

Pub. L. 98-473, not applicable with respect to any grant or payment made before Oct. 12, 1984, see section 670 of Pub. L. 98-473, set out as a note under section 11101 of this title.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-115 effective Oct. 1, 1977, see section 263(c) of Pub. L. 93-415, as added by Pub. L. 95-115 and repealed by Pub. L. 100-690, title VII, § 7266(2), Nov. 18, 1988, 102 Stat. 4449, formerly set out as a note under section 11101 of this title.

§ 11281. Restriction on use of funds

(a) In general

None of the funds contained in this subchapter may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(b) Separate accounting

Any individual or entity who receives any funds contained in this subchapter and who carries out any program described in subsection (a) shall account for all funds used for such program separately from any funds contained in this subchapter.

(Pub. L. 93-415, title III, § 389, as added Pub. L. 108-96, title I, § 120, Oct. 10, 2003, 117 Stat. 1171.)

CODIFICATION

Section was formerly classified to section 5752 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

SUBCHAPTER IV—MISSING CHILDREN

§ 11291. Findings

The Congress finds that—

(1) each year thousands of children are abducted or removed from the control of a parent having legal custody without such parent's consent, under circumstances which immediately place the child in grave danger;

(2) many missing children are at great risk of both physical harm and sexual exploitation;

(3) many missing children are runaways;

(4) in many cases, parents and local law enforcement officials have neither the resources nor the expertise to mount expanded search efforts;

(5) abducted children are frequently moved from one locality to another, requiring the cooperation and coordination of local, State, and Federal law enforcement efforts;

(6) growing numbers of children are the victims of child sexual exploitation, increasingly involving the use of new technology to access the Internet;

(7) children may be separated from their parents or legal guardians as a result of national disasters such as hurricanes and floods;

(8) sex offenders pose a threat to children;

(9) the Office of Juvenile Justice and Delinquency Prevention administers programs under this chapter through the Child Protection Division, including programs which prevent or address offenses committed against vulnerable children and which support missing children's organizations; and

(10) a key component of such programs is the National Center for Missing and Exploited Children, which—

(A) serves as a national resource center and clearinghouse;

(B) works in partnership with the Department of Justice, the Federal Bureau of Investigation, the United States Marshals Service, the Department of the Treasury, the Department of State, the Bureau of Immigration and Customs Enforcement, the United States Secret Service, the United States Postal Inspection Service, and many other agencies in the effort to find missing children and prevent child victimization; and

(C) operates a national network, linking the Center online with each of the missing children clearinghouses operated by the 50 States, the District of Columbia, and Puerto Rico, as well as with international organizations, including Scotland Yard in the United Kingdom, the Royal Canadian Mounted Police, INTERPOL headquarters in Lyon, France, and others, which enable the Center to transmit images and information regarding missing and exploited children to law enforcement across the United States and around the world instantly.

(Pub. L. 93-415, title IV, § 402, as added Pub. L. 98-473, title II, § 660, Oct. 12, 1984, 98 Stat. 2125; amended Pub. L. 106-71, § 2(a), Oct. 12, 1999, 113 Stat. 1032; Pub. L. 108-96, title II, § 201, Oct. 10, 2003, 117 Stat. 1171; Pub. L. 110-240, § 2, June 3, 2008, 122 Stat. 1560; Pub. L. 113-38, § 2(a), Sept. 30, 2013, 127 Stat. 527.)

REFERENCES IN TEXT

This chapter, referred to in par. (9), 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 of 1974 Act note set out under section 10101 of this title and Tables.

CODIFICATION

Section was formerly classified to section 5771 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 402 of Pub. L. 93-415 amended section 3888 of Title 42, The Public Health and Welfare, and repealed section 3889 of Title 42, 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

2013—Pub. L. 113-38 added par. (3) and redesignated former pars. (3) to (9) as (4) to (10), respectively.

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 11101 of this title.

§ 11292. 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.)

CODIFICATION

Section was formerly classified to section 5772 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section. Some section numbers or references in amendment notes below reflect the classification of such sections or references prior to editorial reclassification.

PRIOR PROVISIONS

A prior section 403 of Pub. L. 93-415 amended section 3883 of Title 42, The Public Health and Welfare, 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).

§ 11293. 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), to appropriate entities;

(4) coordinate with the United States Inter-agency Council on Homelessness to ensure that homeless services professionals are aware of educational resources and assistance provided by the Center regarding child sexual exploitation;

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

(6) not later than 180 days after the end of each fiscal year, submit a report to the President, Speaker of the House of Representatives, the Committee on Education and the Workforce of the House of Representatives, the President pro tempore of the Senate, and the Committee on the Judiciary 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) and the number and types of communications referred to the national communications system established under section 11231 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);

(G) describing all the programs for which assistance was provided under section 11294 of this title in the preceding fiscal year;

(H) summarizing the results of all research completed in the preceding year for which assistance was provided at any time under this subchapter; and

(I)(i) identifying each clearinghouse with respect to which assistance is provided under section 11294(a)(9) of this title in the preceding fiscal year;

(ii) describing the activities carried out by such clearinghouse in such fiscal year;

(iii) specifying the types and amounts of assistance (other than assistance under section 11294(a)(9) of this title) received by such clearinghouse in such fiscal year; and