118TH CONGRESS 1ST SESSION

S. 1170

AN ACT

To reauthorize and update the Project Safe Childhood program, 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,

1 SECTION 1. SHORT TITLE.

2	This Act may be cited as the "Project Safe Childhood
3	Act".
4	SEC. 2. PROJECT SAFE CHILDHOOD MODERNIZATION.
5	Section 143 of the Adam Walsh Child Protection and
6	Safety Act of 2006 (34 U.S.C. 20942) is amended to read
7	as follows:
8	"SEC. 143. PROJECT SAFE CHILDHOOD.
9	"(a) Definitions.—In this section:
10	"(1) CHILD SEXUAL ABUSE MATERIAL.—The
11	term 'child sexual abuse material' has the meaning
12	given the term 'child pornography' in section 2256
13	of title 18, United States Code.
14	"(2) CHILD SEXUAL EXPLOITATION OF
15	FENSE.—The term 'child sexual exploitation offense
16	means—
17	"(A)(i) an offense involving a minor under
18	section 1591 or chapter 117 of title 18, United
19	States Code;
20	"(ii) an offense under subsection (a), (b)
21	or (c) of section 2251 of title 18, United States
22	Code;
23	"(iii) an offense under section 2251A or
24	2252A(g) of title 18, United States Code; or
25	"(iv) any attempt or conspiracy to commit
26	an offense described in clause (i) or (ii); or

1	"(B) an offense involving a minor under a
2	State or Tribal statute that is similar to a pro-
3	vision described in subparagraph (A).
4	"(3) CIRCLE OF TRUST OFFENDER.—The term
5	'circle of trust offender' means an offender who is
6	related to, or in a position of trust, authority, or su-
7	pervisory control with respect to, a child.
8	"(4) COMPUTER.—The term 'computer' has the
9	meaning given the term in section 1030 of title 18,
10	United States Code.
11	"(5) Contact sexual offense.—The term
12	'contact sexual offense' means—
13	"(A) an offense involving a minor under
14	chapter 109A of title 18, United States Code,
15	or any attempt or conspiracy to commit such an
16	offense; or
17	"(B) an offense involving a minor under a
18	State or Tribal statute that is similar to a pro-
19	vision described in subparagraph (A).
20	"(6) Dual offender.—The term 'dual of-
21	fender' means—
22	"(A) a person who commits—
23	"(i) a technology-facilitated child sex-
24	ual exploitation offense or an offense in-
25	volving child sexual abuse material; and

1	"(ii) a contact sexual offense; and
2	"(B) without regard to whether the of-
3	fenses described in clauses (i) and (ii) of sub-
4	paragraph (A)—
5	"(i) are committed as part of the
6	same course of conduct; or
7	"(ii) involve the same victim.
8	"(7) Facilitator.—The term 'facilitator'
9	means an individual who facilitates the commission
10	by another individual of—
11	"(A) a technology-facilitated child sexual
12	exploitation offense or an offense involving child
13	sexual abuse material; or
14	"(B) a contact sexual offense.
15	"(8) ICAC AFFILIATE PARTNER.—The term
16	'ICAC affiliate partner' means a law enforcement
17	agency that has entered into a formal operating
18	agreement with the ICAC Task Force Program.
19	"(9) ICAC TASK FORCE.—The term 'ICAC task
20	force' means a task force that is part of the ICAC
21	Task Force Program.
22	"(10) ICAC TASK FORCE PROGRAM.—The term
23	'ICAC Task Force Program' means the National
24	Internet Crimes Against Children Task Force Pro-
25	gram established under section 102 of the PRO-

1	TECT Our Children Act of 2008 (34 U.S.C.
2	21112).
3	"(11) Offense involving child sexual
4	ABUSE MATERIAL.—The term 'offense involving
5	child sexual abuse material' means—
6	"(A) an offense under section 2251(d)
7	section 2252, or paragraphs (1) through (6) of
8	section 2252A(a) of title 18, United States
9	Code, or any attempt or conspiracy to commit
10	such an offense; or
11	"(B) an offense under a State or Tribal
12	statute that is similar to a provision described
13	in subparagraph (A).
14	"(12) Serious offender.—The term 'serious
15	offender' means—
16	"(A) an offender who has committed a
17	contact sexual offense or child sexual exploi-
18	tation offense;
19	"(B) a dual offender, circle of trust of-
20	fender, or facilitator; or
21	"(C) an offender with a prior conviction
22	for a contact sexual offense, a child sexual ex-
23	ploitation offense, or an offense involving child
24	sevual ahuse material

- 1 "(13) STATE.—The term 'State' means a State
- 2 of the United States, the District of Columbia, and
- any commonwealth, territory, or possession of the
- 4 United States.
- 5 "(14) TECHNOLOGY-FACILITATED.—The term
- 6 'technology-facilitated', with respect to an offense,
- 7 means an offense that is committed through the use
- 8 of a computer, even if the use of a computer is not
- 9 an element of the offense.
- 10 "(b) Establishment of Program.—The Attorney
- 11 General shall create and maintain a nationwide initiative
- 12 to align Federal, State, and local entities to combat the
- 13 growing epidemic of online child sexual exploitation and
- 14 abuse, to be known as the 'Project Safe Childhood pro-
- 15 gram', in accordance with this section.
- 16 "(c) Best Practices.—The Attorney General, in
- 17 coordination with the Child Exploitation and Obscenity
- 18 Section of the Criminal Division of the Department of
- 19 Justice and the Office of Juvenile Justice and Delinquency
- 20 Prevention of the Department of Justice, and in consulta-
- 21 tion with training and technical assistance providers under
- 22 the ICAC Task Force Program who are funded by the At-
- 23 torney General and with appropriate nongovernmental or-
- 24 ganizations, shall—

1	"(1) develop best practices to adopt a balanced
2	approach to the investigation of suspect leads involv-
3	ing contact sexual offenses, child sexual exploitation
4	offenses, and offenses involving child sexual abuse
5	material, and the prosecution of those offenses,
6	prioritizing when feasible the identification of a child
7	victim or a serious offender, which approach shall
8	incorporate the use of—
9	"(A) proactively generated leads, including
10	leads generated by current and emerging tech-
11	nology;
12	"(B) in-district investigative referrals; and
13	"(C) CyberTipline reports from the Na-
14	tional Center for Missing and Exploited Chil-
15	dren;
16	"(2) develop best practices to be used by each
17	United States Attorney and ICAC task force to as-
18	sess the likelihood that an individual could be a seri-
19	ous offender or that a child victim may be identified
20	"(3) develop and implement a tracking and
21	communication system for Federal, State, and local
22	law enforcement agencies and prosecutor's offices to
23	report successful cases of victim identification and
24	child rescue to the Department of Justice and the
25	public; and

1	"(4) encourage the submission of all lawfully
2	seized visual depictions to the Child Victim Identi-
3	fication Program of the National Center for Missing
4	and Exploited Children.
5	"(d) Implementation.—Except as authorized
6	under subsection (e), funds authorized under this section
7	may only be used for the following 4 purposes:
8	"(1) Integrated Federal, State, and local efforts
9	to investigate and prosecute contact sexual offenses,
10	child sexual exploitation offenses, and offenses in-
11	volving child sexual abuse material, including—
12	"(A) the partnership by each United
13	States Attorney with each Internet Crimes
14	Against Children Task Force within the district
15	of such attorney;
16	"(B) training of Federal, State, and local
17	law enforcement officers and prosecutors
18	through—
19	"(i) programs facilitated by the ICAC
20	Task Force Program;
21	"(ii) ICAC training programs sup-
22	ported by the Office of Juvenile Justice
23	and Delinquency Prevention of the Depart-
24	ment of Justice;

1	"(iii) programs facilitated by appro-
2	priate nongovernmental organizations with
3	subject matter expertise, technical skill, or
4	technological tools to assist in the identi-
5	fication of and response to serious offend-
6	ers, contact sexual offenses, child sexual
7	exploitation offenses, or offenses involving
8	child sexual abuse material; and
9	"(iv) any other program that provides
10	training—
11	"(I) on the investigation and
12	identification of serious offenders or
13	victims of contact sexual offenses,
14	child sexual exploitation offenses, or
15	offenses involving child sexual abuse
16	material; or
17	"(II) that specifically addresses
18	the use of existing and emerging tech-
19	nologies to commit or facilitate con-
20	tact sexual offenses, child sexual ex-
21	ploitation offenses, or offenses involv-
22	ing child sexual abuse material;
23	"(C) the development by each United
24	States Attorney of a district-specific strategic
25	plan to coordinate with State and local law en-

1 forcement agencies and prosecutor's offices, in-2 cluding ICAC task forces and their ICAC affil-3 iate partners, on the investigation of suspect 4 leads involving serious offenders, contact sexual offenses, child sexual exploitation offenses, and 6 offenses involving child sexual abuse material, 7 and the prosecution of those offenders and of-8 fenses, which plan— 9 "(i) shall include— 10 "(I) the use of the best practices 11 developed under paragraphs (1) and 12 (2) of subsection (c); 13 "(II) the development of plans 14 and protocols to target and rapidly in-15 vestigate cases involving potential serious offenders or the identification 16 17 and rescue of a victim of a contact 18 sexual offense, a child sexual exploi-19 tation offense, or an offense involving 20 child sexual abuse material; "(III) the use of training and 21 22 technical assistance programs to in-23 corporate victim-centered, trauma-in-24 formed practices in cases involving 25 victims of contact sexual offenses.

1	child sexual exploitation offenses, and
2	offenses involving child sexual abuse
3	material, which may include the use of
4	child protective services, children's ad-
5	vocacy centers, victim support special-
6	ists, or other supportive services;
7	"(IV) the development of plans to
8	track, report, and clearly commu-
9	nicate successful cases of victim iden-
10	tification and child rescue to the De-
11	partment of Justice and the public;
12	"(V) an analysis of the investiga-
13	tive and forensic capacity of law en-
14	forcement agencies and prosecutor's
15	offices within the district, and goals
16	for improving capacity and effective-
17	ness;
18	"(VI) a written policy describing
19	the criteria for referrals for prosecu-
20	tion from Federal, State, or local law
21	enforcement agencies, particularly
22	when the investigation may involve a
23	potential serious offender or the iden-
24	tification or rescue of a child victim;

1	"(VII) plans and budgets for
2	training of relevant personnel on con-
3	tact sexual offenses, child sexual ex-
4	ploitation offenses, and offenses in-
5	volving child sexual abuse material;
6	"(VIII) plans for coordination
7	and cooperation with State, local, and
8	Tribal law enforcement agencies and
9	prosecutorial offices; and
10	"(IX) evidence-based programs
11	that educate the public about and in-
12	crease awareness of such offenses; and
13	"(ii) shall be developed in consulta-
14	tion, as appropriate, with—
15	"(I) the local ICAC task force;
16	"(II) the United States Marshals
17	Service Sex Offender Targeting Cen-
18	ter;
19	"(III) training and technical as-
20	sistance providers under the ICAC
21	Task Force Program who are funded
22	by the Attorney General;
23	"(IV) nongovernmental organiza-
24	tions with subject matter expertise,
25	technical skill, or technological tools

1	to assist in the identification of and
2	response to contact sexual offenses,
3	child sexual exploitation offenses, or
4	offenses involving child sexual abuse
5	material;
6	"(V) any relevant component of
7	Homeland Security Investigations;
8	"(VI) any relevant component of
9	the Federal Bureau of Investigation;
10	"(VII) the Office of Juvenile Jus-
11	tice and Delinquency Prevention of
12	the Department of Justice;
13	"(VIII) the Child Exploitation
14	and Obscenity Section of the Criminal
15	Division of the Department of Justice;
16	"(IX) the United States Postal
17	Inspection Service;
18	"(X) the United States Secret
19	Service; and
20	"(XI) each military criminal in-
21	vestigation organization of the De-
22	partment of Defense; and
23	"(D) a quadrennial assessment by each
24	United States Attorney of the investigations
25	within the district of such attorney of contact

1	sexual offenses, child sexual exploitation of-
2	fenses, and offenses involving child sexual abuse
3	material—
4	"(i) with consideration of—
5	"(I) the variety of sources for
6	leads;
7	"(II) the proportion of work in-
8	volving proactive or undercover law
9	enforcement investigations;
10	"(III) the number of serious of-
11	fenders identified and prosecuted; and
12	"(IV) the number of children
13	identified or rescued; and
14	"(ii) information from which may be
15	used by the United States Attorney, as ap-
16	propriate, to revise the plan described in
17	subparagraph (C).
18	"(2) Major case coordination by the Depart-
19	ment of Justice (or other Federal agencies as appro-
20	priate), including specific cooperation, as appro-
21	priate, with—
22	"(A) the Child Exploitation and Obscenity
23	Section of the Criminal Division of the Depart-
24	ment of Justice;

1	"(B) any relevant component of Homeland
2	Security Investigations;
3	"(C) any relevant component of the Fed-
4	eral Bureau of Investigation;
5	"(D) the ICAC task forces and ICAC affil-
6	iate partners;
7	"(E) the United States Marshals Service,
8	including the Sex Offender Targeting Center;
9	"(F) the United States Postal Inspection
10	Service;
11	"(G) the United States Secret Service;
12	"(H) each Military Criminal Investigation
13	Organization of the Department of Defense;
14	and
15	"(I) any task forces established in connec-
16	tion with the Project Safe Childhood program
17	set forth under subsection (b).
18	"(3) Increased Federal involvement in, and
19	commitment to, the prevention and prosecution of
20	technology-facilitated child sexual exploitation of-
21	fenses or offenses involving child sexual abuse mate-
22	rial by—
23	"(A) using technology to identify victims
24	and serious offenders;

1	"(B) developing processes and tools to
2	identify victims and offenders; and
3	"(C) taking measures to improve informa-
4	tion sharing among Federal law enforcement
5	agencies, including for the purposes of imple-
6	menting the plans and protocols described in
7	paragraph (1)(C)(i)(II) to identify and rescue—
8	"(i) victims of contact sexual offenses,
9	child sexual exploitation offenses, and of-
10	fenses involving child sexual abuse mate-
11	rial; or
12	"(ii) victims of serious offenders.
13	"(4) The establishment, development, and im-
14	plementation of a nationally coordinated 'Safer
15	Internet Day' every year developed in collaboration
16	with the Department of Education, national and
17	local internet safety organizations, parent organiza-
18	tions, social media companies, and schools to pro-
19	vide—
20	"(A) national public awareness and evi-
21	dence-based educational programs about the
22	threats posed by circle of trust offenders and
23	the threat of contact sexual offenses, child sex-
24	ual exploitation offenses, or offenses involving

1	child sexual abuse material, and the use of
2	technology to facilitate those offenses;
3	"(B) information to parents and children
4	about how to avoid or prevent technology-facili-
5	tated child sexual exploitation offenses; and
6	"(C) information about how to report pos-
7	sible technology-facilitated child sexual exploi-
8	tation offenses or offenses involving child sexual
9	abuse material through—
10	"(i) the National Center for Missing
11	and Exploited Children;
12	"(ii) the ICAC Task Force Program;
13	and
14	"(iii) any other program that—
15	"(I) raises national awareness
16	about the threat of technology-facili-
17	tated child sexual exploitation offenses
18	or offenses involving child sexual
19	abuse material; and
20	"(II) provides information to par-
21	ents and children seeking to report
22	possible violations of technology-facili-
23	tated child sexual exploitation offenses
24	or offenses involving child sexual
25	abuse material.

1	"(e) Expansion of Project Safe Childhood.—
2	Notwithstanding subsection (d), funds authorized under
3	this section may be also be used for the following pur-
4	poses:
5	"(1) The addition of not less than 20 Assistant
6	United States Attorneys at the Department of Jus-
7	tice, relative to the number of such positions as of
8	the day before the date of enactment of the Project
9	Safe Childhood Act, who shall be—
10	"(A) dedicated to the prosecution of cases
11	in connection with the Project Safe Childhood
12	program set forth under subsection (b); and
13	"(B) responsible for assisting and coordi-
14	nating the plans and protocols of each district
15	under subsection $(d)(1)(C)(i)(II)$.
16	"(2) Such other additional and related purposes
17	as the Attorney General determines appropriate.
18	"(f) Authorization of Appropriations.—
19	"(1) In general.—For the purpose of car-
20	rying out this section, there are authorized to be ap-
21	propriated—
22	"(A) for the activities described under
23	paragraphs (1), (2), and (3) of subsection (d),
24	\$28,550,000 for each of fiscal years 2023
25	through 2028;

1	"(B) for the activities described under sub-
2	section $(d)(4)$, $$4,000,000$ for each of fiscal
3	years 2023 through 2028; and
4	"(C) for the activities described under sub-
5	section (e), \$29,100,000 for each of fiscal years
6	2023 through 2028.
7	"(2) Supplement, not supplant.—Amounts
8	made available to State and local agencies, pro-
9	grams, and services under this section shall supple-
10	ment, and not supplant, other Federal, State, or
11	local funds made available for those agencies, pro-
12	grams, and services.".
	Passed the Senate October 24, 2023.
	Attest

Secretary.

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