given the term ‘child pornography’ in
8 section 2256 of title 18, United States Code;

9 “(6) the term ‘child sexual exploitation’ means
10 the sexual victimization or abuse of a child;

11 “(7) the term ‘sexting’ means sending and re-
12 ceiving messages containing sexually explicit, nude,
13 or partially nude images by cell phone or messaging
14 application;

15 “(8) the term ‘sextortion’—

16 “(A) means sexual exploitation in which
17 coercion, a threat, or blackmail, is used to
18 cause a child to—

19 “(i) provide child sexual abuse mate-
20 rial; or

21 “(ii) agree to engage in sexual activ-
22 ity; and

23 “(B) may involve a threat to publicly dis-
24 close nude or sexual images of a child if the
25 child does not comply with a demand to—

1 “(i) engage in conduct described in
2 clause (i) or (ii) of subparagraph (A); or

3 “(ii) provide financial payment; and

4 “(9) the term ‘sexually exploited child’ means a
5 child who has been victimized by any form of sexual
6 exploitation, including—

7 “(A) the live-streaming, production, dis-
8 tribution, or possession of child sexual abuse
9 material;

10 “(B) enticement for sexual abuse;

11 “(C) sexual molestation or abuse;

12 “(D) sextortion; and

13 “(E) child sex trafficking.”.

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

17 (A) in subsection (a)(6)(E), by striking
18 “the tipline established” and inserting “the
19 CyberTipline established”; and

20 (B) in subsection (b)(1)—

21 (i) in subparagraph (A)—

22 (I) in clause (i)—

23 (aa) by striking “hotline by
24 which” and inserting “call center
25 to which”; and

1 (bb) by striking “individuals
2 may report” and all that follows
3 and inserting “individuals may—
4 “(I) report child sexual exploitation
5 and the location of any missing child; and
6 “(II) request information pertaining
7 to procedures necessary to reunite such
8 child with such child’s parent;”;
9 (II) by redesignating clause (ii)
10 as clause (iii); and
11 (III) by inserting after clause (i)
12 the following:
13 “(ii) manage the AMBER Alert Secondary
14 Distribution Program; and”;
15 (ii) in subparagraph (D), by striking
16 “with their families” and inserting “with
17 their parents”;
18 (iii) in subparagraph (F), by striking
19 “to families” and inserting “to parents”;
20 (iv) by striking subparagraph (G) and
21 inserting the following:
22 “(G) provide technical assistance and case-
23 related resources, including—
24 “(i) referrals to—

1 “(I) child-serving professionals
2 involved in helping to recover missing
3 and exploited children; and

4 “(II) law enforcement officers in
5 their efforts to identify, locate, and re-
6 cover missing and exploited children;
7 and

8 “(ii) searching public records data-
9 bases and publicly accessible open source
10 data to—

11 “(I) locate and identify potential
12 abductors and offenders involved in
13 attempted or actual abductions; and

14 “(II) identify, locate, and recover
15 abducted children;”;

16 (v) in subparagraph (H), by inserting
17 “on long-term missing child cases” after
18 “techniques to assist”;

19 (vi) by striking subparagraph (I) and
20 inserting the following:

21 “(I) provide training, technical assistance,
22 and information to—

23 “(i) nongovernmental organizations
24 with respect to procedures and resources to

- 1 conduct background checks on individuals
2 working with children; and
- 3 “(ii) law enforcement agencies with
4 respect to identifying and locating non-
5 compliant sex offenders;”;
- 6 (vii) in subparagraph (J), by striking
7 “with their families” and inserting “with
8 their parents”;
- 9 (viii) in subparagraph (K)—
- 10 (I) in clause (i)—
- 11 (aa) in the matter preceding
12 subclause (I), by striking
13 “tipline” and inserting
14 “CyberTipline”;
- 15 (bb) in subclause (I)—
- 16 (AA) in item (aa), by
17 striking “child pornography”
18 and inserting “child sexual
19 abuse material”; and
- 20 (BB) in item (ee), by
21 striking “extra-familial”;
22 and
23 (cc) in subclause (II)—

1 (AA) by striking
2 “tipline” and inserting
3 “CyberTipline”; and

4 (BB) by adding “and”
5 at the end;

6 (II) in clause (ii)—

7 (aa) by striking “child por-
8 nography” and inserting “child
9 sexual abuse material”;

10 (bb) by inserting “and”
11 after “other sexual crimes”; and

12 (cc) by striking “; and” at
13 the end and inserting “, includ-
14 ing by providing information on
15 legal remedies available to such
16 victims;”; and

17 (III) by striking clause (iii);

18 (ix) by redesignating subparagraphs
19 (L) through (O) as subparagraphs (M)
20 through (P), respectively;

21 (x) by inserting after subparagraph
22 (K) the following:

23 “(L) provide support services, consultation,
24 and assistance to missing and sexually exploited

1 children, parents, their families, and child-serv-
2 ing professionals on—

3 “(i) recovery support, including coun-
4 seling recommendations and community
5 support;

6 “(ii) family and peer support;

7 “(iii) the removal of child sexual
8 abuse material and sexually exploitive con-
9 tent depicting children from the internet,
10 including by facilitating requests to pro-
11 viders (as defined in section 2258E of title
12 18, United States Code) to remove visual
13 depictions of victims that—

14 “(I) constitute or are associated
15 with child sexual abuse material; or

16 “(II) do not constitute child sex-
17 ual abuse material but are sexually
18 suggestive;”;

19 (xi) in subparagraph (M), as so reded-
20 icated—

21 (I) in the matter preceding clause
22 (i), by inserting “educational” before
23 “information to families”;

24 (II) in clause (i)—

1 (aa) by striking “child ab-
2 duction and” and inserting
3 “missing children and child”; and

4 (bb) by adding “and” at the
5 end; and

6 (III) by striking clauses (ii) and
7 (iii) and inserting the following:

8 “(ii) internet safety, including tips
9 and strategies to promote safety for chil-
10 dren using technology (including social
11 media) and reduce risk relating to—

12 “(I) cyberbullying;

13 “(II) child sex trafficking;

14 “(III) youth-produced child sex-
15 ual abuse material or sexting;

16 “(IV) sextortion; and

17 “(V) online enticement;”;

18 (xii) in subparagraph (N), as so re-
19 designated, by inserting “and preventing
20 child sexual exploitation” after “recovering
21 such children”;

22 (xiii) by striking subparagraph (O), as
23 so redesignated, and inserting the fol-
24 lowing:

1 “(O) assist the efforts of law enforcement
2 agencies and State child welfare agencies to—

3 “(i) coordinate on the reporting, docu-
4 mentation, and resolution of cases involv-
5 ing children missing from a State child
6 welfare system; and

7 “(ii) respond to foster children miss-
8 ing from a State child welfare system;
9 and”;

10 (xiv) in subparagraph (P), as so re-
11 designated, by inserting “and recovery sup-
12 port services” after “technical assistance”.

13 (3) AUTHORIZATION OF APPROPRIATIONS.—
14 Section 409(a) of the Missing Children’s Assistance
15 Act (34 U.S.C. 11297(a)) is amended by striking
16 “\$40,000,000 for each of the fiscal years 2014
17 through 2023, up to \$32,200,000” and inserting
18 “\$49,300,000 for each of fiscal years 2024 through
19 2028, up to \$41,500,000”.

20 (b) EFFECTIVE DATE.—This Act, and the amend-
21 ments made by this Act, shall take effect on October 1,
22 2023.

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