

actions that the Center has taken or is taking under clause (ii).

(C) Public awareness

The Center shall make publicly available information on how an individual may submit a complaint under this section.

(D) Reporting requirement

The Secretary of Homeland Security shall submit an annual report to the appropriate congressional committees (as defined in section 21507 of this title) that includes—

(i) the number of instances in which a notification or information was erroneously transmitted to the destination country of an individual under paragraph (3); and

(ii) the actions taken to prevent similar errors from occurring in the future.

(8) Annual review process

The Center shall establish, in coordination with the Attorney General, the Secretary of State, and INTERPOL, an annual review process to ensure that there is appropriate coordination and collaboration, including consistent procedures governing the activities authorized under this chapter, in carrying out this chapter.

(9) Information required

The Center shall make available to the United States Marshals Service's National Sex Offender Targeting Center information on travel by sex offenders in a timely manner.

(f) Definition

In this section, the term “sex offender” means—

(1) a covered sex offender; or

(2) an individual required to register under the sex offender registration program of any jurisdiction or included in the National Sex Offender Registry, on the basis of an offense against a minor.

(Pub. L. 114–119, § 4, Feb. 8, 2016, 130 Stat. 17.)

Editorial Notes

REFERENCES IN TEXT

The Adam Walsh Child Protection and Safety Act of 2006, referred to in subsec. (e)(1)(C), is Pub. L. 109–248, July 27, 2006, 120 Stat. 587. Title I of the Act, known as the Sex Offender Registration and Notification Act, was classified principally to subchapter I (§16901 et seq.) of chapter 151 of Title 42, The Public Health and Welfare, prior to editorial reclassification as subchapter I (§20901 et seq.) of chapter 209 of this title. 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.

This chapter, referred to in subsec. (e)(8), was in the original “this Act”, meaning Pub. L. 114–119, Feb. 8, 2016, 130 Stat. 15, known as the International Megan’s Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title of 2016 Act note set out under section 10101 of this title and Tables.

CODIFICATION

Section was formerly classified to section 16935b of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 21504. Notification by the United States Marshals Service

(a) In general

The United States Marshals Service's National Sex Offender Targeting Center may—

(1) transmit notification of international travel of a sex offender to the destination country of the sex offender, including to the visa-issuing agent or agents in the United States of the country;

(2) share information relating to traveling sex offenders with other Federal, State, local, and foreign agencies and entities, as appropriate;

(3) receive incoming notifications concerning individuals seeking to enter the United States who have committed offenses of a sexual nature and shall share the information received immediately with the Department of Homeland Security; and

(4) perform such other functions at the Attorney General or the Director of the United States Marshals Service may direct.

(b) Consistent notification

In making notifications under subsection (a)(1), the United States Marshals Service's National Sex Offender Targeting Center shall, to the extent feasible and appropriate, ensure that the destination country is consistently notified in advance about sex offenders under SORNA identified through their inclusion in sex offender registries of jurisdictions or the National Sex Offender Registry.

(c) Information required

For purposes of carrying out this chapter, the United States Marshals Service's National Sex Offender Targeting Center shall—

(1) make the case management system or other system that provides access to a list of individuals who have provided advanced notice of international travel available to the Angel Watch Center;

(2) provide the Angel Watch Center a determination of compliance with title I of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.)¹ for the list of individuals transmitted under section 21503(e)(1)(C) of this title;

(3) make available to the Angel Watch Center information on travel by sex offenders in a timely manner; and

(4) consult with the Department of State regarding operation of the international notification program authorized under this chapter.

(d) Corrections

Upon receiving information that a notification sent by the United States Marshals Service's National Sex Offender Targeting Center regarding an individual was inaccurate, the United States Marshals Service's National Sex Offender Targeting Center shall immediately—

(1) send a notification of correction to the destination country notified;

(2) correct all data collected in accordance with subsection (f); and

(3) if applicable, send a notification of correction to the Angel Watch Center.

¹ See References in Text note below.

(e) Form

The notification under this section may be transmitted through such means as are determined appropriate by the United States Marshals Service's National Sex Offender Targeting Center, including through the INTERPOL notification system and through Federal Bureau of Investigation Legal attaches.

(f) Collection of data

The Attorney General shall collect all relevant data, including—

- (1) a record of each notification sent under subsection (a);
- (2) the response of the destination country to notifications under paragraphs (1) and (2) of subsection (a), where available;
- (3) any decision not to transmit a notification abroad, to the extent practicable;
- (4) the number of transmissions made under paragraphs (1) and (2) of subsection (a) and the countries to which they are transmitted;
- (5) whether the information was transmitted to the destination country before scheduled commencement of sex offender travel; and
- (6) any other information deemed necessary and appropriate by the Attorney General.

(g) Complaint review**(1) In general**

The United States Marshals Service's National Sex Offender Targeting Center shall—

- (A) establish a mechanism to receive complaints from individuals affected by erroneous notifications under this section;
- (B) ensure that any complaint is promptly reviewed; and
- (C) in the case of a complaint that involves a notification sent by another Federal Government entity, notify the individual of the contact information for the appropriate entity and forward the complaint to the appropriate entity for prompt review and response pursuant to this section.

(2) Response to complaints

The United States Marshals Service's National Sex Offender Targeting Center shall, as applicable—

- (A) provide the individual with notification in writing that the individual was erroneously subjected to international notification;
- (B) take action to ensure that a notification or information regarding the individual is not erroneously transmitted to a destination country in the future; and
- (C) submit an additional written notification to the individual explaining why a notification or information regarding the individual was erroneously transmitted to the destination country and describing the actions that the United States Marshals Service's National Sex Offender Targeting Center has taken or is taking under subparagraph (B).

(3) Public awareness

The United States Marshals Service's National Sex Offender Targeting Center shall make publicly available information on how an individual may submit a complaint under this section.

(4) Reporting requirement

The Attorney General shall submit an annual report to the appropriate congressional committees (as defined in section 21507 of this title) that includes—

- (A) the number of instances in which a notification or information was erroneously transmitted to the destination country of an individual under subsection (a); and
- (B) the actions taken to prevent similar errors from occurring in the future.

(h) Definition

In this section, the term “sex offender” means—

- (1) a sex offender under SORNA; or
- (2) a person required to register under the sex offender registration program of any jurisdiction or included in the National Sex Offender Registry.

(Pub. L. 114–119, §5, Feb. 8, 2016, 130 Stat. 20.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (c), was in the original “this Act”, meaning Pub. L. 114–119, Feb. 8, 2016, 130 Stat. 15, known as the International Megan's Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title of 2016 Act note set out under section 10101 of this title and Tables.

The Adam Walsh Child Protection and Safety Act of 2006, referred to in subsec. (c)(2), is Pub. L. 109–248, July 27, 2006, 120 Stat. 587. Title I of the Act, known as the Sex Offender Registration and Notification Act, was classified principally to subchapter I (§16901 et seq.) of chapter 151 of Title 42, The Public Health and Welfare, prior to editorial reclassification as subchapter I (§20901 et seq.) of chapter 209 of this title. 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.

CODIFICATION

Section was formerly classified to section 16935c of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 21505. Implementation

In carrying out this chapter, and the amendments made by this chapter, the Attorney General may use the resources and capacities of any appropriate agencies of the Department of Justice, including the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking, the United States Marshals Service, INTERPOL Washington-U.S. National Central Bureau, the Federal Bureau of Investigation, the Criminal Division, and the United States Attorneys' Offices.

(Pub. L. 114–119, §6(c), Feb. 8, 2016, 130 Stat. 23.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 114–119, Feb. 8, 2016, 130 Stat. 15, known as the International Megan's Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Of-