

117TH CONGRESS
2D SESSION

S. 4926

AN ACT

To amend chapter 33 of title 28, United States Code, to require appropriate use of multidisciplinary teams for investigations of child sexual exploitation or abuse, the production of child sexual abuse material, or child trafficking conducted by the Federal Bureau of Investigation.

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 “Respect for Child Sur-
 5 vivors Act”.

6 **SEC. 2. MULTIDISCIPLINARY TEAMS.**

7 (a) AMENDMENT.—Chapter 33 of title 28, United
 8 States Code, is amended by adding at the end the fol-
 9 lowing:

10 **“§ 540D. Multidisciplinary teams**

11 “(a) DEFINITIONS.—In this section—

12 “(1) the term ‘child sexual abuse material’
 13 means a visual depiction described in section
 14 2256(8)(A) of title 18;

15 “(2) the term ‘covered investigation’ means any
 16 investigation of child sexual exploitation or abuse,
 17 the production of child sexual abuse material, or
 18 child trafficking conducted by the Federal Bureau of
 19 Investigation;

20 “(3) the term ‘Director’ means the Director of
 21 the Federal Bureau of Investigation;

22 “(4) the term ‘multidisciplinary team’ means a
 23 multidisciplinary team established or used under
 24 subsection (b)(2);

1 “(5) the term ‘relevant children’s advocacy cen-
2 ter personnel’ means children’s advocacy center staff
3 that regularly participate in multidisciplinary child
4 support settings, including the director of the chil-
5 dren’s advocacy center, the coordinator of a multi-
6 disciplinary team, forensic interviewers, victim advo-
7 cates, forensic medical evaluators, physicians, sexual
8 assault nurse examiners, and mental health clini-
9 cians; and

10 “(6) the term ‘victim advocate’ means a person,
11 whether paid or serving as a volunteer, who provides
12 services to victims under the auspices or supervision
13 of a victim services program.

14 “(b) FBI VICTIM SUPPORT REQUIREMENTS.—

15 “(1) IN GENERAL.—To carry out the functions
16 described in subsection (c) in connection with each
17 covered investigation conducted by the Federal Bu-
18 reau of Investigation, the Director shall, unless un-
19 available or otherwise inconsistent with applicable
20 Federal law—

21 “(A) use a multidisciplinary team; and

22 “(B) in accordance with paragraph (3),
23 use—

1 “(i) a trained Federal Bureau of In-
2 vestigation child adolescent forensic inter-
3 viewer; or

4 “(ii) in the absence of a trained Fed-
5 eral Bureau of Investigation child adoles-
6 cent forensic interviewer, a trained forensic
7 interviewer at a children’s advocacy center.

8 “(2) USE AND COORDINATION.—The Director
9 shall use and coordinate with children’s advocacy
10 center-based multidisciplinary teams as necessary to
11 carry out paragraph (1).

12 “(3) CHILDREN’S ADVOCACY CENTERS.—The
13 Director—

14 “(A) may work with children’s advocacy
15 centers to implement a multidisciplinary team
16 approaches for purposes of covered investiga-
17 tions; and

18 “(B) shall allow, facilitate, and encourage
19 multidisciplinary teams to collaborate with a
20 children’s advocacy center with regard to avail-
21 ability, provision, and use of services to and by
22 victims and families that are participants in or
23 affected by the actions at issue in a covered in-
24 vestigation.

1 “(4) REPORT.—The Director shall submit to
2 the Attorney General an annual report identifying
3 any interview of a victim reporting child sexual
4 abuse material or child trafficking that took place—

5 “(A) without the use of—

6 “(i) a multidisciplinary approach;

7 “(ii) a trained forensic interviewer; or

8 “(iii) either the use of a multidisci-
9 plinary approach or a trained forensic
10 interviewer; and

11 “(B) for each interview identified under
12 subparagraph (A), describing the exigent cir-
13 cumstances that existed with respect to the
14 interview, in accordance with paragraph (1).

15 “(5) MEMORANDA OF UNDERSTANDING.—The
16 Director shall seek to enter into a memorandum of
17 understanding with a reputable national accrediting
18 organization for children’s advocacy centers—

19 “(A) under which—

20 “(i) the children’s advocacy services of
21 the national organization are made avail-
22 able to field offices of the Federal Bureau
23 of Investigation in the United States; and

24 “(ii) special agents and other employ-
25 ees of the Federal Bureau of Investigation

1 are made aware of the existence of such
2 memoranda and its purposes; and

3 “(B) which shall reflect a trauma-in-
4 formed, victim-centered approach and provide
5 for case review.

6 “(c) FUNCTIONS.—The functions described in this
7 subsection are the following:

8 “(1) To provide for the sharing of information
9 among the members of a multidisciplinary team,
10 when such a team is used, and with other appro-
11 priate personnel regarding the progress of a covered
12 investigation by the Federal Bureau of Investigation.

13 “(2) To provide for and enhance collaborative
14 efforts among the members of a multidisciplinary
15 team, when such a team is used, and other appro-
16 priate personnel regarding a covered investigation.

17 “(3) To enhance the social services available to
18 victims in connection with a covered investigation,
19 including through the enhancement of cooperation
20 among specialists and other personnel providing
21 such services in connection with a covered investiga-
22 tion.

23 “(4) To carry out other duties regarding the re-
24 sponse to investigations of child sexual abuse or
25 trafficking.

1 “(d) PERSONNEL.—

2 “(1) IN GENERAL.—Each multidisciplinary
3 team shall be composed of the following:

4 “(A) Appropriate investigative personnel.

5 “(B) Appropriate mental health profes-
6 sionals.

7 “(C) Appropriate medical personnel.

8 “(D) Victim advocates or victim specialists.

9 “(E) Relevant children’s advocacy center
10 personnel, with respect to covered investigations
11 in which the children’s advocacy center or per-
12 sonnel of the children’s advocacy center were
13 used in the course of the covered investigation.

14 “(F) Prosecutors, as appropriate.

15 “(2) EXPERTISE AND TRAINING.—

16 “(A) IN GENERAL.—Any individual as-
17 signed to a multidisciplinary team shall possess
18 such expertise, and shall undertake such train-
19 ing as is required to maintain such expertise, in
20 order to ensure that members of the team re-
21 main appropriately qualified to carry out the
22 functions of the team under this section.

23 “(B) REQUIREMENT.—The training and
24 expertise required under subparagraph (A) shall

1 include training and expertise on special vic-
2 tims' crimes, including child sexual abuse.

3 “(e) SHARING OF INFORMATION.—

4 “(1) ACCESS TO INFORMATION.—

5 “(A) IN GENERAL.—Subject to subpara-
6 graphs (B) and (C), relevant children's advo-
7 cacy center personnel who are assigned to work
8 on a covered investigation under this section
9 shall be granted access to the case information
10 necessary to perform their role conducting fo-
11 rensic interviews and providing mental health
12 treatment, medical care, and victim advocacy
13 for Federal Bureau of Investigation cases.

14 “(B) INCLUDED INFORMATION.—The case
15 information described in subparagraph (A) to
16 which relevant children's advocacy center per-
17 sonnel shall be granted access includes—

18 “(i) case outcome of forensic inter-
19 views;

20 “(ii) medical evaluation outcomes;

21 “(iii) mental health treatment refer-
22 rals and treatment completion;

23 “(iv) safety planning and child protec-
24 tion issues;

1 “(v) victim service needs and referrals
2 addressed by the victim advocate;

3 “(vi) case disposition;

4 “(vii) case outcomes; and

5 “(viii) any other information required
6 for a children’s advocacy centers as a part
7 of the standards of practice of the chil-
8 dren’s advocacy center; and

9 “(C) EXEMPT INFORMATION.—The case
10 information described in subparagraph (A) does
11 not include—

12 “(i) classified information;

13 “(ii) the identity of confidential in-
14 formants; or

15 “(iii) other investigative information
16 not included as a part of the standards of
17 practice of the children’s advocacy center.

18 “(2) SHARING INFORMATION WITH FBI.—Chil-
19 dren’s advocacy centers shall provide the Federal
20 Bureau of Investigation with forensic interview re-
21 cordings and documentation, medical reports, and
22 other case information on Federal Bureau of Inves-
23 tigation-related cases.

24 “(3) SECURITY CLEARANCES.—

1 “(A) IN GENERAL.—The Federal Bureau
2 of Investigation may provide security clearances
3 to relevant children’s advocacy center personnel
4 for purposes of case review by multidisciplinary
5 teams, if it is determined that those personnel
6 are eligible and possess a need-to-know specific
7 classified information to perform or assist in a
8 lawful and authorized government function.

9 “(B) AUTHORIZATION OF APPROPRIA-
10 TIONS.—There is authorized to be appropriated
11 such sums as are necessary to carry out sub-
12 paragraph (A).

13 “(f) USE OF TEAMS.—Multidisciplinary teams used
14 under this section shall be made available to victims re-
15 porting child sexual abuse or child trafficking in covered
16 investigations, regardless of the age of the victim making
17 the report.

18 “(g) CASE REVIEW BY MULTIDISCIPLINARY TEAM.—
19 Throughout a covered investigation, a multidisciplinary
20 team supporting an investigation under this section shall,
21 at regularly scheduled times, convene to—

22 “(1) share information about case progress;

23 “(2) address any investigative or prosecutorial
24 barriers; and

1 “(3) ensure that victims receive support and
2 needed treatment.

3 “(h) AVAILABILITY OF ADVOCATES.—The Director
4 shall make advocates available to each victim who reports
5 child sexual abuse or child trafficking in connection with
6 an investigation by the Federal Bureau of Investigation.

7 “(i) RULES OF CONSTRUCTION.—

8 “(1) INVESTIGATIVE AUTHORITY.—Nothing in
9 this section shall be construed to augment any exist-
10 ing investigative authority of the Federal Bureau of
11 Investigation or to expand the jurisdiction of any
12 Federal law enforcement agency.

13 “(2) PROTECTING INVESTIGATIONS.—Nothing
14 in this section shall be construed to limit the legal
15 obligations of the Director under any other provision
16 of law, including section 552a of title 5 (commonly
17 known as the ‘Privacy Act of 1974’), or require the
18 sharing of classified information with unauthorized
19 persons.”.

20 (b) TECHNICAL AND CONFORMING AMENDMENT.—
21 The table of sections for chapter 33 of title 28, United
22 States Code, is amended by inserting after the item relat-
23 ing to section 540C the following:

 “540D. Multidisciplinary teams.”.

1 **SEC. 3. IMPROVING INVESTIGATION AND PROSECUTION OF**
2 **CHILD ABUSE CASES.**

3 The Victims of Child Abuse Act of 1990 (34 U.S.C.
4 20301 et seq.) is amended—

5 (1) in section 211 (34 U.S.C. 20301)—

6 (A) in paragraph (1)—

7 (i) by striking “3,300,000” and in-
8 serting “3,400,000”; and

9 (ii) by striking “, and drug abuse is
10 associated with a significant portion of
11 these”;

12 (B) by redesignating paragraphs (3)
13 through (8) as paragraphs (4) through (9), re-
14 spectively;

15 (C) by inserting after paragraph (2) the fol-
16 lowing:

17 “(3) a key to a child victim healing from abuse
18 is access to supportive and healthy families and com-
19 munities;”; and

20 (D) in paragraph (9)(B), as so redesign-
21 ated, by inserting “, and operations of cen-
22 ters” before the period at the end;

23 (2) in section 212 (34 U.S.C. 20302)—

24 (A) in paragraph (5), by inserting “coordi-
25 nated team” before “response”; and

(B) in paragraph (8), by inserting “organizational capacity” before “support”;

(3) in section 213 (34 U.S.C. 20303)—

(A) in subsection (a)—

(i) in the heading, by inserting “AND MAINTENANCE” after “ESTABLISHMENT”;

(ii) in the matter preceding paragraph (1)—

(I) by striking “, in coordination with the Director of the Office of Victims of Crime,”; and

(II) by inserting “and maintain” after “establish”;

(iii) in paragraph (3)—

(I) by striking “and victim advocates” and inserting “victim advocates, multidisciplinary team leadership, and children’s advocacy center staff”; and

(II) by striking “and” at the end;

(iv) by redesignating paragraph (4) as paragraph (5);

(v) by inserting after paragraph (3) the following:

“(4) provide technical assistance, training, coordination, and organizational capacity support for State chapters; and”; and

(vi) in paragraph (5), as so redesignated, by striking “and oversight to” and inserting “organizational capacity support, and oversight of”;

(B) in subsection (b)—

(i) in paragraph (1)—

(I) in subparagraph (A), by inserting “and maintain” after “establish”; and

(II) in the matter following subparagraph (B), by striking “and technical assistance to aid communities in establishing” and inserting “training and technical assistance to aid communities in establishing and maintaining”; and

(ii) in paragraph (2)—

(I) in subparagraph (A)—

(aa) in clause (ii), by inserting “Center” after “Advocacy”; and

1 (bb) in clause (iii), by strik-
 2 ing “of, assessment of, and inter-
 3 vention in” and inserting “and
 4 intervention in child”; and

5 (II) in subparagraph (B), by
 6 striking “centers and interested com-
 7 munities” and inserting “centers, in-
 8 terested communities, and chapters”;
 9 and

10 (C) in subsection (c)—

11 (i) in paragraph (2)—

12 (I) in subparagraph (B), by
 13 striking “evaluation, intervention, evi-
 14 dence gathering, and counseling” and
 15 inserting “investigation and interven-
 16 tion in child abuse”; and

17 (II) in subparagraph (E), by
 18 striking “judicial handling of child
 19 abuse and neglect” and inserting
 20 “multidisciplinary response to child
 21 abuse”;

22 (ii) in paragraph (3)(A)(i), by striking
 23 “so that communities can establish multi-
 24 disciplinary programs that respond to child
 25 abuse” and inserting “and chapters so that

1 communities can establish and maintain
 2 multidisciplinary programs that respond to
 3 child abuse and chapters can establish and
 4 maintain children’s advocacy centers in
 5 their State”;

6 (iii) in paragraph (4)(B)—

7 (I) in clause (iii), by striking
 8 “and” at the end;

9 (II) in by redesignating clause
 10 (iv) as clause (v); and

11 (III) by inserting after clause
 12 (iii) the following:

13 “(iv) best result in supporting chap-
 14 ters in each State; and”;

15 (iv) in paragraph (6), by inserting
 16 “under this Act” after “recipients”;

17 (4) in section 214 (34 U.S.C. 20304)—

18 (A) by striking subsection (a) and insert-
 19 ing the following:

20 “(a) IN GENERAL.—The Administrator shall make
 21 grants to—

22 “(1) establish and maintain a network of care
 23 for child abuse victims where investigation, prosecu-
 24 tions, and interventions are continually occurring

1 and coordinating activities within local children’s ad-
 2 vocacy centers and multidisciplinary teams;

3 “(2) develop, enhance, and coordinate multi-
 4 disciplinary child abuse investigations, intervention,
 5 and prosecution activities;

6 “(3) promote the effective delivery of the evi-
 7 dence-based, trauma-informed Children’s Advocacy
 8 Center Model and the multidisciplinary response to
 9 child abuse; and

10 “(4) develop and disseminate practice standards
 11 for care and best practices in programmatic evalua-
 12 tion, and support State chapter organizational ca-
 13 pacity and local children’s advocacy center organiza-
 14 tional capacity and operations in order to meet such
 15 practice standards and best practices.”;

16 (B) in subsection (b), by striking “, in co-
 17 ordination with the Director of the Office of
 18 Victims of Crime,”;

19 (C) in subsection (c)(2)—

20 (i) in subparagraph (C), by inserting
 21 “to the greatest extent practicable, but in
 22 no case later than 72 hours,” after
 23 “hours”; and

24 (ii) by striking subparagraphs (D)
 25 through (I) and inserting the following:

1 “(D) Forensic interviews of child victims
2 by trained personnel that are used by law en-
3 forcement, health, and child protective service
4 agencies to interview suspected abuse victims
5 about allegations of abuse.

6 “(E) Provision of needed follow up services
7 such as medical care, mental healthcare, and
8 victims advocacy services.

9 “(F) A requirement that, to the extent
10 practicable, all interviews and meetings with a
11 child victim occur at the children’s advocacy
12 center or an agency with which there is a link-
13 age agreement regarding the delivery of multi-
14 disciplinary child abuse investigation, prosecu-
15 tion, and intervention services.

16 “(G) Coordination of each step of the in-
17 vestigation process to eliminate duplicative fo-
18 rensic interviews with a child victim.

19 “(H) Designation of a director for the chil-
20 dren’s advocacy center.

21 “(I) Designation of a multidisciplinary
22 team coordinator.

23 “(J) Assignment of a volunteer or staff ad-
24 vocate to each child in order to assist the child
25 and, when appropriate, the child’s family,

1 throughout each step of intervention and judi-
 2 cial proceedings.

3 “(K) Coordination with State chapters to
 4 assist and provide oversight, and organizational
 5 capacity that supports local children’s advocacy
 6 centers, multidisciplinary teams, and commu-
 7 nities working to implement a multidisciplinary
 8 response to child abuse in the provision of evi-
 9 dence-informed initiatives, including mental
 10 health counseling, forensic interviewing, multi-
 11 disciplinary team coordination, and victim advoca-
 12 cacy.

13 “(L) Such other criteria as the Adminis-
 14 trator shall establish by regulation.”; and

15 (D) by striking subsection (f) and inserting
 16 the following:

17 “(f) GRANTS TO STATE CHAPTERS FOR ASSISTANCE
 18 TO LOCAL CHILDREN’S ADVOCACY CENTERS.—In award-
 19 ing grants under this section, the Administrator shall en-
 20 sure that a portion of the grants is distributed to State
 21 chapters to enable State chapters to provide oversight,
 22 training, and technical assistance to local centers on evi-
 23 dence-informed initiatives including mental health, coun-
 24 seling, forensic interviewing, multidisciplinary team co-
 25 ordination, and victim advocacy.”;

1 (5) in section 214A (34 U.S.C. 20305)—

2 (A) in subsection (a)—

3 (i) in paragraph (1), by striking “at-
4 torneys and other allied” and inserting
5 “prosecutors and other attorneys and al-
6 lied”; and

7 (ii) in paragraph (2)(B), by inserting
8 “Center” after “Advocacy”; and

9 (B) in subsection (b)(1), by striking sub-
10 paragraph (A) and inserting the following:

11 “(A) a significant connection to prosecu-
12 tors who handle child abuse cases in State
13 courts, such as a membership organization or
14 support service providers; and”; and

15 (6) by striking 214B (34 U.S.C. 20306) and in-
16 serting the following:

17 **“SEC. 214B. AUTHORIZATION OF APPROPRIATIONS.**

18 “There are authorized to be appropriated to carry out
19 sections 213, 214, and 214A, \$40,000,000 for each of fis-
20 cal years 2022 through 2028.”.

Passed the Senate December 13, 2022.

Attest:

Secretary.

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