AN ACT

To protect children from exploitation, especially sex trafficking in tourism, by providing advance notice of intended travel by registered child-sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known child-sex offender is seeking to enter the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the “International Megan’s Law to Prevent Demand for Child Sex Trafficking”.

(b) Table of Contents.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.
Sec. 4. Angel Watch Center.
Sec. 5. Sense of Congress provisions.
Sec. 6. Enhancing the minimum standards for the elimination of trafficking.
Sec. 7. Assistance to foreign countries to meet minimum standards for the elimination of trafficking.
Sec. 8. Rules of construction.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Megan Nicole Kanka, who was 7 years old, was abducted, sexually assaulted, and murdered in 1994, in the State of New Jersey by a violent predator living across the street from her home. Unknownst to Megan Kanka and her family, he had been convicted previously of a sex offense against a child.

(2) In 1996, Congress adopted Megan’s Law (Public Law 104–145) as a means to encourage States to protect children by identifying the whereabouts of sex offenders and providing the means to monitor their activities.
(3) In 2006, Congress passed the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) to protect children and the public at large by establishing a comprehensive national system for the registration and notification to the public and law enforcement officers of convicted sex offenders.

(4) Law enforcement reports indicate that known child-sex offenders are traveling internationally, and that the criminal background of such individuals may not be known to local law enforcement prior to their arrival.

(5) The commercial sexual exploitation of minors in child sex trafficking and pornography is a global phenomenon. The International Labour Organization has estimated that 1.8 million children worldwide are victims of child sex trafficking and pornography each year.

(6) Child sex tourism, where an individual travels to a foreign country and engages in sexual activity with a child in that country, is a form of child exploitation and, where commercial, child sex trafficking.

(7) According to research conducted by The Protection Project of The Johns Hopkins University
Paul H. Nitze School of Advanced International Studies, sex tourists from the United States who target children form a significant percentage of child sex tourists in some of the most significant destination countries for child sex tourism.

(8) In order to protect children, it is essential that United States law enforcement be able to identify child-sex offenders in the United States who are traveling abroad and child-sex offenders from other countries entering the United States. Such identification requires cooperative efforts between the United States and foreign governments. In exchange for providing notice of child-sex offenders traveling to the United States, foreign authorities will expect United States authorities to provide reciprocal notice of child-sex offenders traveling to their countries.

SEC. 3. DEFINITIONS.

In this Act:

(1) CENTER.—The term “Center” means the Angel Watch Center established pursuant to section 4(a).

(2) CHILD-SEX OFFENDER.—

(A) IN GENERAL.—The term “child-sex offender” means an individual who is a sex offender described in paragraph (3) or (4) of sec-
tion 111 of the Adam Walsh Child Protection
and Safety Act of 2006 (42 U.S.C. 16911) by
reason of being convicted of a child-sex offense.

(B) Definition of convicted.—In this
paragraph, the term “convicted” has the mean-
ing given the term in paragraph (8) of section
111 of such Act.

(3) Child-sex offense.—

(A) In general.—The term “child-sex of-
fense” means a specified offense against a
minor, as defined in paragraph (7) of section
111 of the Adam Walsh Child Protection and
Safety Act of 2006 (42 U.S.C. 16911), includ-
ing—

(i) an offense (unless committed by a
parent or guardian) involving kidnapping;

(ii) an offense (unless committed by a
parent or guardian) involving false impris-
onment;

(iii) solicitation to engage in sexual
conduct;

(iv) use in a sexual performance;

(v) solicitation to practice prostitu-
tion;
(vi) video voyeurism as described in section 1801 of title 18, United States Code;

(vii) possession, production, or distribution of child pornography;

(viii) criminal sexual conduct involving a minor, or the use of the Internet to facilitate or attempt such conduct; and

(ix) any conduct that by its nature is a sex offense against a minor.

(B) OTHER OFFENSES.—The term “child-sex offense” includes a sex offense described in paragraph (5)(A) of section 111 of the Adam Walsh Child Protection and Safety Act of 2006 that is a specified offense against a minor, as defined in paragraph (7) of such section.

(C) FOREIGN CONVICTIONS; OFFENSES INVOLVING CONSENSUAL SEXUAL CONDUCT.—The limitations contained in subparagraphs (B) and (C) of section 111(5) of the Adam Walsh Child Protection and Safety Act of 2006 shall apply with respect to a child-sex offense for purposes of this Act to the same extent and in the same manner as such limitations apply with respect
to a sex offense for purposes of the Adam Walsh Child Protection and Safety Act of 2006.

(4) JURISDICTION.—The term “jurisdiction” means any of the following:

(A) A State.

(B) The District of Columbia.

(C) The Commonwealth of Puerto Rico.

(D) Guam.

(E) American Samoa.

(F) The Northern Mariana Islands.

(G) The United States Virgin Islands.

(H) To the extent provided in, and subject to the requirements of, section 127 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16927), a federally recognized Indian tribe.

(5) MINOR.—The term “minor” means an individual who has not attained the age of 18 years.

SEC. 4. ANGEL WATCH CENTER.

(a) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security shall establish within the Child Exploitation Investigations Unit of United States Immigration and Customs Enforcement (ICE) of the Department of Homeland Security a Center, to be known as the “Angel
Watch Center’, to carry out the activities specified in subsection (d).

(b) LEADERSHIP.—The Center shall be headed by the Director of ICE, in collaboration with the Commissioner of United States Customs and Border Protection (CBP) and in consultation with the Attorney General.

(c) MEMBERS.—The Center shall consist of the following:

(1) The Director of ICE.

(2) The Commissioner of CBP.

(3) Individuals who are designated as analysts in ICE or CBP.

(4) Individuals who are designated as program managers in ICE or CBP.

(d) ACTIVITIES.—

(1) IN GENERAL.—The Center shall carry out the following activities:

(A) Receive information on travel by child-sex offenders.

(B) Establish a system to maintain and archive all relevant information, including the response of destination countries to notifications under subsection (e) where available, and decisions not to transmit notification abroad.
(C) Establish an annual review process to ensure that the Center is consistent in procedures to provide notification to destination countries or not to provide notification to destination countries, as appropriate.

(2) INFORMATION REQUIRED.—The United States Marshals Service’s National Sex Offender Targeting Office shall make available to the Center information on travel by child-sex offenders in a timely manner for purposes of carrying out the activities described in paragraph (1) and subsection (e).

(e) NOTIFICATION.—

(1) TO COUNTRIES OF DESTINATION.—

(A) IN GENERAL.—The Center may transmit notice of impending or current international travel of a child-sex offender to the country or countries of destination of the child-sex offender, including to the visa-issuing agent or agents in the United States of the country or countries.

(B) FORM.—The notice under this paragraph may be transmitted through such means as determined appropriate by the Center, including through an ICE attaché.
(2) TO OFFENDERS.—

(A) GENERAL NOTIFICATION.—

(i) IN GENERAL.—If the Center transmits notice under paragraph (1) of impending international travel of a child-sex offender to the country or countries of destination of the child-sex offender, the Secretary of Homeland Security, in conjunction with any appropriate agency, shall make reasonable efforts to provide constructive notice through electronic or telephonic communication to the child-sex offender prior to the child-sex offender’s arrival in the country or countries.

(ii) EXCEPTION.—The requirement to provide constructive notice under clause (i) shall not apply in the case of impending international travel of a child-sex offender to the country or countries of destination of the child-sex offender if such constructive notice would conflict with an existing investigation involving the child-sex offender.

(B) SPECIFIC NOTIFICATION REGARDING RISK TO LIFE OR WELL-BEING OF OF-
FENDER.—If the Center has reason to believe that to transmit notice under paragraph (1) poses a risk to the life or well-being of the child-sex offender, the Center shall make reasonable efforts to provide constructive notice through electronic or telephonic communication to the child-sex offender of such risk.

(C) SPECIFIC NOTIFICATION REGARDING PROBABLE DENIAL OF ENTRY TO OFFENDER.—If the Center has reason to believe that a country of destination of the child-sex offender is highly likely to deny entry to the child-sex offender due to transmission of notice under paragraph (1), the Center shall make reasonable efforts to provide constructive notice through electronic or telephonic communication to the child-sex offender of such probable denial.

(3) SUNSET.—The authority of paragraph (1) shall terminate with respect to a child-sex offender beginning as of the close of the last day of the registration period of such child-sex offender under section 115 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16915).
(f) COMPLAINT REVIEW.—The Center shall establish a mechanism to receive complaints from child-sex offenders affected by notifications of destination countries of such child-sex offenders under subsection (e).

(g) CONSULTATIONS.—The Center shall seek to engage in ongoing consultations with—

(1) nongovernmental organizations, including faith-based organizations, that have experience and expertise in identifying and preventing child sex tourism and rescuing and rehabilitating minor victims of international sexual exploitation and trafficking;

(2) the governments of countries interested in cooperating in the creation of an international sex offender travel notification system or that are primary destination or source countries for international sex tourism; and

(3) Internet service and software providers regarding available and potential technology to facilitate the implementation of an international sex offender travel notification system, both in the United States and in other countries.

(h) TECHNICAL ASSISTANCE.—The Secretary of Homeland Security and the Secretary of State may provide technical assistance to foreign authorities in order to
enable such authorities to participate more effectively in the notification program system established under this section.

SEC. 5. SENSE OF CONGRESS PROVISIONS.

(a) Bilateral Agreements.—It is the sense of Congress that the President should negotiate memoranda of understanding or other bilateral agreements with foreign governments to further the purposes of this Act and the amendments made by this Act, including by—

(1) establishing systems to receive and transmit notices as required by title I of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.); and

(2) establishing mechanisms for private companies and nongovernmental organizations to report on a voluntary basis suspected child pornography or exploitation to foreign governments, the nearest United States embassy in cases in which a possible United States citizen may be involved, or other appropriate entities.

(b) Notification to the United States of Child-Sex Offenses Committed Abroad.—It is the sense of Congress that the President should formally request foreign governments to notify the United States when a United States citizen has been arrested, convicted,
sentenced, or completed a prison sentence for a child-sex
offense in the foreign country.

SEC. 6. ENHANCING THE MINIMUM STANDARDS FOR THE
ELIMINATION OF TRAFFICKING.

Section 108(b)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7106(b)(4)) is amended by adding at the end before the period the following: “, in-
cluding severe forms of trafficking in persons related to sex tourism”.

SEC. 7. ASSISTANCE TO FOREIGN COUNTRIES TO MEET
MINIMUM STANDARDS FOR THE ELIMI-
NATION OF TRAFFICKING.

The President is strongly encouraged to exercise the authorities of section 134 of the Foreign Assistance Act of 1961 (22 U.S.C. 2152d) to provide assistance to foreign countries directly, or through nongovernmental and multi-
lateral organizations, for programs, projects, and activi-
ties, including training of law enforcement entities and off-
icials, designed to establish systems to identify sex offend-
ers and provide and receive notification of child sex off-
fender international travel.

SEC. 8. RULES OF CONSTRUCTION.

(a) DEPARTMENT OF JUSTICE.—Nothing in this Act shall be construed to preclude or alter the jurisdiction or authority of the Department of Justice under the Adam
Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.), including section 113(d) of such Act, or any other provision of law, or to affect the work of the United States Marshals Service with INTERPOL.

(b) Angel Watch Center.—Nothing in this Act shall be construed to preclude the Angel Watch Center from transmitting notice with respect to any sex offender described in paragraph (3) or (4) of section 111 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16911) or with respect to any sex offense described in paragraph (5) of such section.

(c) Department of Homeland Security Investigations.—Activities carried out under this Act shall not impede, hinder, or otherwise impact negatively any investigations of the Department of Homeland Security.

Passed the House of Representatives January 26, 2015.

Attest: KAREN L. HAAS,

Clerk.