

REFERENCES IN TEXT

This chapter, referred to in par. (8), was in the original “this Act”, meaning Pub. L. 93-415, Sept. 7, 1974, 88 Stat. 1109, known as the Juvenile Justice and Delinquency Prevention Act of 1974, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 5601 of this title and Tables.

PRIOR PROVISIONS

A prior section 402 of Pub. L. 93-415 amended section 3888 of this title and repealed section 3889 of this title, and was repealed by Pub. L. 95-115, §10, Oct. 3, 1977, 91 Stat. 1061, and Pub. L. 107-273, div. C, title II, §12221(a)(4), Nov. 2, 2002, 116 Stat. 1894.

AMENDMENTS

2008—Pub. L. 110-240 amended section generally. Prior to amendment, section consisted of pars. (1) to (5) stating findings of Congress concerning missing or abducted children and the role of the National Center for Missing and Exploited Children.

2003—Pub. L. 108-96 amended section generally. Prior to amendment, section consisted of pars. (1) to (21) stating findings of Congress.

1999—Pars. (9) to (21). Pub. L. 106-71 added pars. (9) to (21).

EFFECTIVE DATE

Subchapter effective Oct. 12, 1984, see section 670(a) of Pub. L. 98-473, set out as an Effective Date of 1984 Amendment note under section 5601 of this title.

SHORT TITLE

For short title of title IV of Pub. L. 93-415, which enacted this subchapter, as the “Missing Children’s Assistance Act”, see section 401 of Pub. L. 93-415, as added by Pub. L. 98-473, set out as a note under section 5601 of this title.

§ 5772. Definitions

For the purpose of this subchapter—

(1) the term “missing child” means any individual less than 18 years of age whose whereabouts are unknown to such individual’s legal custodian;

(2) the term “Administrator” means the Administrator of the Office of Juvenile Justice and Delinquency Prevention; and

(3) the term “Center” means the National Center for Missing and Exploited Children.

(Pub. L. 93-415, title IV, §403, as added Pub. L. 98-473, title II, §660, Oct. 12, 1984, 98 Stat. 2126; amended Pub. L. 106-71, §2(b), Oct. 12, 1999, 113 Stat. 1034; Pub. L. 109-248, title I, §154(b), July 27, 2006, 120 Stat. 611; Pub. L. 109-295, title VI, §689b(c), Oct. 4, 2006, 120 Stat. 1450.)

PRIOR PROVISIONS

A prior section 403 of Pub. L. 93-415 amended section 3883 of this title, and was repealed by Pub. L. 95-115, §10, Oct. 3, 1977, 91 Stat. 1061, and Pub. L. 107-273, div. C, title II, §12221(a)(4), Nov. 2, 2002, 116 Stat. 1894.

AMENDMENTS

2006—Par. (1). Pub. L. 109-295, which directed amendment of par. (1) by striking out “or” at the end of subpar. (A), inserting “or” after the semicolon in subpar. (B), and adding after subpar. (B) subpar. (C) “the individual is an individual under 21 years of age who is displaced from the habitual residence of that individual as a result of an emergency or major disaster (as those terms are defined in section 5122 of this title).”, could not be executed because of the prior amendment by Pub. L. 109-248, see below.

Pub. L. 109-248, which directed amendment of “Section 403(1) of the Comprehensive Crime Control Act of 1984 (42 U.S.C. 5772)” by substituting a semicolon at end for “if—” through subpar. (B), was executed by substituting a semicolon for “if—” and subpars. (A) and (B) of par. (1) of this section, which is section 403 of the Juvenile Justice and Delinquency Prevention Act of 1974, Pub. L. 93-415, as added by section 660 of the Comprehensive Crime Control Act of 1984, to reflect the probable intent of Congress. Prior to amendment, subpars. (A) and (B) read as follows:

“(A) the circumstances surrounding such individual’s disappearance indicate that such individual may possibly have been removed by another from the control of such individual’s legal custodian without such custodian’s consent; or

“(B) the circumstances of the case strongly indicate that such individual is likely to be abused or sexually exploited;”.

1999—Par. (3). Pub. L. 106-71 added par. (3).

§ 5773. Duties and functions of the Administrator**(a) Description of activities**

The Administrator shall—

(1) issue such rules as the Administrator considers necessary or appropriate to carry out this subchapter;

(2) make such arrangements as may be necessary and appropriate to facilitate effective coordination among all federally funded programs relating to missing children (including the preparation of an annual comprehensive plan for facilitating such coordination);

(3) provide for the furnishing of information derived from the national toll-free telephone line, established under subsection (b)(1) of this section, to appropriate entities;

(4) provide adequate staff and agency resources which are necessary to properly carry out the responsibilities pursuant to this subchapter; and

(5) not later than 180 days after the end of each fiscal year, submit a report to the President, Speaker of the House of Representatives, and the President pro tempore of the Senate—

(A) containing a comprehensive plan for facilitating cooperation and coordination in the succeeding fiscal year among all agencies and organizations with responsibilities related to missing children;

(B) identifying and summarizing effective models of Federal, State, and local coordination and cooperation in locating and recovering missing children;

(C) identifying and summarizing effective program models that provide treatment, counseling, or other aid to parents of missing children or to children who have been the victims of abduction;

(D) describing how the Administrator satisfied the requirements of paragraph (4) in the preceding fiscal year;

(E) describing in detail the number and types of telephone calls received in the preceding fiscal year over the national toll-free telephone line established under subsection (b)(1)(A) of this section and the number and types of communications referred to the national communications system established under section 5714-11 of this title;

(F) describing in detail the activities in the preceding fiscal year of the national resource center and clearinghouse established under subsection (b)(2) of this section;