

Indian tribes, or, at the option of a State, by political subdivisions of such State, to the Secretary of Health and Human Services.

(2) Type of information

The registry described in subsection (a) shall collect in a central electronic registry information on persons reported to a State, Indian tribe, or political subdivision of a State as perpetrators of a substantiated case of child abuse or neglect.

(c) Scope of information

(1) In general

(A) Treatment of reports

The information to be provided to the Secretary of Health and Human Services under this section shall relate to substantiated reports of child abuse or neglect.

(B) Exception

If a State, Indian tribe, or political subdivision of a State has an electronic register of cases of child abuse or neglect equivalent to the registry established under this section that it maintains pursuant to a requirement or authorization under any other provision of law, the information provided to the Secretary of Health and Human Services under this section shall be coextensive with that in such register.

(2) Form

Information provided to the Secretary of Health and Human Services under this section—

(A) shall be in a standardized electronic form determined by the Secretary of Health and Human Services; and

(B) shall contain case-specific identifying information that is limited to the name of the perpetrator and the nature of the substantiated case of child abuse or neglect, and that complies with clauses (viii) and (ix) of section 5106a(b)(2)(A)¹ of title 42.

(d) Construction

This section shall not be construed to require a State, Indian tribe, or political subdivision of a State to modify—

(1) an equivalent register of cases of child abuse or neglect that it maintains pursuant to a requirement or authorization under any other provision of law; or

(2) any other record relating to child abuse or neglect, regardless of whether the report of abuse or neglect was substantiated, unsubstantiated, or determined to be unfounded.

(e) Accessibility

Information contained in the national registry shall only be accessible to any Federal, State, Indian tribe, or local government entity, or any agent of such entities, that has a need for such information in order to carry out its responsibilities under law to protect children from child abuse and neglect.

(f) Dissemination

The Secretary of Health and Human Services shall establish standards for the dissemination

of information in the national registry of substantiated cases of child abuse or neglect. Such standards shall comply with clauses (viii) and (ix) of section 5106a(b)(2)(A)¹ of title 42.

(g) Study

(1) In general

The Secretary of Health and Human Services shall conduct a study on the feasibility of establishing data collection standards for a national child abuse and neglect registry with recommendations and findings concerning—

(A) costs and benefits of such data collection standards;

(B) data collection standards currently employed by each State, Indian tribe, or political subdivision of a State;

(C) data collection standards that should be considered to establish a model of promising practices; and

(D) a due process procedure for a national registry.

(2) Report

Not later than 1 year after July 27, 2006, the Secretary of Homeland Security shall submit to the Committees on the Judiciary in the House of Representatives and the United States Senate and the Senate Committee on Health, Education, Labor and Pensions and the House Committee on Education and the Workforce a report containing the recommendations and findings of the study on data collection standards for a national child abuse registry authorized under this subsection.

(3) Authorization of appropriations

There is authorized to be appropriated \$500,000 for the period of fiscal years 2006 and 2007 to carry out the study required by this subsection.

(Pub. L. 109-248, title VI, § 633, July 27, 2006, 120 Stat. 642.)

REFERENCES IN TEXT

Section 5106a(b)(2)(A) of title 42, referred to in subs. (c)(2)(B) and (f), was redesignated section 5106a(b)(2)(B) of title 42 by Pub. L. 111-320, title I, § 115(c)(2)(A), Dec. 20, 2010, 124 Stat. 3469.

CODIFICATION

Section was formerly classified to section 16990 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 20991. Annual report on enforcement of registration requirements

Not later than July 1 of each year, the Attorney General shall submit a report to Congress describing—

(1) the use by the Department of Justice of the United States Marshals Service to assist jurisdictions in locating and apprehending sex offenders who fail to comply with sex offender registration requirements, as authorized by this chapter;

(2) the use of section 2250 of title 18 to punish offenders for failure to register;

(3) a detailed explanation of each jurisdiction's compliance with subchapter I of this chapter;

(4) a detailed description of Justice Department efforts to ensure compliance and any

¹ See References in Text note below.

funding reductions, the basis for any decision to reduce funding or not to reduce funding under section 20927 of this title; and

(5) the denial or grant of any extensions to comply with subchapter I of this chapter, and the reasons for such denial or grant.

(Pub. L. 109-248, title VI, § 635, July 27, 2006, 120 Stat. 644.)

REFERENCES IN TEXT

This chapter, referred to in par. (1), was in the original “this Act”, meaning Pub. L. 109-248, July 27, 2006, 120 Stat. 587, known as the Adam Walsh Child Protection and Safety Act of 2006. For complete classification of this Act to the Code, see Short Title of 2006 Act note set out under section 10101 of this title and Tables.

Subchapter I of this chapter, referred to in pars. (3) and (5), was in the original “the Sex Offender Registration and Notification Act”, meaning title I of Pub. L. 109-248, July 27, 2006, 120 Stat. 590. For complete classification of title I to the Code, see Short Title of 2006 Act note set out under section 10101 of this title and Tables.

CODIFICATION

Section was formerly classified to section 16991 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

CHAPTER 211—COMBATING CHILD EXPLOITATION

Sec.

21101. Definitions.

SUBCHAPTER I—NATIONAL STRATEGY FOR CHILD EXPLOITATION PREVENTION AND INTERDICTION

21111. Establishment of National Strategy for Child Exploitation Prevention and Interdiction.

21112. Establishment of National ICAC Task Force Program.

21113. Purpose of ICAC task forces.

21114. Duties and functions of task forces.

21115. National Internet Crimes Against Children Data System.

21116. ICAC grant program.

21117. Authorization of appropriations.

SUBCHAPTER II—ADDITIONAL MEASURES TO COMBAT CHILD EXPLOITATION

21131. Additional regional computer forensic labs.

§ 21101. Definitions

In this chapter, 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 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.

(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.

(Pub. L. 110-401, § 2, Oct. 13, 2008, 122 Stat. 4229.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 110-401, Oct. 13, 2008, 122 Stat. 4229, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title of 2008 Act note set out under section 10101 of this title and Tables.

CODIFICATION

Section was formerly classified to section 17601 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

SUBCHAPTER I—NATIONAL STRATEGY FOR CHILD EXPLOITATION PREVENTION AND INTERDICTION

§ 21111. 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 1 year after October 13, 2008, and on February 1 of every second year thereafter, 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,¹ 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 Safety² 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

¹ So in original. The comma probably should not appear.

² So in original. Probably should not be capitalized.