

118TH CONGRESS
2D SESSION

S. 3689

To establish the Office to Enforce and Protect Against Child Sexual
Exploitation.

IN THE SENATE OF THE UNITED STATES

JANUARY 30, 2024

Mr. WYDEN (for himself, Mr. WELCH, Mr. PADILLA, Ms. BUTLER, and Mrs.
GILLIBRAND) introduced the following bill; which was read twice and re-
ferred to the Committee on the Judiciary

A BILL

To establish the Office to Enforce and Protect Against Child
Sexual Exploitation.

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 “Invest in Child Safety
5 Act of 2024”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) CHILD SEXUAL EXPLOITATION.—The term
9 “child sexual exploitation” has the meaning given
10 the term “child exploitation” in section 2 of the

1 PROTECT Our Children Act of 2008 (34 U.S.C.
2 21101).

3 (2) COVERED PROGRAM OR AGENCY.—The term
4 “covered program or agency” means—

5 (A) each Federal program or Executive
6 agency involved in—

7 (i) the prevention, treatment of vic-
8 tims, investigation, or prosecution of child
9 sexual exploitation; or

10 (ii) other activities relating to ad-
11 dressing child sexual exploitation; or

12 (B) any other Federal program, agency, or
13 activity designated by the Director.

14 (3) DIRECTOR.—The term “Director” means
15 the Director of the Office appointed under section
16 3(b)(1).

17 (4) ENFORCEMENT AND PROTECTION STRAT-
18 EGY.—The term “enforcement and protection strat-
19 egy” means the enforcement and protection strategy
20 required under section 3(c)(4).

21 (5) EXECUTIVE AGENCY.—The term “Executive
22 agency” has the meaning given that term in section
23 105 of title 5, United States Code.

1 (6) **FUND.**—The term “Fund” means the Child
2 Sexual Exploitation Treatment, Support, and Pre-
3 vention Fund established under section 4(c)(1).

4 (7) **HIGH-LEVEL REPRESENTATIVE.**—The term
5 “high-level representative” means an individual who
6 is—

7 (A) appointed by the President, by and
8 with the advice and consent of the Senate;

9 (B) in a Senior Executive Service position
10 (as defined in section 3132(a) of title 5, United
11 States Code); or

12 (C) for an entity that is not an Executive
13 agency, serving in a leadership or other senior
14 position in the entity.

15 (8) **INDIAN TRIBE.**—The term “Indian Tribe”
16 has the meaning given the term “Indian tribe” in
17 section 4(e) of the Indian Self-Determination and
18 Education Assistance Act (25 U.S.C. 5304(e)).

19 (9) **OFFICE.**—The term “Office” means the Of-
20 fice to Enforce and Protect Against Child Sexual
21 Exploitation established under section 3(a).

1 **SEC. 3. OFFICE TO ENFORCE AND PROTECT AGAINST**
2 **CHILD SEXUAL EXPLOITATION.**

3 (a) **ESTABLISHMENT.**—There is established in the
4 Department of Justice an Office to Enforce and Protect
5 Against Child Sexual Exploitation.

6 (b) **DIRECTOR.**—

7 (1) **APPOINTMENT.**—The Office shall be headed
8 by a Director who shall be appointed by the Attor-
9 ney General, and who shall report directly to the As-
10 sociate Attorney General.

11 (2) **TERM.**—

12 (A) **IN GENERAL.**—The Director shall be
13 appointed for a term of 5 years.

14 (B) **LIMITATION.**—An individual may not
15 serve more than 2 terms as the Director.

16 (3) **QUALIFICATIONS.**—The individual ap-
17 pointed as the Director shall have—

18 (A) a demonstrated ability in managing
19 large organizations and coordinating offices;

20 (B) experience prosecuting Federal child
21 sexual exploitation crimes; and

22 (C) proficiency in investigating crimes that
23 have a technological or cyber component.

24 (4) **LIMITATIONS.**—The individual serving as
25 the Director—

1 (A) shall be a member of the Senior Exec-
2 utive Service in a permanent position in the De-
3 partment of Justice; and

4 (B) may not have other significant duties
5 or responsibilities that might distract from the
6 duty of the Director to carry out the require-
7 ments of this Act and the responsibilities under
8 section 101 of the PROTECT Our Children Act
9 of 2008 (34 U.S.C. 21111).

10 (5) COORDINATION OF ACTIVITIES.—The Direc-
11 tor shall coordinate the activities of the Office with
12 the Attorney General, the Director of the Federal
13 Bureau of Investigation, the Secretary of Defense,
14 the Secretary of Health and Human Services, the
15 Secretary of Homeland Security, the Secretary of
16 Education, the Chairman of the Interagency Task
17 Force to Monitor and Combat Trafficking in Per-
18 sons established under section 105 of the Traf-
19 ficking Victims Protection Act of 2000 (22 U.S.C.
20 7103), the Chief Executive Officer of the Inter-
21 national Centre for Missing and Exploited Children,
22 and the President of the National Center for Miss-
23 ing and Exploited Children.

24 (c) DUTIES.—The Director shall—

1 (1) coordinate the activities of covered pro-
2 grams and agencies;

3 (2) cooperate, as appropriate, with foreign law
4 enforcement agencies, including through—

5 (A) information sharing and providing
6 technical assistance; and

7 (B) detailing employees of the Office to
8 high-priority countries that are the source of
9 visual depictions of child sexual exploitation;

10 (3) not less than 3 times per year, convene a
11 meeting of high-level representatives of the Depart-
12 ment of Justice, the Federal Bureau of Investiga-
13 tion, the Department of Defense, the Department of
14 Health and Human Services, the Department of
15 Homeland Security, the Department of Education,
16 the Interagency Task Force to Monitor and Combat
17 Trafficking in Persons established under section 105
18 of the Trafficking Victims Protection Act of 2000
19 (22 U.S.C. 7103), the International Centre for Miss-
20 ing and Exploited Children, and the National Center
21 for Missing and Exploited Children, to ensure suc-
22 cess of the enforcement and protection strategy;

23 (4) not later than 180 days after the date on
24 which each Director is first appointed to the position

1 of Director, submit to Congress an enforcement and
2 protection strategy for—

3 (A) the prevention, investigation, or pros-
4 ecution of child sexual exploitation by Executive
5 agencies;

6 (B) the treatment of and services provided
7 to victims of child sexual exploitation by Execu-
8 tive agencies; and

9 (C) other activities of Executive agencies
10 relating to addressing child sexual exploitation;

11 (5) during the 60-day period beginning on the
12 date on which each Director is first appointed to the
13 position of Director, solicit comments from the pub-
14 lic on the enforcement and protection strategy;

15 (6) not later than 180 days after the date on
16 which each Director is first appointed to the position
17 of Director, submit to Congress a spending plan,
18 which shall be developed in consultation with the
19 head of covered programs and agencies and the Di-
20 rector of the Office of Management and Budget;

21 (7) with respect to each fiscal year, for not less
22 than a period of 30 days before the start of such fis-
23 cal year, seek public comment on the funding prior-
24 ities of the Office and covered programs and agen-
25 cies for such fiscal year, including funding transfers

1 and grants to be made from the Fund during such
2 fiscal year;

3 (8) not later than March 1 of each year, submit
4 to Congress an annual report—

5 (A) detailing the work of the Office and
6 each covered program or agency during the pre-
7 vious fiscal year and evaluating the efficacy of
8 the use of funds by the Office and covered pro-
9 grams and agencies during the previous fiscal
10 year, which shall include, with respect to such
11 previous fiscal year—

12 (i) the number and nature of reports
13 to the CyberTipline of the National Center
14 for Missing and Exploited Children, or any
15 successor to such CyberTipline operated by
16 the National Center for Missing and Ex-
17 ploited Children;

18 (ii) the number and nature of inves-
19 tigation conducted relating to child sexual
20 exploitation;

21 (iii) the number and nature of arrests
22 relating to child sexual exploitation;

23 (iv) the number and nature of ongoing
24 prosecutions of offenses involving child sex-
25 ual exploitation;

1 (v) the number of prosecutions of of-
2 fenses involving child sexual exploitation by
3 judicial district;

4 (vi) the number of convictions of of-
5 fenses involving child sexual exploitation;

6 (vii) the number of convictions of of-
7 fenses involving child sexual exploitation by
8 judicial district;

9 (viii) the number of referrals of of-
10 fenses involving child sexual exploitation to
11 non-Federal entities, including foreign law
12 enforcement agencies, broken down by ju-
13 risdiction and entity;

14 (ix) a summary of all transfers and
15 grants made from the Fund; and

16 (x) a summary of any unobligated
17 funds from transfers and grants made for
18 a previous fiscal year from the Fund; and

19 (B) discussing the funding priorities of the
20 Office and covered programs and agencies for
21 the current fiscal year, which shall include—

22 (i) an outline of planned funding
23 transfers and grants to be made from the
24 Fund during the current fiscal year; and

1 (ii) a summary of public comments on
2 such funding priorities received under
3 paragraph (7);

4 (9) not later than May 1 of each year, appear
5 before the Committee on the Judiciary of the Senate
6 and the Committee on the Judiciary of the House of
7 Representatives to discuss the enforcement and pro-
8 tection strategy, including any updates; and

9 (10) carry out the duties of the National Coor-
10 dinator for Child Exploitation Prevention and Inter-
11 diction.

12 (d) NOTICE OF CHANGES BY COVERED PROGRAMS
13 AND AGENCIES.—

14 (1) IN GENERAL.—The head of each covered
15 program or agency shall notify the Director in writ-
16 ing of any proposed policy change relating to—

17 (A) the prevention, investigation, or pros-
18 ecutio n of child sexual exploitation;

19 (B) the treatment of victims of child sexual
20 exploitation; or

21 (C) other activities relating to addressing
22 child sexual exploitation.

23 (2) RESPONSE.—The Director shall respond
24 promptly to any notice under paragraph (1), which
25 shall include the determination of the Director re-

1 garding whether the proposed policy change is con-
2 sistent with the enforcement and protection strategy.

3 (e) NATIONAL STRATEGY FOR CHILD EXPLOITATION
4 PREVENTION AND INTERDICTION.—

5 (1) DIRECTOR TO SERVE AS COORDINATOR.—
6 Section 101(d) of the PROTECT Our Children Act
7 of 2008 (34 U.S.C. 21111(d)) is amended—

8 (A) in the subsection heading, by striking
9 “APPOINTMENT OF HIGH-LEVEL OFFICIAL”
10 and inserting “NATIONAL COORDINATOR FOR
11 CHILD EXPLOITATION PREVENTION AND
12 INTERVENTION”;

13 (B) by striking paragraph (1) and insert-
14 ing the following:

15 “(1) IN GENERAL.—The Director of the Office
16 to Enforce and Protect Against Child Sexual Exploi-
17 tation shall serve as the National Coordinator for
18 Child Exploitation Prevention and Interdiction and
19 shall be responsible for coordinating the development
20 of the National Strategy established under sub-
21 section (a).”; and

22 (C) in paragraph (2), in the matter pre-
23 ceding subparagraph (A), by striking “official
24 designated under paragraph (1)” and inserting

1 “National Coordinator for Child Exploitation
2 Prevention and Interdiction”.

3 (2) PUBLICATION OF NATIONAL STRATEGY.—
4 Section 101(b) of the PROTECT Our Children Act
5 of 2008 (34 U.S.C. 21111(b)) is amended—

6 (A) by striking “Not later” and inserting
7 the following:

8 “(1) IN GENERAL.—Not later”; and

9 (B) by adding at the end the following:

10 “(2) PUBLICATION.—Not later than 30 days
11 after the date on which the Attorney General sub-
12 mits to Congress a National Strategy under para-
13 graph (1), the Attorney General shall publish on the
14 internet website of the Department of Justice an un-
15 classified version of the National Strategy.”.

16 (3) CONSULTATION WITH CONGRESS.—Section
17 101 of the PROTECT Our Children Act of 2008
18 (34 U.S.C. 21111) is amended by adding at the end
19 the following:

20 “(e) CONSULTATION WITH CONGRESS.—During any
21 year in which the Attorney General submits to Congress
22 the National Strategy established under subsection (a),
23 the Director of the Office to Enforce and Protect Against
24 Child Sexual Exploitation shall appear before the Com-
25 mittee on the Judiciary of the Senate and the Committee

1 on the Judiciary of the House of Representatives to dis-
2 cuss the National Strategy at the same time the Director
3 appears to discuss the enforcement and protection strat-
4 egy pursuant to section 3(c)(9) of the Invest in Child Safe-
5 ty Act of 2024.”.

6 **SEC. 4. INCREASED FUNDING, TREATMENT, AND SUPPORT**
7 **FOR VICTIMS OF CHILD SEXUAL EXPLOI-**
8 **TATION AND PROGRAMS AND SERVICES TO**
9 **PREVENT CHILD SEXUAL EXPLOITATION.**

10 (a) PROGRAMS.—

11 (1) IN GENERAL.—For each of fiscal years
12 2024 through 2033, the Director shall make the fol-
13 lowing transfers from the Fund:

14 (A) UNITED STATES ATTORNEYS OF-
15 FICES.—To the Department of Justice,
16 \$100,000,000 for child sexual exploitation pros-
17 ecutions by offices of the United States attor-
18 ney.

19 (B) CHILD EXPLOITATION AND OBSCENITY
20 SECTION.—To the Department of Justice, such
21 sums as are necessary to ensure that there are
22 not fewer than 120 prosecutors and agents em-
23 ployed in the Child Exploitation and Obscenity
24 Section of the Criminal Division.

1 (C) FEDERAL BUREAU OF INVESTIGA-
2 TION.—To the Federal Bureau of Investigation,
3 such sums as are necessary to ensure that the
4 total number of case agents and investigators
5 employed in the Innocent Images National Ini-
6 tiative, the Crimes Against Children Unit, the
7 Child Abduction Rapid Deployment Teams, and
8 the Child Exploitation and Human Trafficking
9 Task Forces of the Federal Bureau of Inves-
10 tigation is not less than 100 more than the
11 total number of such case agents and investiga-
12 tors on the date of enactment of this Act.

13 (D) INTERNATIONAL CENTER FOR MISSING
14 AND EXPLOITED CHILDREN.—To the Depart-
15 ment of Justice, \$20,000,000 for a grant by the
16 Office of Juvenile Justice and Delinquency Pre-
17 vention to the International Center for Missing
18 and Exploited Children, in recognition of the
19 international nature of online sexual exploi-
20 tation, to—

21 (i) expand and utilize the Global Miss-
22 ing Children’s Network Engine to aid in
23 the search and recovery of children who go
24 missing as a result of online child sexual
25 exploitation internationally;

1 (ii) coordinate financial interruption
2 of online child sexual exploitation globally
3 through the Financial Coalitions Against
4 Child Sexual Exploitation;

5 (iii) undertake research on the direct
6 link between online child sexual exploi-
7 tation and incidences of children going
8 missing;

9 (iv) increase the capacity of inter-
10 national law enforcement to prevent, re-
11 spond to, and prosecute offenders commit-
12 ting crimes involving online child sexual ex-
13 ploitation, through training and the devel-
14 opment of best-practice guidelines on the
15 prevention of and response to online child
16 sexual exploitation; and

17 (v) create outcome measurements to
18 determine the impact of training of, and
19 the provision of technical support to, inter-
20 national law enforcement in the prevention
21 of, response to, and prosecution of offend-
22 ers committing crimes involving online
23 child sexual exploitation.

24 (E) NATIONAL CENTER FOR MISSING AND
25 EXPLOITED CHILDREN.—To the Department of

1 Justice, \$15,000,000 for a grant by the Office
2 of Juvenile Justice and Delinquency Prevention
3 to the National Center for Missing and Ex-
4 ploited Children to—

5 (i) ensure that the total number of
6 analysts, engineers, and other employees at
7 the National Center for Missing and Ex-
8 ploited Children supporting, evaluating,
9 and processing child sexual abuse material
10 tips from technology companies is not less
11 than 65 more than the number of such an-
12 alysts, engineers, and other employees on
13 the date of enactment of this Act; and

14 (ii) upgrade and maintain technology
15 infrastructure and methods.

16 (F) INTERNET CRIMES AGAINST CHILDREN
17 TASK FORCES.—To the Department of Justice,
18 \$60,000,000 for grants to States for activities
19 relating to Internet Crimes Against Children
20 Task Forces.

21 (G) NATIONAL CRIMINAL JUSTICE TRAIN-
22 ING CENTER.—To the Department of Justice,
23 \$5,000,000 for a grant to the National Crimi-
24 nal Justice Training Center.

1 (H) CHILDREN'S ADVOCACY PROGRAMS.—
2 To the agency head designated under section
3 201(b) of the Juvenile Justice and Delinquency
4 Prevention Act of 1974 (34 U.S.C. 11111(b)),
5 \$27,000,000 for grants to local children's advo-
6 cacy centers under section 214 of the Victims
7 of Child Abuse Act of 1990 (34 U.S.C. 20304).

8 (I) STREET OUTREACH PROGRAM.—To the
9 Department of Health and Human Services,
10 \$16,000,000 for the Street Outreach Program
11 of the Family and Youth Services Bureau.

12 (b) GRANTS AND TRANSFERS TO AGENCIES, PRO-
13 GRAMS, AND SERVICES.—

14 (1) IN GENERAL.—Using amounts in the Fund,
15 the Director may make grants and transfer funds to
16 Executive agencies for treatment and support for
17 victims of child sexual exploitation and evidence-
18 based programs and services to prevent child sexual
19 exploitation.

20 (2) INCLUDED SERVICES AND PROGRAMS.—In
21 carrying out paragraph (1), the Director may—

22 (A) transfer funds to the Street Outreach
23 Program of the Department of Health and
24 Human Services;

1 (B) make grants to local governments and
2 Indian Tribes for hiring mental health services
3 providers, including school-based mental health
4 services providers to work at public elementary
5 schools and secondary schools;

6 (C) make grants to non-Federal entities or
7 transfer funds to Executive agencies to provide
8 training to mental health services providers, in-
9 cluding school-based mental health services pro-
10 viders to detect cases of child sexual exploi-
11 tation and to treat victims of child sexual ex-
12 ploitation;

13 (D) transfer funds to the Internet Crimes
14 Against Children Task Force program, the Vie-
15 tim Identification program, and the Child Ex-
16 ploitation Investigations Unit of U.S. Immigra-
17 tion and Customs Enforcement;

18 (E) make grants to the National Center
19 for Missing and Exploited Children;

20 (F) make grants to the International Cen-
21 tre for Missing and Exploited Children to
22 streamline the delivery of the resources and
23 technology of the Centre to—

24 (i) law enforcement and other agen-
25 cies in the United States, including the

1 Department of State, for the protection
2 and recovery of citizens of the United
3 States located in foreign countries; and

4 (ii) foreign law enforcement agencies
5 and other entities of foreign governments;

6 (G) make grants to non-Federal entities or
7 transfer funds to Executive agencies to provide
8 community education relating to the detection,
9 prevention, and treatment of victims of child
10 sexual exploitation;

11 (H) make grants to non-Federal entities or
12 transfer funds to Executive agencies to provide
13 information and training to individuals and or-
14 ganizations providing assistance to victims of
15 child sexual exploitation;

16 (I) transfer funds to the agency head des-
17 ignated under section 201(b) of the Juvenile
18 Justice and Delinquency Prevention Act of
19 1974 (34 U.S.C. 11111(b)) for grants to local
20 children's advocacy centers under section 214 of
21 the Victims of Child Abuse Act of 1990 (34
22 U.S.C. 20304);

23 (J) transfer funds to the Innocent Images
24 National Initiative, the Crimes Against Children
25 Unit, the Child Abduction Rapid Deployment

1 Teams, and the Child Exploitation and Human
2 Trafficking Task Forces of the Federal Bureau
3 of Investigation;

4 (K) transfer funds to the Child Exploi-
5 tation and Obscenity Section of the Criminal
6 Division of the Department of Justice;

7 (L) make grants to nonprofit private agen-
8 cies for the purpose of providing street-based
9 services to runaway and homeless, and street
10 youth, who have been subjected to, or are at
11 risk of being subjected to, sexual abuse, pros-
12 titution, sexual exploitation, severe forms of
13 trafficking in persons (as defined in section
14 103(11) of the Trafficking Victims Protection
15 Act of 2000 (22 U.S.C. 7102(11))), or sex traf-
16 ficking (as defined in section 103(12) of the
17 Trafficking Victims Protection Act of 2000 (22
18 U.S.C. 7102(12)));

19 (M) make grants to the National Criminal
20 Justice Training Center; and

21 (N) make grants or transfer funds to any
22 other covered program or agency for programs
23 or activities directed at addressing child sexual
24 exploitation.

25 (c) FUNDING.—

1 (1) IN GENERAL.—There is established in the
2 Treasury a fund to be known as the “Child Sexual
3 Exploitation Treatment, Support, and Prevention
4 Fund”, consisting of amounts transferred under
5 paragraph (2).

6 (2) TRANSFER.—The Secretary of the Treasury
7 shall transfer to the Fund, from the general fund of
8 the Treasury, \$5,000,000,000 for fiscal year 2024,
9 to remain available through September 30, 2033.

10 (3) USE OF FUNDS.—

11 (A) IN GENERAL.—The Director may use
12 amounts in the Fund, without further appro-
13 priation, to carry out this section.

14 (B) SUPPLEMENT NOT SUPPLANT.—
15 Amounts made available to agencies, programs,
16 and services from the Fund shall supplement,
17 but not supplant, regular appropriations for
18 such agencies, programs, and services.

19 (4) CUSTOMS USER FEES.—

20 (A) IN GENERAL.—Section 13031(j)(3) of
21 the Consolidated Omnibus Budget Reconcili-
22 ation Act of 1985 (19 U.S.C. 58c(j)(3)) is
23 amended—

1 (i) in subparagraph (A), by striking
2 “September 30, 2031” and inserting “Au-
3 gust 15, 2032”; and

4 (ii) in subparagraph (B)(i), by strik-
5 ing “September 30, 2031” and inserting
6 “August 15, 2032”.

7 (B) RATE FOR MERCHANDISE PROCESSING
8 FEES.—Section 503 of the United States-Korea
9 Free Trade Agreement Implementation Act
10 (Public Law 112–41; 19 U.S.C. 3805 note) is
11 amended in the matter preceding paragraph (1)
12 by striking “September 30, 2031” and inserting
13 “August 15, 2032”.

14 **SEC. 5. EVALUATION OF PREVENTION PROGRAMS.**

15 The Director, in coordination with the Director of the
16 National Institute of Justice, shall enter into an agree-
17 ment with the Deputy Assistant Secretary for Planning,
18 Research, and Evaluation of the Department of Health
19 and Human Services under which the Deputy Assistant
20 Secretary shall conduct a study and, not later than 6 years
21 after the date of enactment of this Act, publicly issue a
22 report—

23 (1) identifying risk factors that may make cer-
24 tain individuals more vulnerable to child sexual ex-
25 ploitation;

1 (2) identifying the programs with the greatest
2 potential for preventing child sexual exploitation;
3 and

4 (3) evaluating promising programs being devel-
5 oped in the field of child sexual exploitation preven-
6 tion.

7 **SEC. 6. GAO STUDY.**

8 The Comptroller General of the United States, in
9 consultation with the Director, shall study and publicly
10 issue a report documenting all Federal funding (including
11 grants to States, local governments, Indian Tribes, non-
12 profit entities, and other entities) for the prevention, de-
13 tection, enforcement, and treatment of child sexual exploi-
14 tation, which shall separately report on activities relating
15 to child sexual abuse material.

16 **SEC. 7. MODERNIZING THE CYBERTIPLINE.**

17 (a) IN GENERAL.—Chapter 110 of title 18, United
18 States Code, is amended—

19 (1) in section 2258A—

20 (A) in subsection (a)—

21 (i) in paragraph (1)(B)(ii), by insert-
22 ing after “facts or circumstances” the fol-
23 lowing: “, including any available facts or
24 circumstances sufficient to identify and lo-
25 cate each involved individual,”; and

- 1 (ii) in paragraph (2)(A)—
- 2 (I) by inserting “1591 (if the vio-
- 3 lation involves a minor),” before
- 4 “2251,”; and
- 5 (II) by striking “or 2260” and
- 6 inserting “2260, or 2422(b)”;
- 7 (B) in subsection (b)—
- 8 (i) in paragraph (1)—
- 9 (I) by inserting “or location”
- 10 after “identity”; and
- 11 (II) by striking “other identifying
- 12 information,” and inserting “other in-
- 13 formation which may identify or lo-
- 14 cate the involved individual,”; and
- 15 (ii) by adding at the end the fol-
- 16 lowing:
- 17 “(6) FORMATTING OF REPORTS.—When in its
- 18 discretion a provider voluntarily includes any content
- 19 described in this subsection in a report to the
- 20 CyberTipline, the provider shall use best efforts to
- 21 ensure that the report conforms with the structure
- 22 of the CyberTipline.”;
- 23 (C) in subsection (d)(5)(B)—

1 (i) in clause (i), by striking “for-
2 warded” and inserting “made available”;
3 and

4 (ii) in clause (ii), by striking “for-
5 warded” and inserting “made available”;
6 and

7 (D) in subsection (h)—

8 (i) in paragraph (1), by striking “90
9 days” and inserting “180 days”; and

10 (ii) by adding at the end the fol-
11 lowing:

12 “(5) EXTENSION OF PRESERVATION.—A pro-
13 vider of a report to the CyberTipline may voluntarily
14 preserve the contents provided in the report (includ-
15 ing any commingled content described in paragraph
16 (2)) for longer than 180 days after the submission
17 to the CyberTipline for the purpose of reducing the
18 proliferation of online child sexual exploitation or
19 preventing the online sexual exploitation of children.

20 “(6) METHOD OF PRESERVATION.—On and
21 after the date that is 1 year after the date of enact-
22 ment of this paragraph, a provider of a report to the
23 CyberTipline under subsection (a)(1) shall preserve
24 materials under this subsection in a manner that is
25 consistent with most recent version of the Cyberse-

1 security Framework developed by the National Insti-
2 tute of Standards and Technology, or a successor re-
3 source.”; and

4 (2) in section 2258C—

5 (A) in the section heading, by striking
6 “**the CyberTipline**” and inserting
7 “**NCMEC**”;

8 (B) in subsection (a)—

9 (i) in paragraph (1)—

10 (I) by striking “NCMEC” and
11 inserting the following:

12 “(A) PROVISION TO PROVIDERS.—
13 NCMEC”;

14 (II) in subparagraph (A), as so
15 designated, by inserting “or submis-
16 sion to the child victim identification
17 program described in section
18 404(b)(1)(K)(ii) of the Juvenile Jus-
19 tice and Delinquency Prevention Act
20 of 1974 (34 U.S.C.
21 11293(b)(1)(K)(ii))” after
22 “CyberTipline report”; and

23 (III) by adding at the end the
24 following:

1 “(B) PROVISION TO NON-PROFIT ENTI-
2 TIES.—NCMEC may provide hash values or
3 similar technical identifiers associated with vis-
4 ual depictions provided in a CyberTipline report
5 or submission to the child victim identification
6 program described in section 404(b)(1)(K)(ii)
7 of the Juvenile Justice and Delinquency Pre-
8 vention Act of 1974 (34 U.S.C.
9 11293(b)(1)(K)(ii)) to a non-profit entity for
10 the sole and exclusive purpose of preventing
11 and curtailing the online sexual exploitation of
12 children.”; and

13 (ii) in paragraph (2)—

14 (I) by inserting “(A)” after
15 “(1)”;

16 (II) by inserting “or submission
17 to the child victim identification pro-
18 gram described in section
19 404(b)(1)(K)(ii) of the Juvenile Jus-
20 tice and Delinquency Prevention Act
21 of 1974 (34 U.S.C.
22 11293(b)(1)(K)(ii))” after
23 “CyberTipline report”; and

24 (III) by adding at the end the
25 following: “The elements authorized

1 under paragraph (1)(B) shall be lim-
2 ited to hash values or similar tech-
3 nical identifiers associated with visual
4 depictions provided in a CyberTipline
5 report or submission to the child vic-
6 tim identification program described
7 in section 404(b)(1)(K)(ii) of the Ju-
8 venile Justice and Delinquency Pre-
9 vention Act of 1974 (34 U.S.C.
10 11293(b)(1)(K)(ii)).”; and

11 (C) in subsection (d), by inserting “or to
12 the child victim identification program de-
13 scribed in section 404(b)(1)(K)(ii) of the Juve-
14 nile Justice and Delinquency Prevention Act of
15 1974 (34 U.S.C. 11293(b)(1)(K)(ii))” after
16 “CyberTipline”.

17 (b) CONFORMING AMENDMENT.—The table of sec-
18 tions for chapter 110 of title 18, United States Code, is
19 amended by striking the item relating to section 2258C
20 and inserting the following:

“2258C. Use to combat child pornography of technical elements relating to re-
ports made to NCMEC.”.

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