

111TH CONGRESS
2D SESSION

S. 4029

To protect children from registered sex offenders, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 15, 2010

Mr. SCHUMER (for himself, Mr. BROWN of Massachusetts, and Mrs. SHAHEEN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To protect children from registered sex offenders, 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 “Preventing Sex Offend-
5 ers Access to Children in Our Communities Act of 2010”.

6 **SEC. 2. EMPLOYMENT RESTRICTIONS FOR REGISTERED**
7 **SEX OFFENDERS.**

8 (a) IN GENERAL.—Subtitle A of the Sex Offender
9 Notification and Registration Act (42 U.S.C. 16911 et
10 seq.) is amended by adding at the end the following:

1 **“SEC. 132. EMPLOYMENT RESTRICTIONS FOR REGISTERED**
2 **SEX OFFENDERS.**

3 “(a) IN GENERAL.—Each jurisdiction shall prohibit
4 any sex offender registered with the jurisdiction under sec-
5 tion 113 from—

6 “(1) accepting a position of employment, in-
7 cluding a volunteer position, which by the inherent
8 nature of the position places the sex offender in di-
9 rect and substantial contact with minors; and

10 “(2) obtaining a permit or permission to carry
11 out an activity or performance that would present
12 direct and substantial contact with minors.

13 “(b) DEFINITION.—In this section, the term ‘direct
14 and substantial contact with minors’ means—

15 “(1) working with minors;

16 “(2) having the opportunity to be alone with
17 minors;

18 “(3) spending time specifically with minors; or

19 “(4) any other activity that is targeted to in-
20 volve minors.”.

21 (b) RULEMAKING REQUIRED.—Not later than 180
22 days after the date of enactment of this Act, the Attorney
23 General, in consultation with the appropriate agencies of
24 the Federal Government and State and local governments,
25 shall promulgate rules to implement the amendment made
26 by subsection (a).

1 **SEC. 3. GRANTS FOR IMPLEMENTATION OF A COMMUNITY**
2 **ACCESSIBLE SEX OFFENDER REGISTRATION**
3 **TIPS AND SUPPORT PROGRAM.**

4 (a) DEFINITIONS.—In this section—

5 (1) the term “direct and substantial contact
6 with minors” means—

7 (A) working with minors;

8 (B) having the opportunity to be alone
9 with minors;

10 (C) spending time specifically with minors;

11 or

12 (D) any other activity that is targeted to
13 involve minors;

14 (2) the term “minor” has the meaning given
15 the term in section 111 of the Sex Offender Notifi-
16 cation and Registration Act (42 U.S.C. 16911);

17 (3) the term “national crime information data-
18 bases” has the meaning given the term in section
19 534 of title 28, United States Code; and

20 (4) the term “sex offender” has the meaning
21 given the term in section 111 of the Sex Offender
22 Notification and Registration Act (42 U.S.C.
23 16911).

24 (b) IN GENERAL.—The Attorney General may award
25 grants to and enter into contracts with public agencies or

1 nonprofit private organizations, or combinations thereof,
2 to establish the program described in subsection (c).

3 (c) COMMUNITY ACCESSIBLE SEX OFFENDER TIPS
4 AND SUPPORT PROGRAM DESCRIBED.—The community
5 accessible sex offender registration tips and support pro-
6 gram established under subsection (b) shall—

7 (1) provide a forum for an individual to submit
8 an anonymous or confidential tip regarding any sex
9 offender required to be registered under the Sex Of-
10 fender Notification and Registration Act (42 U.S.C.
11 16911 et seq.) who—

12 (A) is not complying with the requirements
13 of such Act;

14 (B) is in a position which places the sex of-
15 fender in direct and substantial contact with
16 minors; or

17 (C) is engaged in—

18 (i) activities in violation of the condi-
19 tions of the probation or parole of the sex
20 offender; or

21 (ii) any other criminal activity;

22 (2) enable the analysis and coordination of tips
23 provided under paragraph (1);

24 (3) use existing Internet sex offender registries,
25 public information, and the national crime informa-

1 tion databases to compare and contrast information
2 and identify—

3 (A) sex offenders required to be registered
4 under the Sex Offender Notification and Reg-
5 istration Act (42 U.S.C. 16911 et seq.) who—

6 (i) are not complying with the require-
7 ments of such Act;

8 (ii) are in a position which place the
9 sex offender in direct and substantial con-
10 tact with minors; or

11 (iii) are engaged in high-risk or crimi-
12 nal activities in violation of the conditions
13 of supervision of the sex offender; and

14 (B) the location of any sex offenders iden-
15 tified under subparagraph (A) in order to aid
16 the taking of appropriate action by law enforce-
17 ment; and

18 (4) provide a victim of sexual assault, violent
19 crime, and other nonviolent crime who provide infor-
20 mation under paragraph (1) with an infrastructure
21 of direct advocacy, therapeutic support, concrete
22 services, and enforcement linkages by certified rape
23 crisis counselors.

24 (d) ACCESS TO THE NATIONAL CRIME INFORMATION
25 DATABASES.—Notwithstanding any other provision of

1 law, the Attorney General shall ensure that an agency or
2 organization that is awarded a grant or contract under
3 this section has access to the national crime information
4 databases to the extent that the access is for purposes
5 within the scope of the duties and responsibilities of the
6 agency or organization to assist or support law enforce-
7 ment agencies in the administration of criminal justice
8 functions relating to sex offenders.

9 (e) PRIORITY.—In making grants or contracts under
10 this section, the Attorney General shall give priority to ap-
11 plications submitted by public agencies or nonprofit pri-
12 vate organizations that demonstrate—

13 (1) success in educating the public regarding
14 Federal, State, and local sex offender registration
15 and notification requirements and restrictions;

16 (2) a responsible use of information collected
17 through an established interactive telephone helpline
18 or Internet Web site;

19 (3) success in collaborating and assisting the
20 public and community organizations in accessing—

21 (A) sex offender registration and notifica-
22 tion information; and

23 (B) minor and adult sexual abuse preven-
24 tion resources;

1 (4) success in processing tips from the public
2 regarding sex offenders, including the monitoring
3 and management of sex offenders through an estab-
4 lished sex offender registration and notification tele-
5 phone helpline or Internet Web site;

6 (5) experience in providing direct advocacy,
7 therapeutic support, and concrete services to victims
8 of sexual abuse and other violent and nonviolent
9 crimes by certified rape crisis counselors; and

10 (6) success in collaborating with law enforce-
11 ment agencies—

12 (A) in the provision of information received
13 from the public regarding sex offenders who are
14 not acting in compliance with the requirements
15 of the Sex Offender Notification and Registra-
16 tion Act (42 U.S.C. 16911 et seq.); and

17 (B) in mitigating the potential threat to
18 public safety of sex offenders who—

19 (i) are engaged in high-risk or crimi-
20 nal activities; or

21 (ii) are in positions which place the
22 sex offenders in direct and substantial con-
23 tact with minors.

24 (f) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated \$3,000,000 to carry out

1 the grants authorized under subsection (b) for each of fis-
2 cal years 2011 through 2015, and such sums as are nec-
3 essary thereafter.

4 **SEC. 4. REDUCING UNNECESSARY PRINTING AND PUB-**
5 **LISHING COSTS OF GOVERNMENT DOCU-**
6 **MENTS.**

7 (a) IN GENERAL.—Not later than 90 days after the
8 date of enactment of this Act, the Director of the Office
9 of Management and Budget shall coordinate with the head
10 of each Executive agency, as defined in section 105 of title
11 5, United States Code, to—

12 (1) determine which Government publications
13 could be made available on Government Web sites
14 and no longer printed; and

15 (2) devise a strategy to reduce overall Govern-
16 ment printing costs by not less than a total of
17 \$15,000,000 over the 5-year period beginning with
18 fiscal year 2011.

19 (b) REQUIREMENT.—In carrying subsection (a), the
20 Director of the Office of Management and Budget shall
21 ensure that essential printed documents that are prepared
22 for individuals who receive benefits under the Social Secu-
23 rity program, Medicare beneficiaries, and individuals liv-
24 ing in areas with limited Internet access or use continue
25 to remain available in print.

1 **SEC. 5. SEVERABILITY.**

2 If any provision of this Act or any amendment made
3 by this Act, or the application of a provision or amend-
4 ment to any person or circumstance, is held to be uncon-
5 stitutional, the remainder of this Act and the amendments
6 made by this Act, and the application of the provisions
7 and amendments to any person or circumstance, shall not
8 be affected by the holding.

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