

107TH CONGRESS  
2D SESSION

# S. 3146

To reauthorize funding for the National Center for Missing and Exploited Children, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 17, 2002

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

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## A BILL

To reauthorize funding for the National Center for Missing and Exploited Children, 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 “Protecting Our Chil-  
5 dren Comes First Act of 2002”.

6 **SEC. 2. ANNUAL GRANT TO THE NATIONAL CENTER FOR**  
7 **MISSING AND EXPLOITED CHILDREN.**

8 Section 404(b)(2) of the Missing Childrens Assist-  
9 ance Act (42 U.S.C. 5773(b)(2)) is amended by striking  
10 “\$10,000,000 for each of fiscal years 2000, 2001, 2002,

1 and 2003” and inserting “\$20,000,000 for each of fiscal  
2 years 2003, 2004, 2005, and 2006”.

3 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

4 Section 408(a) of the Missing Childrens Assistance  
5 Act (42 U.S.C. 5777(a)) is amended by striking “fiscal  
6 years 2000 through 2003.” and inserting “fiscal years  
7 2003 through 2006.”.

8 **SEC. 4. FORENSIC AND INVESTIGATIVE SUPPORT OF MISS-**  
9 **ING AND EXPLOITED CHILDREN.**

10 Section 3056 of title 18, United States Code, is  
11 amended by adding at the end the following:

12 “(f) Under the direction of the Secretary of the  
13 Treasury, officers and agents of the Secret Service are au-  
14 thorized, at the request of any State or local law enforce-  
15 ment agency or the National Center for Missing and Ex-  
16 ploited Children, to provide forensic and investigative as-  
17 sistance in support of any investigation involving missing  
18 or exploited children.”.

19 **SEC. 5. CREATION OF A CYBER-TIPLINE.**

20 Section 404(b)(1) of the Missing Children’s Assist-  
21 ance Act (42 U.S.C. 5773(b)(1)) is amended—

22 (1) in subparagraph (F), by striking “and” at  
23 the end;

24 (2) in subparagraph (G), by striking the period  
25 at the end and inserting “; and”; and

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

2 “(H) coordinate the operation of a Cyber-  
3 Tipline to provide online users an effective  
4 means of reporting Internet-related child sexual  
5 exploitation in the areas of distribution of child  
6 pornography, online enticement of children for  
7 sexual acts, and child prostitution.”.

8 **SEC. 6. SERVICE PROVIDER REPORTING OF CHILD POR-**  
9 **NOGRAPHY AND RELATED INFORMATION.**

10 Section 227 of the Victims of Child Abuse Act of  
11 1990 (42 U.S.C. 13032) is amended—

12 (1) in subsection (b)—

13 (A) in paragraph (1), by inserting “, from  
14 a nongovernmental source,” after “obtains”;

15 (B) by redesignating paragraph (3) as  
16 paragraph (4); and

17 (C) by inserting after paragraph (2) the  
18 following new paragraph:

19 “(3) In addition to forwarding reports of child  
20 pornography to those agencies designated pursuant  
21 to paragraph (2), the National Center for Missing  
22 and Exploited Children is authorized to forward any  
23 such report to an appropriate official of a state or  
24 subdivision of a State for the purpose of enforcing  
25 State criminal law.”;

1 (2) in subsection (c), by inserting “, or pursu-  
2 ant to,” after “to comply with”; and

3 (3) by amending subsection (f)(1)(D) to read as  
4 follows:

5 “(D) where the report discloses a violation  
6 of State criminal law, to an appropriate official  
7 of a State or subdivision of a State for the pur-  
8 pose of enforcing such State law.”.

9 **SEC. 7. CONTENTS DISCLOSURE OF STORED COMMUNICA-**  
10 **TIONS.**

11 Section 2702 of title 18, United States Code, is  
12 amended—

13 (1) in subsection (b)—

14 (A) in paragraph (5), by striking “or” at  
15 the end;

16 (B) in paragraph (6)—

17 (i) in subparagraph (A)(ii), by insert-  
18 ing “or” at the end;

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

20 (iii) by redesignating subparagraph

21 (C) as subparagraph (B);

22 (C) by redesignating paragraph (6) as  
23 paragraph (7); and

24 (D) by inserting after paragraph (5) the  
25 following:

1           “(6) to the National Center for Missing and  
2           Exploited Children, in connection with a report sub-  
3           mitted under section 227 of the Victims of Child  
4           Abuse Act of 1990 (42 U.S.C. 13032); or”; and

5           (2) in subsection (c)—

6           (A) in paragraph (4), by striking “or” at  
7           the end;

8           (B) by redesignating paragraph (5) as  
9           paragraph (6); and

10          (C) by inserting after paragraph (4) the  
11          following:

12          “(5) to the National Center for Missing and  
13          Exploited Children, in connection with a report sub-  
14          mitted under section 227 of the Victims of Child  
15          Abuse Act of 1990 (42 U.S.C. 13032); or”.

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