

118TH CONGRESS
2D SESSION

S. 5060

AN ACT

To reauthorize the PROTECT Our Children Act of 2008,
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 “PROTECT Our Chil-
3 dren Reauthorization Act of 2024”.

4 **SEC. 2. REAUTHORIZATION.**

5 (a) ESTABLISHMENT OF NATIONAL STRATEGY FOR
6 CHILD EXPLOITATION PREVENTION AND INTERDIC-
7 TION.—Section 101 of the PROTECT Our Children Act
8 of 2008 (34 U.S.C. 21111) is amended—

9 (1) in subsection (b), by striking “every second
10 year” and inserting “every fourth year”; and

11 (2) by striking subsection (c) and inserting the
12 following:

13 “(c) REQUIRED CONTENTS OF NATIONAL STRAT-
14 EGY.—The National Strategy established under subsection
15 (a) shall include the following:

16 “(1) An analysis of current trends, challenges,
17 and the overall magnitude of the threat of child ex-
18 ploitation.

19 “(2) An analysis of future trends and chal-
20 lenges, including new technologies, that will impact
21 the efforts to combat child exploitation.

22 “(3) Goals and strategic solutions to prevent
23 and interdict child exploitation, including—

24 “(A) plans for interagency coordination;

1 “(B) engagement with the judicial
2 branches of the Federal Government and State
3 governments;

4 “(C) legislative recommendations for com-
5 bating child exploitation;

6 “(D) cooperation with international, State,
7 local, and Tribal law enforcement agencies; and

8 “(E) engagement with the private sector
9 and other entities involved in efforts to combat
10 child exploitation.

11 “(4) An analysis of Federal efforts dedicated to
12 combating child exploitation, including—

13 “(A) a review of the policies and work of
14 the Department of Justice and other Federal
15 programs relating to the prevention and inter-
16 diction of child exploitation crimes, including
17 training programs, and investigative and pros-
18 ecution activity; and

19 “(B) a description of the efforts of the De-
20 partment of Justice to cooperate and coordinate
21 with, and provide technical assistance and sup-
22 port to, international, State, local, and Tribal
23 law enforcement agencies and private sector
24 and nonprofit entities with respect to child ex-
25 ploitation prevention and interdiction efforts.

1 “(5) An estimate of the resources required to
2 effectively respond to child exploitation crimes at
3 scale by—

4 “(A) each ICAC task force;

5 “(B) the Federal Bureau of Investigation,
6 including investigators, forensic interviewers,
7 and analysts of victims, witnesses, and
8 forensics;

9 “(C) Homeland Security Investigations, in-
10 cluding forensic interviewers and analysts of
11 victims, witnesses, and forensics;

12 “(D) the United States Marshals Service;

13 “(E) the United States Secret Service;

14 “(F) the United States Postal Service;

15 “(G) the criminal investigative offices of
16 the Department of Defense; and

17 “(H) any component of an agency de-
18 scribed in this paragraph;

19 “(6) A review of the Internet Crimes Against
20 Children Task Force Program, including—

21 “(A) the number of ICAC task forces and
22 the location of each ICAC task force;

23 “(B) the number of trained personnel at
24 each ICAC task force;

1 “(C) the amount of Federal grants award-
2 ed to each ICAC task force; and

3 “(D) an assessment of the Federal, State,
4 and local cooperation with respect to each ICAC
5 task force, including—

6 “(i) the number of arrests made by
7 each ICAC task force;

8 “(ii) the number of criminal referrals
9 to United States attorneys for prosecution;

10 “(iii) the number of prosecutions and
11 convictions from the referrals described in
12 clause (ii);

13 “(iv) the number, if available, of local
14 prosecutions and convictions based on
15 ICAC task force investigations; and

16 “(v) any other information determined
17 by the Attorney General demonstrating the
18 level of Federal, State, Tribal, and local
19 coordination and cooperation.

20 “(7) An assessment of training needs for each
21 ICAC task force and affiliated agencies.

22 “(8) An assessment of Federal investigative and
23 prosecution activity relating to reported incidents of
24 child exploitation crimes that include a number of
25 factors, including—

1 “(A) the number of investigations, arrests,
2 prosecutions and convictions for a crime of
3 child exploitation; and

4 “(B) the average sentence imposed and the
5 statutory maximum sentence that could be im-
6 posed for each crime of child exploitation.

7 “(9) A review of all available statistical data in-
8 dicating the overall magnitude of child pornography
9 trafficking in the United States and internationally,
10 including—

11 “(A) the number of foreign and domestic
12 suspects observed engaging in accessing and
13 sharing child pornography;

14 “(B) the number of tips or other statistical
15 data from the CyberTipline of the National
16 Center for Missing and Exploited Children and
17 other data indicating the magnitude of child
18 pornography trafficking; and

19 “(C) any other statistical data indicating
20 the type, nature, and extent of child exploi-
21 tation crime in the United States and abroad.”.

22 (b) ESTABLISHMENT OF NATIONAL ICAC TASK
23 FORCE PROGRAM.—Section 102 of the PROTECT Our
24 Children Act of 2008 (34 U.S.C. 21112) is amended—

25 (1) in subsection (a)(1)—

1 (A) by inserting “, Tribal, military,” after
2 “State”; and

3 (B) by striking “and child obscenity and
4 pornography cases” and inserting “child ob-
5 scenity and pornography cases, and the identi-
6 fication of child victims”;

7 (2) in subsection (b)—

8 (A) in paragraph (2), by striking “consult
9 with and consider” and all that follows through
10 “track record of success.” and inserting “,
11 evaluate the task forces funded under the ICAC
12 Task Force Program to determine if those task
13 forces are operating in an effective manner.”;

14 (B) in paragraph (3)(B)—

15 (i) by striking “establish a new task
16 force” and inserting “establish a new or
17 continue an existing task force”; and

18 (ii) by striking “state” and inserting
19 “State”; and

20 (C) in paragraph (4)—

21 (i) in subparagraph (A), by striking
22 “may” and inserting “shall”;

23 (ii) by striking subparagraph (B); and

24 (iii) by redesignating subparagraph
25 (C) as subparagraph (B); and

1 (3) by adding at the end the following:

2 “(c) LIMITED LIABILITY FOR ICAC TASK FORCES.—

3 “(1) IN GENERAL.—Except as provided in para-
4 graph (2), a civil claim or criminal charge against an
5 ICAC task force established pursuant to this section
6 and sections 103 and 104, including any law en-
7 forcement agency that participates on such a task
8 force or a director, officer, employee, or agent of
9 such a law enforcement agency, arising from the
10 prioritization decisions with respect to leads related
11 to Internet crimes against children described in sec-
12 tion 104(8), may not be brought in any Federal or
13 State court.

14 “(2) INTENTIONAL, RECKLESS, OR OTHER MIS-
15 CONDUCT.—Paragraph (1) shall not apply to a claim
16 if the ICAC task force or law enforcement agency,
17 or a director, officer, employee, or agent of that law
18 enforcement agency—

19 “(A) engaged in intentional misconduct; or

20 “(B) acted, or failed to act—

21 “(i) with actual malice;

22 “(ii) with reckless disregard to a sub-
23 stantial risk of causing physical injury
24 without legal justification; or

1 “(iii) for a purpose unrelated to the
2 performance of any responsibility or func-
3 tion under section 104(8).”.

4 (c) PURPOSE OF ICAC TASK FORCES.—Section 103
5 of the PROTECT Our Children Act of 2008 (34 U.S.C.
6 21113) is amended—

7 (1) in paragraph (1), by inserting “, and the
8 identification of child victims of those crimes” before
9 the semicolon at the end;

10 (2) in paragraph (2), by inserting “and
11 prioritizing investigations that task force personnel,
12 through the background, training and experience of
13 those personnel and the consideration of all relevant
14 circumstances, determine to be most likely to result
15 in positive case outcomes and in the rescue of chil-
16 dren” before the semicolon at the end;

17 (3) in paragraph (3)—

18 (A) by striking “and local law enforce-
19 ment” and inserting “Tribal, military, and local
20 law enforcement”; and

21 (B) by inserting “, including probation and
22 parole agencies, child advocacy centers, and
23 child protective services,” after “enforcement
24 agencies”;

1 (4) in paragraph (8), by striking “and” at the
2 end;

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

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

6 “(10) educating the judiciary on—

7 “(A) the link between intrafamilial contact
8 offenses and technology-facilitated crimes; and

9 “(B) characteristics of internet offenders,
10 including the interest of online offenders in in-
11 cest-themed material, sadism, and other related
12 paraphilias or illegal activity.”.

13 (d) DUTIES AND FUNCTIONS OF TASK FORCES.—

14 Section 104 of the PROTECT Our Children Act of 2008

15 (34 U.S.C. 21114) is amended—

16 (1) in paragraph (3)—

17 (A) by inserting “conduct digital” before
18 “forensic examinations”; and

19 (B) by inserting “engage in” before “effec-
20 tive prosecutions”;

21 (2) by striking paragraph (8) and inserting the
22 following:

23 “(8) investigate, seek prosecution with respect
24 to, and identify child victims from leads relating to
25 Internet crimes against children, including

1 CyberTipline reports, with prioritization determined
2 according to circumstances and by each task force,
3 as described in section 102(3);”;

4 (3) by striking paragraph (9); and

5 (4) by redesignating paragraphs (10) and (11)
6 as paragraphs (9) and (10), respectively.

7 (e) NATIONAL INTERNET CRIMES AGAINST CHIL-
8 DREN DATA SYSTEM.—Section 105 of the PROTECT
9 Our Children Act of 2008 (34 U.S.C. 21115) is amend-
10 ed—

11 (1) in subsection (a), by striking “shall estab-
12 lish” and inserting “may establish”;

13 (2) in subsection (b) by striking “continue and
14 build upon Operation Fairplay developed by the Wy-
15 oming Attorney General’s office, which has estab-
16 lished a secure, dynamic undercover infrastructure
17 that has facilitated” and inserting “facilitate”; and

18 (3) in subsection (g)—

19 (A) by striking paragraph (3);

20 (B) by redesignating paragraphs (4)
21 through (8) as paragraphs (3) through (7), re-
22 spectively; and

23 (C) in paragraph (7), as so redesignated,
24 by striking “1 representative” and inserting “2
25 representatives”.

1 (f) ICAC GRANT PROGRAM.—Section 106 of the
2 PROTECT Our Children Act of 2008 (34 U.S.C. 21116)
3 is amended—

4 (1) in subsection (a)—

5 (A) in paragraph (2)(B)(ii)(II), by striking
6 “Operation Fairplay,”; and

7 (B) in paragraph (3)—

8 (i) by striking subparagraph (A) and
9 inserting the following:

10 “(A) Not less than 20 percent of the total
11 funds appropriated to carry out this section
12 shall be distributed to support the ICAC Task
13 Force Program through grants to—

14 “(i) provide training and technical as-
15 sistance to members of the ICAC Task
16 Force Program;

17 “(ii) maintain, enhance, research, and
18 develop tools and technology to assist
19 members of the ICAC Task Force Pro-
20 gram;

21 “(iii) provide other support to the
22 ICAC Task Force Program determined by
23 the Attorney General;

24 “(iv) conduct research;

1 “(v) support the annual National Law
2 Enforcement Training on Child Exploi-
3 tation of the Office of Juvenile Justice and
4 Delinquency Prevention; and

5 “(vi) provide wellness training.”; and

6 (2) in subsection (d)(1)—

7 (A) in subparagraph (B)—

8 (i) in clause (ii), by striking “and” at
9 the end;

10 (ii) in clause (iii), by striking “, in-
11 cluding” and all that follows through
12 “such crime under State law.” and insert-
13 ing “; and”; and

14 (iii) by adding at the end the fol-
15 lowing:

16 “(iv) the number of child victims iden-
17 tified.”;

18 (B) by striking subparagraph (D); and

19 (C) by redesignating subparagraphs (E)
20 through (G) as subparagraphs (D) through (F),
21 respectively.

22 (g) AUTHORIZATION OF APPROPRIATIONS.—Section
23 107(a) of the PROTECT Our Children Act of 2008 (34
24 U.S.C. 21117(a)) is amended—

1 (1) in paragraph (9), by striking “and” at the
2 end;

3 (2) in paragraph (10), by striking the period at
4 the end and inserting a semicolon; and

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

6 “(11) \$70,000,000 for fiscal year 2025;

7 “(12) \$80,000,000 for fiscal year 2026; and

8 “(13) \$90,000,000 for fiscal year 2027.”.

9 (h) **ADDITIONAL REGIONAL COMPUTER FORENSIC**
10 **LABS.**—The PROTECT Our Children Act of 2008 (34
11 U.S.C. 21101 et seq.) is amended by striking title II.

12 (i) **REPORTING REQUIREMENTS OF PROVIDERS.**—
13 Section 2258A(c) of title 18, United States Code, is
14 amended, in the matter preceding paragraph (1), by in-
15 serting “and all supplemental data included in the report”
16 after “each report made under subsection (a)(1)”.

Passed the Senate December 11, 2024.

Attest:

Secretary.

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