

Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on Thursday, September 25, 2008, at 2:30 p.m. to conduct a hearing entitled "Addressing Cost Growth of Major DOD Weapons Systems."

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGES OF THE FLOOR

Mr. FEINGOLD. Mr. President, I ask unanimous consent that two legal interns in my office, Corinne Beth and Arezo Yazd, be granted floor privileges for the remainder of this session.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMBATING CHILD EXPLOITATION ACT OF 2008

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 862, S. 1738.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1738) to establish a Special Counsel for Child Exploitation Prevention and Interdiction within the Office of the Deputy Attorney General, to improve the Internet Crimes Against Children Task Force, to increase resources for regional computer forensic labs, and to make other improvements to increase the ability of law enforcement agencies to investigate and prosecute predators.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

##### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Combating Child Exploitation Act of 2008".

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.  
Sec. 2. Definitions.

##### TITLE I—NATIONAL STRATEGY FOR CHILD EXPLOITATION PREVENTION AND INTERDICTION

Sec. 101. Establishment of National Strategy for Child Exploitation Prevention and Interdiction.

Sec. 102. Establishment of National ICAC Task Force Program.

Sec. 103. Purpose of ICAC task forces.

Sec. 104. Duties and functions of task forces.

Sec. 105. National Internet Crimes Against Children Data System.

Sec. 106. ICAC grant program.

Sec. 107. Authorization of appropriations.

##### TITLE II—ADDITIONAL MEASURES TO COMBAT CHILD EXPLOITATION

Sec. 201. Additional regional computer forensic labs.

Sec. 202. Additional field agents for the FBI.

Sec. 203. Immigration and customs enforcement enhancement.

Sec. 204. Combating child exploitation via the United States Postal Service.

##### TITLE III—EFFECTIVE CHILD PORNOGRAPHY PROSECUTION

Sec. 301. Effective child pornography prosecution.

Sec. 302. Prohibit the broadcast of live images of child abuse.

Sec. 303. Amendment to section 2256 of title 18, United States Code.

Sec. 304. Amendment to section 2260 of title 18, United States Code.

Sec. 305. Prohibiting the alteration of an image of a real child to create an image of sexually explicit conduct.

Sec. 306. Referrals to authorized foreign law enforcement agencies.

##### TITLE IV—NATIONAL INSTITUTE OF JUSTICE STUDY OF RISK FACTORS

Sec. 401. NIJ Study of Risk Factors for Assessing Dangerousness.

##### SEC. 2. DEFINITIONS.

In this Act, the following definitions shall apply:

(1) **CHILD EXPLOITATION.**—The term "child exploitation" means any conduct, attempted conduct, or conspiracy to engage in conduct involving a minor that violates section 1591, chapter 109A, chapter 110, and chapter 117 of title 18, United States Code, or any sexual activity involving a minor for which any person can be charged with a criminal offense.

(2) **CHILD OBSCENITY.**—The term "child obscenity" means any visual depiction proscribed by section 1466A of title 18, United States Code.

(3) **MINOR.**—The term "minor" means any person under the age of 18 years.

(4) **SEXUALLY EXPLICIT CONDUCT.**—The term "sexually explicit conduct" has the meaning given such term in section 2256 of title 18, United States Code.

##### TITLE I—NATIONAL STRATEGY FOR CHILD EXPLOITATION PREVENTION AND INTERDICTION

##### SEC. 101. ESTABLISHMENT OF NATIONAL STRATEGY FOR CHILD EXPLOITATION PREVENTION AND INTERDICTION.

(a) **IN GENERAL.**—The Attorney General of the United States shall create and implement a National Strategy for Child Exploitation Prevention and Interdiction.

(b) **TIMING.**—Not later than February 1 of each year, the Attorney General shall submit to Congress the National Strategy established under subsection (a).

(c) **REQUIRED CONTENTS OF NATIONAL STRATEGY.**—The National Strategy established under subsection (a) shall include the following:

(1) Comprehensive long-range, goals for reducing child exploitation.

(2) Annual measurable objectives and specific targets to accomplish long-term, quantifiable goals that the Attorney General determines may be achieved during each year beginning on the date when the National Strategy is submitted.

(3) Annual budget priorities and Federal efforts dedicated to combating child exploitation, including resources dedicated to Internet Crimes Against Children task forces, Project Safe Childhood, FBI Innocent Images Initiative, the National Center for Missing and Exploited Children, regional forensic computer labs, Internet Safety programs, and all other entities whose goal or mission is to combat the exploitation of children that receive Federal support.

(4) A 5-year projection for program and budget goals and priorities.

(5) A review of the policies and work of the Department of Justice related to the prevention and investigation of child exploitation crimes, including efforts at the Office of Justice Programs, the Criminal Division of the Department of Justice, the Executive Office of United States Attorneys, the Federal Bureau of Investigation, the Office of the Attorney General, the Office of the Deputy Attorney General, the Office of Legal Policy, and any other agency or bureau of the Department of Justice whose activities relate to child exploitation.

(6) A description of the Department's efforts to coordinate with international, State, local, tribal law enforcement, and private sector entities on child exploitation prevention and interdiction efforts.

(7) Plans for interagency coordination regarding the prevention, investigation, and apprehension of individuals exploiting children, including cooperation and collaboration with—

(A) Immigration and Customs Enforcement;  
(B) the United States Postal Inspection Service;

(C) the Department of State;  
(D) the Department of Commerce;  
(E) the Department of Education;  
(F) the Department of Health and Human Services; and

(G) other appropriate Federal agencies.

(8) A review of the Internet Crimes Against Children Task Force Program, including—

(A) the number of ICAC task forces and location of each ICAC task force;

(B) the number of trained personnel at each ICAC task force;

(C) the amount of Federal grants awarded to each ICAC task force;

(D) an assessment of the Federal, State, and local cooperation in each task force, including—

(i) the number of arrests made by each task force;

(ii) the number of criminal referrals to United States attorneys for prosecution;

(iii) the number of prosecutions and convictions from the referrals made under clause (ii);

(iv) the number, if available, of local prosecutions and convictions based on ICAC task force investigations; and

(v) any other information demonstrating the level of Federal, State, and local coordination and cooperation, as such information is to be determined by the Attorney General;

(E) an assessment of the training opportunities and technical assistance available to support ICAC task force grantees; and

(F) an assessment of the success of the Internet Crimes Against Children Task Force Program at leveraging State and local resources and matching funds.

(9) An assessment of the technical assistance and support available for Federal, State, local, and tribal law enforcement agencies, in the prevention, investigation, and prosecution of child exploitation crimes.

(10) The backlog of forensic analysis for child exploitation cases at each FBI Regional Forensic lab and an estimate of the backlog at State and local labs.

(11) Plans for reducing the forensic backlog described in paragraph (10), if any, at Federal, State and local forensic labs.