

Union Calendar No. 91

115TH CONGRESS
1ST SESSION

H. R. 1188

[Report No. 115–142]

To reauthorize certain programs established by the Adam Walsh Child Protection and Safety Act of 2006, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 2017

Mr. SENSENBRENNER (for himself, Mr. GOODLATTE, Mr. FRANKS of Arizona, Mr. THOMPSON of Pennsylvania, and Mr. SEAN PATRICK MALONEY of New York) introduced the following bill; which was referred to the Committee on the Judiciary

MAY 22, 2017

Additional sponsors: Ms. SHEA-PORTER, Mr. FITZPATRICK, Mr. CALVERT, and Mr. YOUNG of Iowa

MAY 22, 2017

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on February 16, 2017]

A BILL

To reauthorize certain programs established by the Adam Walsh Child Protection and Safety Act of 2006, 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 “Adam Walsh Reauthor-*
5 *ization Act of 2017”.*

6 **SEC. 2. SEX OFFENDER MANAGEMENT ASSISTANCE (SOMA)**

7 **PROGRAM REAUTHORIZATION.**

8 *Section 126(d) of the Adam Walsh Child Protection*
9 *and Safety Act of 2006 (42 U.S.C. 16926(d)) is amended*
10 *to read as follows:*

11 *“(d) AUTHORIZATION OF APPROPRIATIONS.—There*
12 *are authorized to be appropriated to the Attorney General*
13 *\$20,000,000 for each of the fiscal years 2018 through 2022,*
14 *to be available only for the SOMA program.”.*

15 **SEC. 3. REAUTHORIZATION OF FEDERAL ASSISTANCE WITH**

16 **RESPECT TO VIOLATIONS OF REGISTRATION**

17 **REQUIREMENTS.**

18 *Section 142(b) of the Adam Walsh Child Protection*
19 *and Safety Act of 2006 (42 U.S.C. 16941(b)) is amended*
20 *to read as follows:*

21 *“(b) For each of fiscal years 2018 through 2022, of*
22 *amounts made available to the United States Marshals*
23 *Service, not less than \$60,000,000 shall be available to*
24 *carry out this section.”.*

1 **SEC. 4. DURATION OF SEX OFFENDER REGISTRATION RE-**
 2 **QUIREMENTS FOR CERTAIN JUVENILES.**

3 *Subparagraph (B) of section 115(b)(2) of the Adam*
 4 *Walsh Child Protection and Safety Act of 2006 (42 U.S.C.*
 5 *16915(b)(2)) is amended by striking “25 years” and insert-*
 6 *ing “15 years”.*

7 **SEC. 5. PUBLIC ACCESS TO JUVENILE SEX OFFENDER IN-**
 8 **FORMATION.**

9 *Section 118(c) of the Adam Walsh Child Protection*
 10 *and Safety Act of 2006 (42 U.S.C. 16918(c)) is amended—*

11 *(1) by striking “and” after the semicolon in*
 12 *paragraph (3);*

13 *(2) by redesignating paragraph (4) as para-*
 14 *graph (5); and*

15 *(3) by inserting after paragraph (3) the fol-*
 16 *lowing:*

17 *“(4) any information about a sex offender for*
 18 *whom the offense giving rise to the duty to register*
 19 *was an offense for which the offender was adjudicated*
 20 *delinquent; and”.*

21 **SEC. 6. PROTECTION OF LOCAL GOVERNMENTS FROM**
 22 **STATE NONCOMPLIANCE PENALTY UNDER**
 23 **SORNA.**

24 *Section 125 of the Adam Walsh Child Protection and*
 25 *Safety Act of 2006 (42 U.S.C. 16925(a)) is amended—*

1 (1) by striking “jurisdiction” each place it ap-
2 pears and inserting “State”;

3 (2) in subsection (a)—

4 (A) by striking “subpart 1 of part E” and
5 inserting “section 505(c)”; and

6 (B) by striking “(42 U.S.C. 3750 et seq.)”
7 and inserting “(42 U.S.C. 3755(c))”; and

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

9 “(e) *CALCULATION OF ALLOCATION TO UNITS OF*
10 *LOCAL GOVERNMENT.*—Notwithstanding the formula under
11 *section 505(c) of the Omnibus Crime Control and Safe*
12 *Streets Act 1968 (42 U.S.C. 3755(c)), a State which is sub-*
13 *ject to a reduction in funding under subsection (a) shall—*

14 “(1) calculate the amount to be made available
15 to units of local government by the State pursuant to
16 the formula under section 505(c) using the amount
17 that would otherwise be allocated to that State for
18 that fiscal year under section 505(c) of that Act, and
19 make such amount available to such units of local
20 government; and

21 “(2) retain for the purposes described in section
22 501 any amount remaining after the allocation re-
23 quired by paragraph (1).”.

1 **SEC. 7. ADDITIONAL INFORMATION TO BE INCLUDED IN AN-**
2 **NUAL REPORT ON ENFORCEMENT OF REG-**
3 **ISTRATION REQUIREMENTS.**

4 *Section 635 of the Adam Walsh Child Protection and*
5 *Safety Act of 2006 (42 U.S.C. 16991) is amended—*

6 *(1) by striking “Not later than July 1 of each*
7 *year” and inserting “On January 1 of each year,”;*

8 *(2) in paragraph (3), by inserting before the*
9 *semicolon at the end the following: “, and an analysis*
10 *of any common reasons for noncompliance with such*
11 *Act”;*

12 *(3) in paragraph (4), by striking “and” at the*
13 *end;*

14 *(4) in paragraph (5), by striking the period at*
15 *the end and inserting a semicolon; and*

16 *(5) by adding after paragraph (5) the following:*

17 *“(6) the number of sex offenders registered in the*
18 *National Sex Offender Registry;*

19 *“(7) the number of sex offenders registered in the*
20 *National Sex Offender Registry who—*

21 *“(A) are adults;*

22 *“(B) are juveniles; and*

23 *“(C) are adults, but who are required to*
24 *register as a result of conduct committed as a ju-*
25 *venile; and*

1 “(8) to the extent such information is obtainable,
2 of the number of sex offenders registered in the Na-
3 tional Sex Offender Registry who are juveniles—

4 “(A) the percentage of such offenders who
5 were adjudicated delinquent; and

6 “(B) the percentage of such offenders who
7 were prosecuted as adults.”.

8 **SEC. 8. ENSURING SUPERVISION OF RELEASED SEXUALLY**
9 **DANGEROUS PERSONS.**

10 (a) *PROBATION OFFICERS.*—Section 3603 of title 18,
11 United States Code, is amended in paragraph (8)(A) by
12 striking “or 4246” and inserting “, 4246, or 4248”.

13 (b) *PRETRIAL SERVICES OFFICERS.*—Section 3154 of
14 title 18, United States Code, is amended in paragraph
15 (12)(A) by striking “or 4246” and inserting “, 4246, or
16 4248”.

17 **SEC. 9. CIVIL REMEDY FOR SURVIVORS OF CHILD SEXUAL**
18 **EXPLOITATION AND HUMAN TRAFFICKING.**

19 Section 2255(b) of title 18, United States Code, is
20 amended—

21 (1) by striking “three years” and inserting “10
22 years”; and

23 (2) by inserting “ends” before the period at the
24 end.

1 **SEC. 10. TRIBAL ACCESS PROGRAM.**

2 *The Attorney General is authorized to provide tech-*
 3 *nical assistance, including equipment, to tribal govern-*
 4 *ments for the purpose of enabling such governments to ac-*
 5 *cess, enter information into, and obtain information from,*
 6 *Federal criminal information databases, as authorized*
 7 *under section 534(d) of title 28, United States Code. The*
 8 *Department of Justice Working Capital Fund (established*
 9 *under section 527 of title 28, United States Code) may be*
 10 *reimbursed by federally recognized tribes for technical as-*
 11 *sistance provided pursuant to this section.*

12 **SEC. 11. ALTERNATIVE MECHANISMS FOR IN-PERSON**
 13 **VERIFICATION.**

14 *Section 116 of the Adam Walsh Child Protection and*
 15 *Safety Act of 2006 (42 U.S.C. 16916) is amended—*

16 *(1) by striking “A sex offender shall” and insert-*
 17 *ing the following:*

18 *“(a) IN GENERAL.—Except as provided in subsection*
 19 *(b), a sex offender shall”; and*

20 *(2) by adding at the end the following:*

21 *“(b) ALTERNATIVE VERIFICATION METHOD.—A juris-*
 22 *isdiction may allow a sex offender to comply with the require-*
 23 *ments under subsection (a) by an alternative verification*
 24 *method approved by the Attorney General, except that each*
 25 *offender shall appear in person not less than one time per*
 26 *year. The Attorney General shall approve an alternative*

1 *verification method described in this subsection prior to its*
 2 *implementation by a jurisdiction in order to ensure that*
 3 *such method provides for verification that is sufficient to*
 4 *ensure the public safety.”.*

5 **SEC. 12. CLARIFICATION OF AGGRAVATED SEXUAL ABUSE.**

6 *Section 111(8) of the Adam Walsh Child Protection*
 7 *and Safety Act of 2006 (42 U.S.C. 16911(8)) is amended*
 8 *by inserting “subsection (a) or (b) of” before “section 2241*
 9 *of title 18, United States Code”.*

10 **SEC. 13. COMPREHENSIVE EXAMINATION OF SEX OF-**
 11 **FENDER ISSUES.**

12 *Section 634(c) of the Adam Walsh Child Protection*
 13 *and Safety Act of 2006 is amended by adding at the end*
 14 *the following:*

15 *“(3) ADDITIONAL REPORT.—Not later than one*
 16 *year after the date of enactment of the Adam Walsh*
 17 *Reauthorization Act of 2017, the National Institute of*
 18 *Justice shall submit to Congress a report on the pub-*
 19 *lic safety impact, recidivism, and collateral con-*
 20 *sequences of long-term registration of juvenile sex of-*
 21 *fenders, based on the information collected for the*
 22 *study under subsection (a) and any other information*
 23 *the National Institute of Justice determines necessary*
 24 *for such report.”.*

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