

118TH CONGRESS
1ST SESSION

H. R. 5224

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

IN THE HOUSE OF REPRESENTATIVES

AUGUST 18, 2023

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

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.—

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

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

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

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

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

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

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

18 “(8) the term ‘sextortion’—

19 “(A) means sexual exploitation in which
20 coercion, a threat, or blackmail, is used to
21 cause a child to—

22 “(i) provide child sexual abuse mate-
23 rial; or

24 “(ii) agree to engage in sexual activ-
25 ity; and

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

4 “(i) engage in conduct described in
5 clause (i) or (ii) of subparagraph (A); or

6 “(ii) provide financial payment; and

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

10 “(A) the live-streaming, production, dis-
11 tribution, or possession of child sexual abuse
12 material;

13 “(B) enticement for sexual abuse;

14 “(C) sexual molestation or abuse;

15 “(D) sextortion; and

16 “(E) child sex trafficking.”.

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

20 (A) in subsection (a)(6)(E), by striking
21 “the tipline established” and inserting “the
22 CyberTipline established”; and

23 (B) in subsection (b)(1)—

24 (i) in subparagraph (A)—

25 (I) in clause (i)—

1 (aa) by striking “hotline by
2 which” and inserting “call center
3 to which”; and

4 (bb) by striking “individuals
5 may report” and all that follows
6 and inserting “individuals may—
7 “(I) report child sexual exploitation
8 and the location of any missing child; and
9 “(II) request information pertaining
10 to procedures necessary to reunite such
11 child with such child’s parent;”;

12 (II) by redesignating clause (ii)
13 as clause (iii); and

14 (III) by inserting after clause (i)
15 the following:

16 “(ii) manage the AMBER Alert Secondary
17 Distribution Program; and”;

18 (ii) in subparagraph (D), by striking
19 “with their families” and inserting “with
20 their parents”;

21 (iii) in subparagraph (F), by striking
22 “to families” and inserting “to parents”;

23 (iv) by striking subparagraph (G) and
24 inserting the following:

1 “(G) provide technical assistance and case-
2 related resources, including—
3 “(i) referrals to—
4 “(I) child-serving professionals
5 involved in helping to recover missing
6 and exploited children; and
7 “(II) law enforcement officers in
8 their efforts to identify, locate, and re-
9 cover missing and exploited children;
10 and
11 “(ii) searching public records data-
12 bases and publicly accessible open source
13 data to—
14 “(I) locate and identify potential
15 abductors and offenders involved in
16 attempted or actual abductions; and
17 “(II) identify, locate, and recover
18 abducted children;”;
19 (v) in subparagraph (H), by inserting
20 “on long-term missing child cases” after
21 “techniques to assist”;
22 (vi) by striking subparagraph (I) and
23 inserting the following:
24 “(I) provide education, technical assist-
25 ance, and information to—

1 “(i) nongovernmental organizations
2 with respect to procedures and resources to
3 conduct background checks on individuals
4 working with children; and

5 “(ii) law enforcement agencies with
6 respect to identifying and locating non-
7 compliant sex offenders;”;

8 (vii) in subparagraph (J), by striking
9 “with their families” and inserting “with
10 their parents”;

11 (viii) in subparagraph (K)—

12 (I) in clause (i)—

13 (aa) in the matter preceding
14 subclause (I), by striking
15 “tipline” and inserting
16 “CyberTipline”;

17 (bb) in subclause (I)—

18 (AA) in item (aa), by
19 striking “child pornography”
20 and inserting “child sexual
21 abuse material”; and

22 (BB) in item (ee), by
23 striking “extra-familial”;
24 and

25 (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) coordinate with and provide technical
2 assistance to Federal, State, and local govern-
3 ment agencies relating to cases of children
4 missing from a State child welfare system and
5 assist the efforts of law enforcement agencies
6 and State child welfare agencies in—

7 “(i) coordinating to ensure the report-
8 ing, documentation, and resolution of cases
9 involving children missing from a State
10 child welfare system; and

11 “(ii) responding to foster children
12 missing from a State child welfare system;
13 and”;

14 (xiv) in subparagraph (P), as so re-
15 designated, by inserting “and recovery sup-
16 port services” after “technical assistance”;
17 and

18 (C) in subsection (c)—

19 (i) in paragraph (1) by striking “and”
20 at the end;

21 (ii) in paragraph (2) by striking the
22 period at the end; and

23 (iii) by adding at the end the fol-
24 lowing:

1 “(3) publish an analysis of the information de-
2 termined under paragraph (1) that includes
3 disaggregated demographic data and comparison of
4 such data to demographic data from the census.”.

5 (3) REPORTING.—Section 407 of the of the
6 Missing Children’s Assistance Act (34 U.S.C.
7 11295a) is amended—

8 (A) in subsection (a)—

9 (i) in paragraph (3) by striking “and”
10 at the end;

11 (ii) in paragraph (4) by striking the
12 period at the end and inserting a semi-
13 colon,

14 (iii) by inserting after paragraph (4)
15 the following:

16 “(5) the number of children nationwide who are
17 reported to the grantee as missing from State-spon-
18 sored care;

19 “(6) the number of children nationwide who are
20 reported to the grantee as missing from State-spon-
21 sored care whose recovery was reported to the grant-
22 ee; and

23 “(7) the number of children nationwide who are
24 reported to the grantee as missing from State-spon-

1 sored care and are likely victims of child sex traf-
2 ficking.”, and

3 (B) by adding at end the following:

4 “(c) CRITERIA FOR FORENSIC PARTNERSHIPS.—As
5 a condition of receiving funds under section 404(b), the
6 grant recipient shall annually provide to the Administrator
7 and make available to the general public, as appropriate,
8 the criteria and processes the grantee uses to establish fo-
9 rensic partnerships and recommend forensic resources to
10 law enforcement and shall annually review these forensic
11 partnerships and forensic referrals against the criteria and
12 review new advancements in technology.”.

13 (4) 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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