

Missing and Exploited Children: Background and Policies

(name redacted)

Specialist in Social Policy

March 1, 2017

Congressional Research Service

7-....

www.crs.gov

RL34050

Summary

Beginning in the late 1970s, highly publicized cases of children abducted, sexually abused, and sometimes murdered prompted policymakers and child advocates to declare a missing children problem. At that time, about 1.5 million children were reported missing annually. Though dated, survey data from 1999 provide the most recent and comprehensive information on missing children. The data show that approximately 1.3 million children went missing from their caretakers that year due to a family or nonfamily abduction, running away or being forced to leave home, becoming lost or injured, or for benign reasons, such as a miscommunication about schedules. Nearly half of all missing children ran away or were forced to leave home, and nearly all missing children were returned to their homes. The number of children who are sexually exploited is unknown because of the secrecy surrounding exploitation; however, in the 1999 study, researchers found that over 300,000 children were victims of rape; unwanted sexual contact; forceful actions taken as part of a sex-related crime; and other sex-related crimes that do not involve physical contact with the child, including those committed on the Internet.

Recognizing the need for greater federal coordination of local and state efforts to recover missing and exploited children, Congress created the Missing and Exploited Children's (MEC) program in 1984 under the Missing Children's Assistance Act (P.L. 98-473, Title IV of the Juvenile Justice and Delinquency Prevention Act of 1974). The act directed the U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention (OJJDP) to establish a toll-free number to report missing children and a national resource center for missing and exploited children; coordinate public and private programs to assist missing and exploited children; and provide training and technical assistance to recover missing children.

Since 1984, the National Center for Missing and Exploited Children (NCMEC) has served as the national resource center and has carried out many of the objectives of the act in collaboration with OJJDP. In addition to NCMEC, the MEC program supports (1) the Internet Crimes Against Children (ICAC) Task Force program to assist state and local enforcement cyber units in investigating online child sexual exploitation; (2) training and technical assistance for state AMBER (America's Missing: Broadcast Emergency Response) Alert systems, which publicly broadcast bulletins in the most serious child abduction cases; and (3) other initiatives, including a membership-based nonprofit missing and exploited children's organization that assists families of missing children and efforts to respond to child sexual exploitation through professional training.

The Missing Children's Assistance Act has been amended multiple times, most recently by the E. Clay Shaw, Jr. Missing Children's Assistance Reauthorization Act (P.L. 113-38). This authorization, which expires at the end of FY2018, specified new provisions such as requiring more regular (every three years) studies on missing and sexually exploited children and implementing new accountability standards for grant recipients. The ICAC Task Force program was authorized separately under the PROTECT Our Children Act of 2008 (P.L. 110-401), as amended, through FY2013. The AMBER Alert program is authorized under the PROTECT Act (P.L. 108-21). P.L. 108-21 authorized funding for the program in FY2004. Congress has continued to provide funding for the ICAC Task Force program and AMBER Alert in years following the expiration of their authorizations. Missing and exploited children's activities are collectively funded under a single appropriation for the MEC program.

For FY2016, Congress appropriated \$72.2 million to the program. The majority of the funds were allocated to NCMEC (\$28.3 million) and the ICAC Task Force program (\$27.6 million).

Contents

Introduction	1
Demographics of Missing and Exploited Children	2
Overview	2
Missing Children	3
NISMART-2	3
Defining Child Sexual Exploitation	4
Incidents of Child Sexual Exploitation	5
NISMART-2	5
National Survey of Children's Exposure to Violence	6
Description and Funding of the Missing and Exploited Children's (MEC) Program	6
Overview	6
Administration and Funding	7
National Center for Missing and Exploited Children	10
Missing Children's Services	10
Call Center	10
Case Management	11
Project ALERT (America's Law Enforcement Retiree Team)	11
Team Adam	12
Forensic Services Unit	12
International Missing Children's Cases	13
Exploited Children's Division	13
The Child Victim Identification Program (CVIP)	14
CyberTipline	14
Sex Offender Tracking Team	16
Child Sex Trafficking Team	16
Family Advocacy Services	16
Training and Technical Assistance	16
Partnerships	17
Work with Federal Agencies	17
Work with State Clearinghouses	17
Public-Private Partnerships	17
Background Screening Pilot Program	17
Financial Coalition Against Child Pornography	18
Community Outreach	18
Internet Crimes Against Children (ICAC) Task Force	18
ICAC Task Forces	18
National ICAC Data System (NIDS)	19
National Strategy for Child Exploitation Prevention and Interdiction	20
AMBER Alert Program	21
Program Administration	22
DOJ Grant	22
DOT Grant	23
AMBER Alert Training and Technical Assistance	23
Other Program Activities	23

Tables

Table 1. Actual Funding for the Missing and Exploited Children’s Program by Component, FY2005 to FY2016	9
--	---

Table A-1. The Missing Children’s Assistance Act of 1984 and Amendments to the Act.....	25
---	----

Appendixes

Appendix. The Missing Children’s Assistance Act of 1984, as Amended	25
---	----

Contacts

Author Contact Information	27
----------------------------------	----

Introduction

Beginning in the late 1970s, highly publicized cases of children abducted, sexually abused, and sometimes murdered prompted policymakers and child advocates to declare a missing children problem. At that time, advocates estimated that 1.5 million children were reported missing annually, and that some children who went missing were sexually exploited. In some parts of the country, nonprofit organizations formed by the parents of missing children were often the only entities that organized recovery efforts and provided counseling for victimized families.

Recognizing the need for greater federal coordination of local and state efforts to assist missing and exploited children and to publicize information about this population, Congress created the Missing and Exploited Children's (MEC) program in 1984 under the Missing Children's Assistance Act (P.L. 98-473, Title IV of the Juvenile Justice and Delinquency Prevention Act of 1974). The act directed the U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention (OJJDP) within the Office of Justice Programs (OJP) to establish both a toll-free number to report missing children and a national resource center and clearinghouse to provide information; coordinate public and private missing and exploited children's programs; and provide training and technical assistance related to missing children. Since 1984, the National Center for Missing and Exploited Children (NCMEC), a nonprofit organization in VA, has carried out these duties in collaboration with OJJDP.

The MEC program supports a range of activities authorized under the Missing Children's Assistance Act and other laws.¹ In addition to NCMEC, the MEC provides funding for (1) the Internet Crimes Against Children (ICAC) Task Force program to assist state and local enforcement cyber units in investigating online child sexual exploitation; (2) training and technical assistance for state AMBER (America's Missing: Broadcast Emergency Response) Alert systems, which publicly broadcast bulletins in the most serious child abduction cases; and (3) other initiatives, including efforts to respond to child sexual exploitation. Parts of the program were most recently reauthorized under the E. Clay Shaw, Jr. Missing Children's Assistance Reauthorization Act (P.L. 113-38) for FY2014 through FY2018. P.L. 113-38 authorizes appropriations of \$40 million for each of FY2014 through FY2018, for the Administrator of the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to fund activities carried out under the act. Of this amount, up to \$32.2 million is to be used annually for NCMEC.²

This report covers only select aspects of the broader topic of missing and exploited children.³ It begins with an overview of the scope of the missing and exploited children issue, including definitions and approximate numbers of children known to be missing or exploited. This section also discusses the limitations of data on missing or exploited youth. The report then provides

¹ The Missing Children's Assistance Act, which outlines the duties of OJJDP and NCMEC, is codified at 42 U.S.C. §5771 et seq. (Chapter 72, Juvenile Justice and Delinquency Prevention). The act was most recently reauthorized by the E. Clay Shaw, Jr. Missing Children's Assistance Reauthorization Act (P.L. 113-38). The ICAC Task Force program is codified at 42 U.S.C. §17601 et seq. (Chapter 154, Combating Child Exploitation) and was authorized under the PROTECT Our Children Act of 2008 (P.L. 110-401), as amended by the Child Protection Act of 2012 (P.L. 112-206). The AMBER Alert program is codified at 42 U.S.C. §5791 (Chapter 72, Juvenile Justice and Delinquency Prevention) and was authorized under the PROTECT Act (P.L. 108-21).

² NCMEC coordinates and is involved with several federal activities relating to missing and exploited children. Some of these activities are funded from sources other than the MEC program, although the largest share of federal funds for NCMEC is provided through the program.

³ For further information, see CRS Report R41878, *Sex Trafficking of Children in the United States: Overview and Issues for Congress*, by (name redacted), (name redacted), and (name redacted); and CRS Report RL33785, *Runaway and Homeless Youth: Demographics and Programs*, by (name redacted).

information about the MEC program's funding, oversight, and major components. The end of the report includes an **Appendix** that presents the major provisions of the Missing Children's Assistance Act of 1984 and amendments to the act.

Demographics of Missing and Exploited Children

Overview

As a policy issue, missing children are often included in discussions of sexual victimization. Missing children and sexually exploited children are distinct but overlapping populations. The term "missing child" is defined under the Missing Children's Assistance Act as an individual under age 18 whose whereabouts are unknown to that individual's legal custodian.⁴ Children who go missing—and children who are not missing—may be sexually exploited. Although the act does not define child sexual exploitation, federal statutes, both criminal and civil, specify acts of sexual exploitation for purposes of prosecuting offenders and providing minimum standards of child abuse for states to use in their own definitions of child abuse.

The actual number of children who are currently missing or exploited is unknown. The Missing Children's Assistance Act requires OJJDP to conduct incidence studies of the number of missing children, the number of children missing due to a stranger abduction or parental abduction, and the number of missing children who are recovered.⁵ Since the act's passage in 1984, two national incidence studies, known as the National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children (NISMART 1 and 2), have been conducted. However, the studies are dated (one was conducted in 1988 and the other in 1999) and provide limited information about children who were sexually exploited. A third national incidence study has been commissioned by OJJDP.⁶ As with NISMART-2, the study, known as NISMART-3, is measuring the number of stereotypical kidnappings by strangers and the prevalence of familial abductions; lost, injured, or otherwise missing children; runaway children; and thrownaway children. These figures are being derived from surveys of households, juvenile residential facilities, law enforcement agencies, and other entities that record information on missing child episodes.⁷

⁴ This definition is codified at 42 U.S.C. §5772. It was changed in 2006 under P.L. 109-248. Previously, the definition included an individual under age 18 whose whereabouts are unknown to that individual's legal custodian if (a) the circumstances surrounding his or her disappearance indicate that the individual may possibly have been removed by another individual from the control of his or her legal custodian without the custodian's consent or (b) the circumstances of the case strongly indicate that the individual is likely to be abused and sexually exploited.

⁵ 42 U.S.C. §5773(c). P.L. 113-38 amended the prior law by changing the requirement for OJJDP to conduct incidence studies of missing children from "periodically" to "triennially."

⁶ U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, Grant Solicitation, *OJJDP FY 2010 National Incidence Studies of Missing, Abducted, Runaway, and Thrownaway Children 3*, 2010, <http://www.ojjdp.gov/grants/solicitations/FY2010/NISMART3.pdf>.

⁷ The NISMART-3 grant was awarded to the Rockville Institute. Funding was first provided in FY2010, and extends through FY2017. Based on this work, DOJ has issued a report on stereotypical kidnappings. The report indicates that 105 children were victims of stereotypical kidnappings. Janis Wolak, David Finkelhor, and Andrea J. Sedlak, "Child Victims of Stereotypical Kidnappings Known to Law Enforcement in 2011," U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, *Juvenile Justice Bulletin*, June 2016, <http://www.ojjdp.gov/pubs/249249.pdf>.

Missing Children

NISMART-2

NISMART-2 is the most comprehensive survey to date about missing children. The study, fielded in 1999, relied on a random sample of households and juvenile facilities to develop estimates.⁸ NISMART-2 includes five categories of missing children (1) nonfamily abductions; (2) family abductions; (3) missing involuntary, lost, or injured; (4) missing benign; and (5) runaway or throwaway. The study classifies children as “caretaker missing” and “reported missing” cases. For an episode to qualify as “caretaker missing,” the child’s whereabouts must have been unknown to the primary caretaker, with the result that the caretaker was alarmed for at least one hour and tried to locate the child. In this circumstance, a child could have been missing for benign reasons, such as miscommunication about schedules. A “caretaker missing” child was considered “reported missing” if a caretaker contacted the police or a missing children’s agency to locate the child.⁹

NISMART-2 combined the data across the five categories to calculate a total number for both caretaker missing and reported missing episodes. The survey found that 1,315,600 children were missing based on the caretaker missing definition. In about 798,000 (61%) of these cases, parents reported their child missing to the police or a missing children’s agency. Nearly all (99.8%) caretaker missing children were recovered. Approximately 2,500 (0.2%) “caretaker missing” children had not returned home or been located, and the majority of these children were runaways from institutions.¹⁰

NISMART-2 shows that the children missing tended to be teenagers, male, and white. About half (45% of caretaker missing and 44% of reported missing) of missing children were between the ages of 15 and 17. The next largest share of children (31% and 30%) were between the ages of 12 and 14 in both categories, followed by children ages 6 to 11 (13% and 14%) and children 0 to 5 (11% and 12%). A majority of the children were male—57% of the caretaker missing children and 51% of the reported missing children. Whites made up the greatest proportion (57% and 54%) of children, followed by Hispanic (18% and 21%) and black (16% and 19%) children.

Stereotypical kidnapping—in which a stranger or slight acquaintance detained the child overnight, traveled at least 50 miles, and held the child for ransom or killed the child—is a type of nonfamily abduction. Extensive media coverage about stereotypical kidnapping cases, such as those involving Adam Walsh (1981), Polly Klaas (1993), and Elizabeth Smart (2002), may contribute to the belief that these missing children incidents are common. However, such cases are rare. With the caveat that NISMART-2 data on stereotypical kidnappings are not entirely reliable because estimates are based on too few sample cases, about 90 of the reported missing

⁸ Researchers conducted telephone surveys of adults and children in homes, as well as telephone surveys of staff who worked with youth living in juvenile facilities, including shelters for runaway and homeless youth, residential treatment centers, group homes, and youth detention centers. One limitation of the study is that it does not count individuals living in households without telephones or those not living in households, including youth living on the streets and homeless families. The study combined data from four sources: the National Household Survey of Adult Caretakers, the National Household Survey of Youth, Law Enforcement Study, and Juvenile Facilities Study. Each sampled child was counted only once in the combined estimate. See Andrea J. Sedlak et al., *National Estimates of Missing Children: An Overview*, U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, October 2002, p. 5.

⁹ Some children reported in NISMART-2 were missing, but their caretakers may not have been alarmed or contacted authorities; these children were identified as “non-missing.”

¹⁰ Ibid., p. 6.

nonfamily abduction victims in 1999 experienced a stereotypical kidnapping.¹¹ Although nonfamily abductions rarely result in more serious cases, children who are not recovered immediately in such cases are at increased risk of becoming harmed. Studies show that the first three hours after an abduction are the most crucial for the recovery of the child. Just over three-quarters of abducted children who are murdered are dead within three hours of the abduction.¹²

Defining Child Sexual Exploitation

Child sexual exploitation generally refers to the use of a child for the sexual gratification of an adult, and a child can be exploited regardless of whether he or she goes missing.¹³ This exploitation includes a continuum of exploitation ranging from child sexual molestation to the production of child pornography and trafficking of children for sexual purposes. Both Title 18 (Crimes and Criminal Procedure) and Title 42 (Public Health and Welfare) of the U.S. Code address sexually exploitative acts involving children.

Title 18 prohibits the following crimes involving the sexual exploitation of children: commerce in child pornography;¹⁴ crossing state lines to engage in a sexual act with a child; engaging in child prostitution and child sex trafficking across state lines; transferring obscene material to a child by mail or through interstate or foreign travel; traveling abroad to engage in a sexual act with a child; and using a misleading domain name, words, or digital images on the Internet with the intent to deceive a minor into viewing material that is harmful to that minor.¹⁵ NCMEC fields reports of sexual crimes against children through its CyberTipline, which includes eight categories that are mostly based on these federal criminal statutes. In addition, state and local law enforcement agencies have the authority to investigate these crimes because child sexual exploitation is generally outlawed in all 50 states and the District of Columbia.¹⁶

Title 42 provides two types of definitions related to child sexual exploitation. First, 42 U.S.C. Section 5101g, as enacted by the Child Abuse Prevention and Treatment Act (CAPTA, as amended), provides the minimum standards of child abuse—including child sexual abuse—that states must incorporate into their statutory definitions of child abuse and neglect in order to be eligible to receive funding under CAPTA.¹⁷ According to CAPTA, the term “sexual abuse”

¹¹ David Finkelhor, Heather Hammer, and Andrea J. Sedlak, *Nonfamily Abducted Children: National Estimates and Characteristics*, U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, October 2002, p. 6, <http://www.ncjrs.gov/pdffiles1/ojdp/196467.pdf>.

¹² Katherine M. Brown et al., *Case Management for Missing Children Homicide Investigation*, Office of the Attorney General, State of Washington and U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, May 2006, p. 13, http://www.missingkids.com/en_US/documents/homicide_missing.pdf.

¹³ David Finkelhor et al., *A Sourcebook on Child Sexual Abuse* (Beverly Hills: Sage Publications, 1984), pp. 22-27 and Richard J. Estes, *The Sexual Exploitation of Children: A Working Guide to the Empirical Literature*, August 2001, p. 6.

¹⁴ This includes possessing, receiving, reproducing, distributing, and advertising to receive, trade, buy, or distribute child pornography. It also extends to a parent or guardian who permits a minor to produce a visual depiction of sexually explicit conduct. Notably, federal courts have upheld the constitutionality of federal child pornography statutes that criminalize intrastate possession by finding the activity sufficiently connected to Congress’s broader scheme of regulating the interstate commercial market for child pornography. For further information, see CRS Report RL30315, *Federalism, State Sovereignty, and the Constitution: Basis and Limits of Congressional Power*, by (name redacted).

¹⁵ Most federal criminal statutes on child sexual exploitation are in Chapters 71, 77, 109A, 109B, 110, and 117 of Title 18 of the U.S. Code.

¹⁶ National District Attorneys Association, National Center for Prosecution of Child Abuse, “NCPA State Statutes,” http://www.ndaa.org/ncpa_state_statutes.html. See statutes pertaining to child pornography, prostitution of children, child protection, sexual offenses, and trafficking.

¹⁷ U.S. Department of Health and Human Services, Child Welfare Information Gateway, *Definitions of Child Abuse* (continued...)

includes “(1) the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or to assist any other person to engage in, any sexually explicit conduct or simulation of such conduct for the purpose of producing a visual depiction of such conduct; or (2) the rape, and in cases of inter-familial relationships, statutory rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children.” Guardians of children under age 18 who are investigated for engaging in these acts or failing to adequately protect their children from such acts may be penalized under state civil and criminal procedures governing child abuse and neglect. The law also defines child sex trafficking victims as victims of “child abuse and neglect” and “sexual abuse” for purposes of CAPTA. States may define “child” as an individual under the age of 24 for the purpose of defining victims of child sex trafficking as victims of “child abuse and neglect” and “sexual abuse.”

Second, specified crimes of sexual exploitation are defined under 42 U.S.C. Section 16911, as enacted by the Adam Walsh Child Protection and Safety Act of 2006 (P.L. 109-248). The law modified federal guidelines for state programs that require individuals convicted of crimes against children or sexually violent crimes to register his or her address.¹⁸ Specified crimes of sexual exploitation requiring offender registration include criminal sexual conduct against a minor; solicitation of a minor to engage in sexual conduct; use of a minor in a sexual performance; solicitation of a minor to practice prostitution; video voyeurism (such as watching a child on a web-cam); possession, production, manufacture, and distribution of child pornography; criminal sexual conduct involving a minor or the use of the Internet to facilitate or attempt such conduct; and any conduct that by its nature is a sex offense against a minor.

Incidents of Child Sexual Exploitation

The true number of sexual exploitation incidents—whether they accompany missing children cases or not—is unknown because this type of abuse often goes undetected. In addition, studies of child sexual exploitation report varying numbers because of differences in their methodology, the time periods in which the data were collected, and how exploitation is defined. Nonetheless, two sources—NISMART-2 and the National Survey of Children’s Exposure to Violence—provide some insight into the prevalence of sexual exploitation. In short, the data show that a significant number and share of children under age 18 have been sexually victimized.

NISMART-2

In addition to asking questions about children going missing, NISMART-2 surveyed a representative sample of children under age 18 and their caretakers about whether children were victims of sexual exploitation. The study found that in 1999 approximately 285,400 children were victims of sexual assault, which encompasses unwanted sexual conduct involving the use of force or threat.¹⁹ Examples of sexual assault include rape, unwanted sexual conduct when the perpetrator touches the child’s private parts, or when the child is forced or coerced to touch the

(...continued)

and Neglect: Summary of State Laws, http://www.childwelfare.gov/systemwide/laws_policies/statutes/define.pdf.

¹⁸ This program was originally created under the Jacob Wetterling Crimes Against Children Act and Sexually Violent Offender Registration Act, codified at 42 U.S.C. §14701 (Title XVII of the Violent Crime Control and Law Enforcement Act of 1994, P.L. 103-322).

¹⁹ David Finkelhor, Heather Hammer, and Andrea J. Sedlak, *Sexually Assaulted Children: National Estimates and Characteristics*, U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, August 2008, <http://www.ncjrs.gov/pdffiles1/ojjdp/214383.pdf>.

perpetrator's private parts. An additional 35,000 children were victims of other sex offenses that did not involve physical contact or force, primarily acts of exhibitionism or voyeurism. In total, more than 300,000 children were believed to have been sexually victimized in 1999.

National Survey of Children's Exposure to Violence

The National Survey of Children's Exposure to Violence, conducted by the University of New Hampshire with support from OJJDP, examines the incidence and prevalence of children's exposure to violence.²⁰ Researchers interviewed a nationally representative sample of children under age 18 and their caretakers by phone. They asked whether children had experienced certain forms of violence and victimization, including sexual victimization, within the past year and over their lifetime. The sexual victimization category encompasses seven types of victimization: sexual conduct or fondling by an adult the child knew, sexual conduct or fondling by an adult stranger, sexual contact or fondling by another child or teenager, attempted or completed intercourse, exposure or "flashing," sexual harassment, and consensual sexual conduct with an adult. The study found that 1 in 16 (6.1%) surveyed children and youth were sexually victimized in the past year and nearly 1 in 10 (9.8%) were sexually victimized over their lifetimes. Girls were more likely than boys to report that they had been sexually victimized, with 7.4% of girls reporting sexual victimization within the past year and 12.2% reporting victimization over their lifetimes. Female adolescents ages 14 to 17 had the highest rate of victimization. Nearly 8% had been sexually victimized within the past year and 18.7% had been sexually victimized over their lifetimes.

Description and Funding of the Missing and Exploited Children's (MEC) Program

Overview

The MEC program is the centerpiece of federal efforts to prevent the abduction and exploitation of children and to recover those children who do go missing. Components of the program were created by the Missing Children's Assistance Act of 1984 in response to increasing concern about the abduction and sexual exploitation of children in the late 1970s and early 1980s.²¹ At that time, many of the victims' families and communities perceived that kidnappings were becoming more commonplace. Prominent cases of missing children were highly publicized and a docudrama, "Adam," depicted the story of abducted six-year-old Adam Walsh, son of John and Revé Walsh.²²

Testimony at congressional hearings about missing children further reinforced the perception of a missing children problem. Witnesses testified that as many as 1.8 million children were missing. They also highlighted the accompanying sexual exploitation that children often experienced

²⁰ David Finkelhor et al., *Children's Exposure to Violence: A Comprehensive National Survey*, U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, October 2009, <http://www.ncjrs.gov/pdffiles1/ojjdp/227744.pdf>.

²¹ The Missing Children Act of 1982 (P.L. 97-292) was the first piece of legislation related to missing children. The legislation added one new section to existing law (at the time) that directed the Attorney General to keep records on missing children in the National Crime Information Center's (FBI) Missing Persons File and to disseminate those records to state and local agencies. That law neither created new federal jurisdiction over missing children's programs nor required federal law enforcement officials to coordinate missing children efforts.

²² Martin L. Forst and Martha-Elin Blomquist, *Missing Children* (New York: Lexington Books, 1991), pp. 56-66.

during missing episodes. Senator Mitch McConnell, then chairman of the Kentucky Task Force on Exploited and Missing Children, said that the nexus between exploited and missing children was evident by the fact that nearly 10% of 844 missing children in one Kentucky county were sexually exploited.²³ Hearings on the act also underscored the need for the federal government to coordinate efforts to locate missing children and prosecute their abductors. McConnell testified:

Communities such as mine and states such as Kentucky are attempting to do all that they can to assist missing children and better protect all children from exploitation and abuse. There is a point, however, beyond which we cannot go and where our resources cannot reach. [A national missing children program] picks up where our work leaves off and will go a long way toward plugging the holes and gaps in the system.

The Missing Children's Assistance Act was passed shortly thereafter to address concerns about coordination and to direct the OJJDP Administrator to lead federal efforts to recover missing children through the MEC program. The legislation established a national resource center and clearinghouse designed to provide technical assistance to state and local governments and law enforcement agencies, as well as disseminate information about the national incidence of missing children. Further, the OJJDP Administrator was directed to establish a toll-free telephone line to report information about missing children.

The Missing Children's Assistance Act has been amended multiple times since 1984. Major amendments include (1) requiring OJJDP to disseminate information about free or low-cost legal, restaurant, lodging, and transportation services to families of missing children (P.L. 100-690); (2) formalizing NCMEC's role as the nation's clearinghouse for missing and exploited children and authorizing separate funding levels for NCMEC (P.L. 106-71); (3) formalizing NCMEC's role in overseeing activities to track reports of online child sexual exploitation (P.L. 108-21); (4) codifying and expanding many of the activities already carried out by NCMEC (P.L. 110-240); and (5) requiring more regular (every three years) studies on missing and sexually exploited children and implementing new accountability standards for grant recipients (P.L. 113-38). The **Appendix** provides a description of the original act and its amendments.

As mentioned, the MEC program also provides funding for activities authorized under separate laws. The ICAC Task Force program was authorized under the PROTECT Our Children Act of 2008 (P.L. 110-401) and the AMBER Alert program was authorized under the PROTECT Act (P.L. 108-21).

Administration and Funding

The Child Protection Division in OJJDP (under the Office of Justice Programs) administers the MEC program. NCMEC has served as the national resource center and clearinghouse since 1984.

The MEC program was first funded at \$4 million in FY1985 and has steadily received funding increases in most subsequent years beginning in 1991. Funding more than doubled from \$6 million in FY1997 to \$12.3 million in FY1998, when the ICAC Task Force program was implemented. Another funding peak, from FY2004 to FY2005, was the result of increased funds for NCMEC. Funding increased again—from \$50 million in FY2008 to \$70 million—in FY2009, the year following the most recent reauthorization of the program. Also in FY2009, Congress appropriated funding for the program under the American Recovery and Reinvestment Act (P.L. 111-5). ARRA provided funding for myriad federal programs and initiatives to address the

²³ Testimony of Mitch McConnell, in U.S. Congress, Senate Committee on the Judiciary, Subcommittee on Juvenile Justice, *Missing Children's Assistance Act* hearing, 98th Congress, 2nd sess., February 7, 1984 (Washington: GPO, 1984).

economic recession that began in December 2007 and extended through June 2009. The law appropriated \$50 million for the ICAC Task Force program.

Table 1 shows the total funding and funding for each of the components from FY2004 through FY2016. NCMEC has received the most funding in each of these years, followed by the ICAC Task Force program. In some years, the AMBER Alert program has received the next highest level of funding, followed by funding for other activities. These activities include program administration, support services for missing children's organizations, and grant programs that can vary from year to year.

FY2016 Funding

MEC program funding for FY2016 was \$72.2 million. As with prior appropriations legislation, the FY2016 appropriations law (P.L. 114-113) did not specify the level of funds for each of the program's components. DOJ allocated the funds for the program toward the end of the fiscal year.

FY2015 Funding

Initial FY2015 funding for the MEC program and other Department of Justice programs extended through December 13, 2015, under two short-term continuing resolutions (P.L. 113-164 and P.L. 113-202). Full-year FY2015 funding was provided for under the Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113-235). The MEC program was funded at \$68 million. DOJ provided \$61 million for the program, with the remaining \$7 million reallocated for other expenses within the Office of Justice Programs.²⁴

²⁴ Based on correspondence with the U.S. Department of Justice, Office of Legislative Affairs, October 2015.

Table 1. Actual Funding for the Missing and Exploited Children's Program by Component, FY2005 to FY2016

(in thousands of dollars)

Program Component	FY2005	FY2006	FY2007	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014	FY2015 ^a	FY2016 ^b
NCMEC	\$25,751	\$26,259	\$26,500	\$24,740	\$30,488	\$30,496	\$30,130	\$26,623	\$25,500	\$26,005	\$25,700	\$28,343
ICAC Task Force Program	13,320	14,133	11,779 ^c	15,950	25,000 ^d	28,800 ^d	28,583	25,670	25,050	27,049	27,049	\$27,600
AMBER Alert Training and Technical Assistance	4,923	4,936	5,000	4,481	5,000	3,150	4,075	2,515	2,364	N/A ^e	2,402	\$2,400
Other Missing and Exploited Children's Activities ^f	2,290	2,059	4,108	4,829	9,512	7,554	7,072	10,192	9,478	13,946	5,865	\$13,796
<i>Total Funding</i>	<i>\$46,274</i>	<i>\$47,387</i>	<i>\$47,387</i>	<i>\$50,000</i>	<i>\$70,000</i>	<i>\$70,000</i>	<i>\$69,860</i>	<i>\$65,000</i>	<i>\$62,392</i>	<i>\$67,000</i>	<i>\$61,016</i>	<i>\$72,139</i>

Sources: Congressional Research Service, based on information provided by the U.S. Department of Justice, Office of Justice Programs, March, July, and October 2014 and October 2015; Continuing and Further Continuing Appropriations Act, 2013 (P.L. 113-6); Rules Committee Print 113-32 on the amendment to H.R. 3547, which was enacted as P.L. 113-67; and Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113-235). Appropriations reflect rescissions where applicable, and the FY2013 appropriations reflect amounts post-sequestration as required under the terms of the Budget Control Act of 2011 (P.L. 112-25) and the Balanced Budget and Emergency Deficit Control Act of 1985 (P.L. 99-177), as amended; correspondence with the U.S. Department of Justice, Office of Legislative Affairs, October 2015 and October 2016; and Consolidated Appropriations Act (P.L. 114-113).

Notes: N/A means not applicable.

- a. The FY2015 appropriation was \$68,000,000. Of this amount, \$6,983,865 was reprogrammed for other activities under the Office of Justice Programs (OJP).
- b. The FY2016 appropriation was \$72,160,000. Of this amount, \$21,00,000 was unobligated.
- c. The ICAC Task Force Program received an additional \$11.5 million in 2007 through the Byrne Discretionary Grant Program to expand the program, provide training and technical assistance, and improve the forensic capabilities of and reduce the backlog of cases handled by the task forces. These funds are not included in this table.
- d. The ICAC received \$50 million under the American Recovery and Reinvestment Act (ARRA, P.L. 111-5) to support four ICAC activities authorized under the PROTECT Our Children Act of 2008 (P.L. 110-401): (1) ICAC grants; (2) ICAC Training and Technical Assistance grant; (3) ICAC Research grants to encourage innovative and independent research and data collection to further understand the scope and prevalence of technology and Internet crimes against children; and (4) the National ICAC Data System. These funds are not included in this table.
- e. Remaining funds from previous years were carried over to support AMBER Alert activities through FY2014.
- f. Includes funding for program administration, support services for missing children's organizations, and grant programs that can vary from year to year.

The remainder of this report discusses the components of the MEC program and issues for Congress.

National Center for Missing and Exploited Children

NCMEC is a primary component of the MEC program and employs more than 300 employees at its Alexandria, VA, headquarters and regional offices in California, Florida, New York, and Texas. These regional offices provide case management and technical support in their geographic areas.

NCMEC provides multiple activities and services pertaining to (1) missing children, including those abducted to or from the United States; (2) exploited children; (3) training and technical assistance; (4) families of missing children; and (5) partnerships with state clearinghouses, the private sector, and children's organizations. These activities and services are detailed in the next section.²⁵ Note that some missing children and exploited children programs are not mutually exclusive, and this report does not provide an exhaustive discussion of all services provided by NCMEC.²⁶

In addition to funding through the MEC program, NCMEC is also funded through private contributions, other DOJ grants, and the United States Secret Service (USSS) in the Department of Homeland Security. Pursuant to the Violent Crime and Law Enforcement Act of 1994 (P.L. 103-322), Congress has mandated that the USSS provide forensic and technical assistance to NCMEC and federal, state, and local law enforcement agencies in matters involving missing and exploited children. In recent years, funding provided by the Secret Service has been transferred to OJP to be provided directly to NCMEC.

Missing Children's Services

Call Center

NCMEC's Call Center receives calls on its 24-hour, national and international toll-free hotline (1-800-THE-LOST) primarily from parents and law enforcement officials. From October 1984 through the end of FY2016, the Center handled 4.3 million calls with reports on missing children; sightings of missing children; and requests for assistance, information, and technical assistance from families of missing children, law enforcement agencies, and others.²⁷ In FY2016, the total number of calls was 139,661.²⁸ Calls for services involving missing-children cases ("case" labels are based on one or more children and do not represent a single incident), leads or sightings of missing children, and requests for information and assistance. Since 1987, reports of child sexual exploitation received through the CyberTipline are routed to the Call Center.²⁹ Call Center staff assist law enforcement and other professionals in cases of missing and exploited children and

²⁵ Unless otherwise noted, the description of these services is based on a site visit to NCMEC, interviews and ongoing correspondence with NCMEC staff, and quarterly progress reports submitted by NCMEC to the Department of Justice about the status of the grant received under the Missing and Exploited Children's program.

²⁶ For further information about NCMEC, see its website, <http://www.missingkids.org/>.

²⁷ NCMEC, *NCMEC Quarterly Progress Report: July 1-Sept. 30, 2016*, p. 8.

²⁸ Based on correspondence with the National Center for Missing and Exploited Children, November 2016.

²⁹ Calls on the CyberTipline (previously known as the Child Pornography Tipline) are taken on behalf of the U.S. Department of Homeland Security's Immigration and Customs Enforcement; U.S. Postal Inspection Service; Federal Bureau of Investigation; and U.S. Secret Service, and include victims of pornography, prostitution, sex rings, and sex tourism. This reflects activity since June 1987.

transfer call data regarding runaway children to the National Runaway Safeline (1-800-RUNAWAY).³⁰ Assistance activities range from sending publications or educational materials to providing technical support to law enforcement and families about missing children cases. The Call Center also provides information to families of missing children about free or low-cost transportation services or requests transportation for families needing assistance with reunification.

NCMEC is the only nonprofit, non-law enforcement entity to have access to the FBI's National Crime Information Center's (NCIC) Missing Person File,³¹ which is reviewed by Call Center staff for records of missing children added by local and state law enforcement agencies and updates of these records. The Crime Control Act of 1990 (P.L. 101-647) requires law enforcement agencies that enter cases into the NCIC database to work with NCMEC to receive information and technical support.³² Cases of children who are believed to be seriously at risk are flagged in NCIC for NCMEC. NCMEC is permitted to search the Missing Person File to assist with long-term missing children, who may have been entered after they reached age 18 while still missing. Law enforcement agencies submitting information to NCIC on a missing child are to notify NCMEC of each report that relates to a child reportedly missing from foster care.³³

Case Management

Each missing child case is entered into NCMEC's nationwide database and a case manager in the Missing Children's Division is assigned. NCMEC case managers serve as the single point of contact for the searching family and provide technical assistance to locate abductors and recover missing children. In FY2016, case managers handled 17,711 new cases (i.e., individual children). Of these, about 9 out of 10 involved runaways.³⁴

Project ALERT (America's Law Enforcement Retiree Team)

The Project ALERT program was established in 1992 to assist law enforcement agencies with the recovery of missing children—particularly long-term cases—at no cost to the agencies. Project ALERT members include approximately 160 retired federal, state, and local law enforcement officials who have recent and relevant investigative experience.³⁵ Project ALERT services include case review, organization, recommendation of investigative strategies, assistance with case interviews, and liaison efforts with the family of a missing child. Representatives also conduct outreach to the community through public speaking and attending conferences.

³⁰ The National Runaway Safeline was formerly known as the National Runaway Switchboard.

³¹ The NCIC is a computerized index of information on crimes and criminals that is maintained by the Federal Bureau of Investigation (FBI). NCIC data are reported by federal, state, and local law enforcement officials. The FBI authorizes the National Central Bureau of Interpol to input missing-child cases into the Missing Person File where no U.S. law enforcement agency jurisdiction exists (42 U.S.C. §5780). For additional information about the NCIC, see U.S. Department of Justice, Federal Bureau of Investigation (FBI), *National Crime Information Center*, <http://www.fbi.gov/about-us/cjis/ncic/ncic>.

³² 42 U.S.C. §5780(4)(D).

³³ 42 U.S.C. §5780(4)(C).

³⁴ Based on correspondence with the National Center for Missing and Exploited Children, November 2015.

³⁵ NCMEC, *NCMEC Quarterly Progress Reports, Oct. 1 to Dec. 31, 2016*, p. 18.

Team Adam

Team Adam, created in 2003, is a rapid, on-site response and support system that provides no-cost investigative and technical assistance to local law enforcement officers. The team is staffed by approximately 90 retired federal, state, and local investigators chosen by a committee with representatives from the FBI and state and local law enforcement executives experienced in crimes-against-children investigations.³⁶ Team Adam consultants determine, through contact with the law enforcement agency and the victim's family, which additional resources or assistance would be valuable with the search for the victim, the investigation of the crime, and family crisis management.

Forensic Services Unit

The Forensic Services Unit is composed of the Forensic Imaging Unit and a Biometrics Team. The teams assist in the recovery of long-term missing children and work to identify the remains of children and young adults believed to have gone missing.

Forensic Imaging Unit

The Forensic Imaging Unit was created in 1990 to age-progress images of missing children. The unit's technicians age-progress photos of children through software programs using the most recent picture of the child. The image is stretched to approximate normal cranial and facial growth, and the stretched image is merged and blended with a photograph of an immediate biological family member.³⁷ The age-progressed image appears in clothing and a hairstyle consistent with the child's current age. Missing children photos are age-progressed every two years and adult photos are age-progressed in five-year increments. Age-progressed images are distributed to the local police, searching families, media, and posted on the NCMEC website.

Age-regressed images are also created by the forensic unit. These images are produced at the request of law enforcement agents posing as youth in online communication with adults who seek to engage in sexual acts with children. Agents in their twenties and thirties (usually) send their photograph to NCMEC, and they are made to appear as adolescents. Further, the age-progression unit creates facial and skull reconstructions of missing children based on recovered remains. The unit works with an offsite forensic anthropologist who CAT-scans the remains. Based on the digital depiction of the image and discussions with the anthropologist about the child's likely background (race, gender, age), the unit creates a black-and-white digital profile (so as to not provide exact eye/hair/skin tones) of the child. The Forensic Imaging Unit might also reference medical examiner records and newspaper clippings from the area where the child was recovered.

Biometrics Team

Staff in this unit provide support and resources to long-term missing child cases and cases of unidentified human remains of victims believed to be children and young adults. They assist law enforcement and medical examiners/coroners in identifying unknown children, either deceased or living, by facilitating the collection of DNA, dental information, fingerprints, facial reconstructions, photo enhancements, and documentation of personal belongings found with the child. Once collected, the information is uploaded to the National Missing and Unidentified

³⁶ Ibid., p. 22.

³⁷ Based on congressional briefing by NCMEC staff, August 27, 2013.

Persons System (NamUs), so it can be compared directly against the information collected from unidentified persons.³⁸ NamUs is a program created by the Department of Justice's Office of Justice Programs to serve as a central repository and resource center for missing persons and unidentified decedent records. It contains databases storing detailed information about missing people and unidentified remains and may be searched for possible matches among cases.³⁹

International Missing Children's Cases⁴⁰

NCMEC assists with cases of children abducted to and from the United States. From 1995 through May 2008, NCMEC had a Cooperative Agreement with the State Department and OJJDP, to handle *incoming* cases of international abduction under The Hague Convention on the Civil Aspects of International Child Abduction (the "Hague Convention").⁴¹ The State Department is now responsible for handling these cases of abducted children coming into the United States. NCMEC assists the State Department with developing and distributing posters for missing children. Signatories to the Convention pledge to work toward the prompt return of abducted children. Of the 195 formally recognized countries in the world, however, 121 lack formal civil mechanisms in place with the United States to facilitate the return of a parentally abducted child.⁴²

NCMEC also coordinates cases of American children abducted abroad, or *outgoing* cases. NCMEC provides technical assistance to law enforcement via the International Parental Kidnapping Crime Act (P.L. 103-173), which criminalizes removing a child from the United States "with the intent to obstruct the lawful exercise of parental rights."⁴³

NCMEC handles hundreds of prevention and abduction-in-progress matters each year that involve international abduction. NCMEC also coordinates the provision of pro-bono legal assistance to victim families and provides technical support, including legal technical assistance to parents, lawyers, court officers, law enforcement officials, and others.

Exploited Children's Division

Pursuant to the Violent Crime and Law Enforcement Act of 1994 (P.L. 103-322), Congress mandated that the United States Secret Service (USSS) provide forensic and technical assistance to NCMEC and federal, state, and local law enforcement agencies in matters involving missing

³⁸ NCMEC, *NCMEC Quarterly Progress Reports, Oct. 1 to Dec. 31, 2016*, p. 16.

³⁹ U.S. Department of Justice, Office of Justice Programs, NamUs: National Institute of Justice, National Missing and Unidentified Persons Systems, <http://www.namus.gov/>.

⁴⁰ 18 U.S.C. §1204(a). The International Centre for Missing and Exploited Children ("ICMEC") is a sister organization affiliated with NCMEC. ICMEC focuses on policy, advocacy, and training, and does not perform case work. ICMEC advocates for adoption of treaties in regards to children's rights; engages international law enforcement officials, civil service organizations, and government representatives; offers technical assistance in creating missing children centers; and creates and distributes reports on international child abduction and child sexual exploitation.

⁴¹ The Department of State is designated as the U.S. Central Authority for the Hague Convention. NCMEC was permitted to serve as the representative of the State Department pursuant to 42 U.S.C. §11608.

⁴² NCMEC, *NCMEC Quarterly Progress Report: July 1-September 30, 2016*, p. 57, footnote 52.

⁴³ The term parental rights refers to the right to joint or sole physical custody of a child obtained through a court order, a legally binding agreement between the involved parties, or by operation of law. For further information about the International Parental Kidnapping Crime Act and the Hague Convention, see CRS Report RS21261, *International Parental Child Abductions*, by (name redacted).

and exploited children. NCMEC's Exploited Children's Division (ECD) was established in January 1997 with a grant from USSS received pursuant to P.L. 103-322.

The ECD administers the Child Victim ID Program (CVIP) and CyberTipline. The unit also analyzes data and forwards requests to appropriate NCMEC divisions and departments and monitors online services, news reports, and other sources each day for new cases and information relative to the issues of child sexual exploitation. The ECD follows up with law enforcement agencies about cases of exploited children. In addition to the ECD, two separate units in NCMEC—the Sex Offender Tracking Team and the Child Sex Trafficking Team within the Case Analysis Division—also work on exploited children's issues.

The Child Victim Identification Program (CVIP)

CVIP formally began in 2002 in response to the decision in *Ashcroft v. Free Speech Coalition* (2002), in which the Supreme Court held that federal laws prohibiting pornography are enforceable when they involve identified children, and not images that appear to be children.⁴⁴ CVIP analysts assist law enforcement officers and prosecutors with child pornography cases throughout the country using their knowledge of child pornography series as well as the Child Recognition and Identification System (CRIS), NCMEC's proprietary software. Federal, state, and local law enforcement agencies may submit seized images to federal law enforcement agents detailed to NCMEC and request that CVIP examine the images. CVIP analysts use CRIS and visual analysis to determine whether any of the images contain identified child victims. NCMEC maintains information about law enforcement agencies who identified these child victims. CVIP analysts then provide the submitting agencies with contact information for the officers who identified each child victim.

In April 2007, NCMEC made available a secure website (the Victim Identification Lab) to law enforcement officers and prosecutors to examine sanitized images that contain clues about a child's whereabouts. Authorized users can examine the images and post comments and suggestions for both NCMEC and other authorized users to read. Viable clues or suggestions are pursued by NCMEC in collaboration with local and state law enforcement.

CyberTipline

The CyberTipline began in March 1998 to serve 24 hours a day, seven days a week as the national clearinghouse for tips and leads about child sexual exploitation.⁴⁵ The law does not specify that a particular individual make such reports, although it does require that an electronic communication service or a remote commuting service provider (collectively known as electronic service providers or ESPs) make reports of online incidents involving child pornography. The tipline enables ESPs and members of the public to report under eight categories: (1) possession, manufacture, and distribution of child pornography; (2) online enticement of children for sexual acts; (3) child sex trafficking, including prostitution; (4) child sex tourism; (5) child sexual molestation (not in the family); (6) unsolicited obscene material sent to a child; (7) misleading domain names; and (8) misleading words or digital images on the Internet.⁴⁶

⁴⁴ For further information about *Ashcroft v. Free Speech Coalition* (2002), see CRS Report 95-406, *Child Pornography: Constitutional Principles and Federal Statutes*, by (name redacted)

⁴⁵ NCMEC's role as administrator of the CyberTipline was authorized by the Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today (PROTECT) Act of 2003 (P.L. 108-21).

⁴⁶ 42 U.S.C. §5773(b)(1)(P). The first three reporting categories were specified in P.L. 108-21, and the other five categories were specified in the Protecting Our Children Comes First Act of 2007 (P.L. 110-240). The Justice for (continued...)

Although the CyberTipline began operating in March 1998, NCMEC's role as administrator of the tipline was formally authorized by the Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today (PROTECT) Act of 2003 (P.L. 108-21). The authorizing statute for the MEC program states that the CyberTipline is intended to take reports of "Internet-related child sexual exploitation," but in practice, such incidents do not have to be facilitated by the Internet.⁴⁷

Analysts from NCMEC review reports to the CyberTipline and each report is assigned a priority level of 1, 2, or 3. Reports that are categorized as a "1" are given the highest priority and indicate that a child is in imminent danger. In evaluating the reports, analysts may, among other things, (1) determine whether an alleged child pornography image is that of an actual child; (2) determine whether an image and content in a report is new or has been viewed by law enforcement in the past; or (3) gather information from open source online sources (e.g., email addresses, websites, and other information) to learn more about the perpetrator and victim.⁴⁸ NCMEC analysts then select a "reclassified incident type" based on 28 reclassified incident types.⁴⁹

Regardless of how a report is classified, NCMEC makes reports to the CyberTipline (along with accompanying analysis) available to select federal, state, and local law enforcement agencies through a secure web-based system. Certain federal law enforcement agencies have access to all reports: the Federal Bureau of Investigation (FBI), U.S. Immigrations & Customs Enforcement (ICE),⁵⁰ U.S. Postal Inspection Service (USPIS), the Military Criminal Investigative Organizations (MCIO), and the Child Exploitation and Obscenity Section (CEOS) within the Justice Department's Criminal Division.⁵¹ These users are able to access all CyberTipline reports ever submitted, and they may search for and select reports by incident type. Analysts forward reports to local or state law enforcement agencies, via the ICAC task forces, when they can identify the geographic location of a suspect, the victim, or both. The ICAC task forces are only able to access reports that are within their respective jurisdictions. The secure system logs every report opened by each agency, and each federal agency has the ability to indicate if they plan to take further action on a particular report.⁵² According to NCMEC, what constitutes an "action" taken varies across law enforcement agencies. NCMEC requests feedback from all agencies about the status of reports; however, these agencies do not always indicate whether they have taken action or what resulted from their investigations.

(...continued)

Victims of Trafficking Act (P.L. 114-22) struck "child prostitution" and replaced it with "child sex trafficking, including child prostitution."

⁴⁷ Based on correspondence with the National Center for Missing and Exploited Children, November 2011.

⁴⁸ U.S. Government Accountability Office, *Combating Child Pornography: Steps are Needed to Ensure That Tips to Law Enforcement are Useful and Forensic Examinations are Cost Effective*, GAO-11-334, March 2011, p. 9, <http://www.gao.gov/new.items/d11334.pdf>. (Hereinafter, U.S. Government Accountability Office, *Combating Child Pornography*.)

⁴⁹ NCMEC, *NCMEC Quarterly Progress Report for Oct. 1-Dec. 31, 2016*, pp. 26-27.

⁵⁰ ICE forwards reports that involve perpetrators and victims outside of the U.S. to relevant foreign law enforcement agencies.

⁵¹ NCMEC refers reports of misleading domain names and unsolicited materials sent to children to the Department of Justice's Child Exploitation and Obscenity Section in the Criminal Division.

⁵² GAO, *Combating Child Pornography*.

Sex Offender Tracking Team

The Adam Walsh Child Protection and Safety Act of 2006 (P.L. 109-248) expanded the requirements for state law enforcement and prison officials to track and register sex offenders. NCMEC's Sex Offender Tracking Team, in its Case Analysis Division, provides assistance to federal, state, and local law enforcement in their efforts to locate and apprehend noncompliant sex offenders by providing technical assistance and analysis.

The team developed a standard protocol in response to law enforcement requests for assistance in locating fugitive sex offenders, which generally includes information obtained through public databases and search tools routinely used by NCMEC analysts. The team participates in the National Sex Offender Targeting Center, an interagency intelligence and operations center created by the U.S. Marshals Service.

Child Sex Trafficking Team

The Child Sex Trafficking Team compares reports of suspected child sex trafficking victims submitted to the CyberTipline with reports of missing children received by the Missing Children's Division. It also provides technical support and analysis to the FBI's Innocence Lost National Initiative. The Child Sex Trafficking Unit provides technical assistance to law enforcement agencies working to identify and recover children in the United States who have been victimized by sex trafficking, including those involved in the FBI's Innocence Lost National Initiative. Analysts in the unit provide analytical reports about offenders who sexually exploited children through sex trafficking, and they provide information to law enforcement officials about known missing child cases possibly linked to sex trafficking.⁵³

Family Advocacy Services

NCMEC's Family Advocacy Division provides support, crisis-intervention, and technical assistance to families, law enforcement, and family-advocacy agencies. Team HOPE (Help Offering Parents Empowerment), a component of the division, consists of trained volunteers who have experienced the disappearance of a child in their family. These volunteers mentor other parents and families of missing children to help them cope during and after a missing incident.

Training and Technical Assistance

NCMEC trainers provide on- and off-site training and technical assistance to law enforcement, criminal and juvenile justice professionals, and healthcare professionals nationwide and in Canada. Training involves issues relating to child sexual exploitation and missing-child case detection, identification of victims, investigation, prevention, and forensic imaging. NCMEC provides nationally accredited training about infant security for healthcare professionals, including nursing and security personnel. Further, NCMEC provides nationally accredited training about infant security for healthcare professionals, including nursing and security personnel.

⁵³ NCMEC, "Child Sex Trafficking," <http://www.missingkids.com/CSTT>.

Partnerships

Work with Federal Agencies

NCMEC works closely with federal agencies, some of which have detailed agents and analysts to work at NCMEC part-time or full-time. These analysts follow CyberTipline leads and work with NCMEC to develop policy and procedures around children missing internationally, among other activities.

Work with State Clearinghouses

Each state, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, and Canada have devoted resources to missing and exploited children's activities through clearinghouses located within law enforcement agencies.⁵⁴ These clearinghouses disseminate information and collect data about missing individuals, provide technical assistance in cases of missing and exploited children, and network with other clearinghouses. NCMEC provides the clearinghouses with training, technical assistance, and information to assist them in handling missing-children cases.

Public-Private Partnerships

NCMEC coordinates public and private programs seeking to locate, recover, or reunite missing children with their legal custodians; identify ways to expand and enhance current programs; and help promote the development, advancement, and sponsorship of NCMEC programs. NCMEC staff members create partnerships and maintain relationships with nonprofit and corporate partners to create a network for NCMEC programs.

Background Screening Pilot Program

The PROTECT Act created a pilot program to screen employees and volunteers at three children organizations: Boys & Girls Clubs of America, the National Mentor Partnership, and National Council of Youth.⁵⁵ The program authorization was extended six times, most recently through March 2012 by P.L. 111-341. NCMEC did not receive appropriations for this pilot program through the MEC program or any funding source. NCMEC discontinued the program in March 2011 due primarily to a lack of funding.⁵⁶

Over the course of the pilot program, NCMEC processed 104,954 records for prospective volunteers at child-serving nonprofit organizations. Of these records, 1,914 (1.8 %) received a "red light," meaning the applicant had a conviction for a criterion offense (any felony or misdemeanor offense not included on the list of nonserious offenses published periodically by the FBI), or the applicant was on a sex offender registry. Another 4,592 (4.4%) of applicants received

⁵⁴ For further information, see NCMEC, *Missing Child Clearinghouses*, <http://www.missingkids.com/Clearinghouses>.

⁵⁵ 42 U.S.C. §5119(a). The most recent amendment to the PROTECT Act (P.L. 111-341) authorizes NCMEC to provide background checks to any nonprofit organization that provides "care"—with approval by NCMEC and in accordance with the FBI—as that term is defined in §5 of the National Child Protection Act of 1993, codified at 42 U.S.C. §5119(c). "Care" is defined as "the provision of care, treatment, education, training, instruction, supervision, or recreation to children, the elderly, or individuals with disabilities." NCMEC provided background checks to multiple child-serving organizations since the creation of the pilot program.

⁵⁶ Letter from Ernie Allen, Chief Executive Officer of NCMEC, to Senators Hatch and Schumer, March 4, 2011. Letter provided to CRS by NCMEC.

a “yellow light,” meaning that they were arrested for a criterion offense, but case results were not available.⁵⁷

Financial Coalition Against Child Pornography

In 2006, NCMEC and the International Centre for Missing and Exploited Children joined with 34 international financial institutions and Internet industry leaders to combat commercial online child pornography.⁵⁸ The purpose of the coalition is to prevent the purchase and sale of child pornography over the Internet and to engage in prevention efforts. NCMEC, law enforcement agencies, and financial institutions share information pertaining to commercial child pornography websites with the goal of eliminating the ability for users to pay for access to these websites.

Community Outreach

NCMEC works with community partners to prevent incidents of missing and exploited children. For example, the NetSmartz Workshop is an online resource guide (www.NetSmartz.org) for children ages 5 to 17, parents, law enforcement, and educators to keep children safer online and empower children to make safer decisions about their Internet use. The website includes English- and Spanish-language brochures on the program and resources to alert children and their parents of the possible dangers of social networking sites.

Internet Crimes Against Children (ICAC) Task Force

The Internet Crimes Against Children (ICAC) Task Force program was first funded in 1998 under appropriations law (Justice Appropriations Act, P.L. 105-119) to provide federal support for state and local law enforcement agencies in combating online enticement of children and the proliferation of pornography. Subsequent appropriation laws also provided funding. The PROTECT Our Children Act of 2008 (P.L. 110-401) formally authorized the program. P.L. 110-401 provided two authorizations for the ICAC Task Force program—one for \$60 million for FY2009-FY2013 for ICAC activities generally, including grants for ICAC task forces, and one for \$2 million for each of FY2009-FY2016 for the National ICAC Data System, a data system to facilitate online law enforcement investigations of child exploitation. The Child Protection Act of 2012 (P.L. 112-206), signed into law on December 7, 2012, authorizes annual appropriations of \$60 million for the ICAC Task Force program generally (and the National Strategy for Child Exploitation Prevention and Interdiction, discussed subsequently) through FY2018.⁵⁹

ICAC Task Forces

As outlined in the law, some of the purposes of the task forces are as follows: (1) increasing the investigative capabilities of state and local law enforcement officers in the detection, investigation, and apprehension of Internet crimes against children offenses or offenders, including technology-facilitated child exploitation offenses; (2) conducting proactive and reactive Internet crimes against children investigations; (3) providing training and technical assistance to ICAC task forces and other law enforcement agencies in the areas of investigations, forensics, prosecution, community outreach, and capacity-building, using recognized experts to assist in the

⁵⁷ NCMEC, *NCMEC Quarterly Progress Reports for March 1-June 30, 2011*.

⁵⁸ NCMEC, “Financial Coalition Against Child Pornography,” <http://www.missingkids.com/FCACP>.

⁵⁹ 42 U.S.C. §§17612-17616.

development and delivery of training programs; (4) increasing the number of Internet crimes against children offenses being investigated and prosecuted; and (5) developing and delivering Internet crimes against children public awareness and prevention programs, among other purposes.

An ICAC task force is formed when a state or local law enforcement agency enters into a grant contract with OJJDP, and then into a memorandum of understanding with other federal, state, and local agencies. Currently, 61 regional task forces are in operation, each of which are comprised of multiple affiliated organizations (most of which are city and county law enforcement agencies).⁶⁰ The task forces receive leads from CyberTipline analysts at NCMEC and concerned citizens or develop leads through proactive investigations and undercover operations. P.L. 110-401 authorizes the Attorney General to award grants to state and local ICAC task forces using a formula established by DOJ to distribute 75% of the funds; the remaining 25% of the funds are to be distributed based on need. In establishing any formula, the law directs DOJ to ensure that each state or local ICAC task force shall, at a minimum, receive an amount equal to 0.5% of the funds available. In addition, DOJ is to take into consideration factors such as each state's population; the number of investigative leads within the task force's jurisdiction; the number of criminal cases related to Internet crimes against children referred to a task force for federal, state, or local prosecution; the number of successful prosecutions of child exploitation cases by a task force; the amount of training, technical assistance, and public education or outreach by a task force on child exploitation offenses; and other criteria established by DOJ to demonstrate the level of need for additional resources.

Pursuant to the law, DOJ established the ICAC Training and Technical Assistance program provides assistance to ICAC task forces. Multiple entities have been awarded funds to provide training on improving investigation, technologies, and prosecutorial capabilities.⁶¹

National ICAC Data System (NIDS)

P.L. 110-401 directs the Attorney General to establish the National ICAC Data System (NIDS). As discussed in the law, the intent of Congress in authorizing the data system was to build upon Operation Fairplay developed by the Wyoming Attorney General's office. Operation Fairplay established a secure, dynamic undercover infrastructure that has facilitated online law enforcement investigations of child exploitation, information sharing, and the capacity to collect and aggregate data on the extent of the problems of child exploitation.⁶² The data system is to be housed and maintained within DOJ or a credentialed law enforcement agency and is to be available for a nominal charge to support law enforcement agencies' efforts to combat child exploitation. It must also collect and report real time data, provide an undercover infrastructure for users, identify high-priority suspects, and include a network that provides for secure, online data storage and analysis, among other items.

⁶⁰ U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, "Program Summary: Internet Crimes Against Children Task Program," <http://www.ojjdp.gov/programs/progsummary.asp?pi=3>.

⁶¹ Ibid.

⁶² U.S. Department of Justice, *The National Strategy for Child Exploitation Prevention and Interdiction: A Report to Congress*, August 2010, pp. 10-12, <http://www.justice.gov/psc/docs/natstrategyreport.pdf>. (Hereinafter, U.S. Department of Justice, *The National Strategy for Child Exploitation Prevention and Interdiction: A Report to Congress*.)

As discussed in a March 2011 GAO report on federal efforts to combat child pornography, DOJ issued a grant solicitation in March 2009 for constructing, maintaining, and housing NIDS; however, grant applicants were notified in January 2010 that DOJ would not make an award under that solicitation and instead would pursue a different system for “deconfliction” and investigation than was described in the solicitation.⁶³ DOJ issued another solicitation in June 2010 to select a grantee to conduct a national needs assessment and perform other tasks to support the future development of NIDS. In September 2010, OJJDP awarded a grant to the Massachusetts State Police and its partners to conduct a national needs assessment for the National Internet Crimes Against Children Data System (NIDS).⁶⁴ According to DOJ, work and payment for the grant was suspended due to “issues with the grant,” which has expired.⁶⁵

DOJ has since moved forward with the ICAC Deconfliction System (IDS), which is in use by all ICAC task forces and other registered law enforcement users. IDS enables users to search information about a potential perpetrator (e.g., name, alias, email address, IP address, etc.) against four other databases that store information about crimes committed against children: ICAC Cops, Operation Fairplay, Child Protection Services, and the NCMEC CyberTipline. IDS alerts the user if information has been collected on the potential perpetrator in these other systems, and informs the user of other law enforcement agencies working on a case involving the perpetrator.⁶⁶

National Strategy for Child Exploitation Prevention and Interdiction

P.L. 110-401 directs the Attorney General to create and implement a National Strategy for Child Exploitation Prevention and Interdiction.⁶⁷ The law specifies that the strategy is to involve establishing long-range, comprehensive goals for child exploitation and for DOJ to coordinate its programs to combat child exploitation with other federal programs, as well as with international, state, local, and tribal law enforcement agencies and the private sector. As part of this strategy, DOJ is directed to assess the ICAC program, including an evaluation of how entities that comprise each task force coordinate on investigations and the success of task forces at leveraging state and local resources and matching funds. The law also directs the Attorney General to conduct periodic reviews of the effectiveness of each ICAC task force. The act requires DOJ to submit a report on the strategy to Congress every other year.

In August 2010, the Department of Justice submitted a report on the national strategy to Congress, which included information about the ICAC Task Force program, the threats to children, and the work of agencies in working to combat child sexual exploitation.⁶⁸ In April

⁶³ GAO, *Combating Child Pornography*.

⁶⁴ U.S. Department of Justice, Office of Justice Programs, *Needs Assessment and Development Activities for the National Internet Crimes Against Children Data System (NIDS)*, <http://www.ojjdp.gov/grants/solicitations/FY2010/ARRA%20NIDS.pdf>.

⁶⁵ Based on correspondence with the U.S. Department of Justice, Office of Legislative Affairs, May 2014. No further information was provided about these issues.

⁶⁶ Ibid., October 2015.

⁶⁷ 42 U.S.C. §17612. P.L. 110-401 additionally directed DOJ to appoint a senior official to serve as coordinator of the national strategy. DOJ appointed the National Coordinator in January 2010. Soon thereafter, the national coordinator convened the National Strategy Working Group to assist in implementing the national strategy. U.S. Government Accountability Office, *Combating Child Pornography*, pp. 12-13.

⁶⁸ U.S. Department of Justice, *The National Strategy for Child Exploitation and Prevention: A Report to Congress*, August 2010, <http://www.justice.gov/psc/docs/natstrategyreport.pdf>. This report includes a detailed overview of the ICAC program, including the number of investigations of alleged child sexual victimization, arrests made as a result of (continued...)

2016, a follow up report was submitted, which included more recent information in these areas.⁶⁹ This second report provides an assessment of the threat to children based on five types of child sexual exploitation: (1) child pornography, (2) sextortion and live streaming of child sexual abuse,⁷⁰ (3) child sex trafficking, (4) child sex tourism, and (5) sex offender registry violations.⁷¹ For example, the report identifies under the second category that novel methods of child sexual abuse, such as sextortion, are continuing to emerge online. Further, apps on mobile devices can be used to target, recruit or groom, and coerce children to engage in sexual activity.

The second report discusses future goals and objectives in combating child exploitation in four areas: (1) investigations and prosecutions (e.g., DOJ and its partners will work to create novel investigative approaches to serve as models when prosecutorial teams are confronted with technological obstacles); (2) outreach and awareness activities (e.g., federal agencies will expand and update awareness, outreach, and educational measures to prevent child exploitation offenses based on new and emerging threats to children, such as sextortion); (3) victims services (e.g., the federal government will conduct a formal analysis to identify programs to victims of child exploitation and determine how these programs intersect); and (4) policy and legislative initiatives (e.g., DOJ will consider establishing minimum standards for forensic examinations in child sexual exploitation cases). The report goes on to discuss the prevalence of and response to child sexual exploitation in Indian country.

AMBER Alert Program

AMBER (America's Missing: Broadcast Emergency Response) Alert systems are state administered. The MEC program supports these programs by providing training and technical assistance to law enforcement personnel and AMBER Alert administrators. AMBER systems are voluntary partnerships—between law enforcement agencies, broadcasters, and transportation agencies—to activate messages in a targeted area when a child is abducted and believed to be in grave danger. The first system began locally in 1996 when fourth-grader Amber Hagerman was abducted and murdered near her home in the Dallas-Fort Worth area. After the abduction, law enforcement agencies in North Texas and the Dallas-Fort Worth Association of Radio Managers developed a plan to send out an emergency alert about a missing child to the public through the Emergency Alert System (EAS), which interrupts broadcasting.⁷² Soon after, jurisdictions in Texas and other states began to create regional alert programs.

(...continued)

those investigations, criminal referrals to the U.S. Attorneys for prosecution, forensic examinations, real children who were victims of some form of abuse, trained ICAC personnel at each task force, and other information; information on training for ICAC personnel; the number and location of ICAC task forces; and federal funding of each task force, among other information.

⁶⁹ U.S. Department of Justice, *The National Strategy for Child Exploitation and Prevention: A Report to Congress*, April 2016, <https://www.justice.gov/psc/file/842411/download>.

⁷⁰ In the second report, “sextortion” is defined as hacking, coercing, or otherwise obtaining incriminating photos of or information about minors and then threatening to expose them if minors do not perform sex acts via web cameras.

⁷¹ These categories differ somewhat from the threats identified in the first report, which included (1) child pornography, (2) online enticement of children for sexual purposes, (3) commercial sexual exploitation of children (primarily domestic prostitution), and (4) child sex tourism.

⁷² For further discussion about the distribution of the alerts, see archived CRS Report RS21453, *Amber Alert Program Technology*, by (name redacted).

Program Administration

The PROTECT Act (P.L. 108-21) authorized the Attorney General to create a national AMBER Alert program to eliminate gaps among state, local, and interstate AMBER Alert networks. The act provided that the Attorney General appoint an AMBER Alert coordinator to (1) work with states to encourage the development of additional regional and local AMBER Alert plans; (2) serve as the regional coordinator of abducted children throughout the AMBER Alert network; (3) create voluntary standards for the issuance of alerts, including minimum standards that addressed the special needs of the child (such as health care needs) and limit the alerts to a geographical area most likely to facilitate the abduction of the child, without interfering with the current system of voluntary coordination between local broadcasters and law enforcement; (4) submit a report to Congress by March 1, 2005, on the activities of the coordinator and the effectiveness and status of the AMBER plans of each state that has implemented such a plan; and (5) consult with the FBI and cooperate with the Federal Communications Commission in implementing the program.

In 2003, the DOJ AMBER Alert coordinator was appointed and convened a national advisory group to oversee the national initiative and make recommendations on the AMBER Alert criteria, examine new technologies, identify best practices, and identify issues with implementation. On the basis of the group's recommendations, the department issued guidelines for issuing an alert: law enforcement officials have a reasonable belief that an abduction has occurred; law enforcement officials believe that the child is in imminent danger of serious bodily injury or death; enough descriptive information exists about the victim and the abductor for law enforcement to issue an alert; the victim is age 17 or younger; and the child's name and other critical data elements have been entered into the National Crime Information Center (NCIC) system. A new AMBER Alert "flag" was created within NCIC for abducted children for whom an alert has been issued. The department submitted a report to Congress in July 2005 that provided an overview of its strategy to facilitate a national AMBER Alert plan and the criteria developed to issue an alert.⁷³

DOJ Grant

DOJ's Office of Justice Programs first provided funding for local and state AMBER Alert programs in 2002, with \$10 million in discretionary funding. Authority to federally fund these programs through DOJ (and the Department of Transportation, see subsequent discussion) was formalized under the PROTECT Act (P.L. 108-21). P.L. 108-21 authorizes DOJ to provide grants to states, on a geographically equitable basis as possible, to develop and enhance their AMBER Alert communications plans. The law authorizes \$4 million for FY2004 for this purpose. Since FY2004, funding from the MEC program has supported AMBER Alert technical assistance efforts. DOJ determined that funds would be most efficiently spent delivering comprehensive training and technical assistance to states rather than for developing and enhancing communication plans.⁷⁴

⁷³ U.S. Department of Justice, Office of Justice Programs, *Report to the Congress on AMBER Alert*, July 2005, p. 7, http://www.amberalert.gov/newsroom/pdfs/05_amber_report.pdf. (Hereinafter referred to as U.S. Department of Justice, *Report to Congress on AMBER Alert*.)

⁷⁴ This information was provided to the Congressional Research Service by the U.S. Department of Justice, Office of Justice Programs in May 2007.

DOT Grant

The PROTECT Act also authorized (and Congress subsequently appropriated) \$20 million through the Department of Transportation (DOT) for states to develop and enhance communications systems along highways for alerts and other information for the recovery of abducted children. States are eligible to receive funding (up to \$400,000 each, from the one-time appropriation of \$20 million)—to be used for the *implementation* of a communications program that employs changeable message signs or other motorist information systems—if DOT determines that the state has already developed the program.⁷⁵ As of the end of FY2016 (September 30, 2015), 40 states and the District of Columbia had received funding. The federal share of the cost of these activities is not to exceed 80%, and federal funds are available until expended.⁷⁶ Approximately \$4.1 million in funding was still available at the end of FY2016.

AMBER Alert Training and Technical Assistance

Every five years OJJDP issues a competitive solicitation seeking bids to provide technical training for law enforcement around techniques to recover missing and exploited children. Fox Valley Technical College has been awarded agreements under the solicitation, and it provides training and technical assistance for multiple courses on child abduction and related courses.⁷⁷

At the request of the Department of Justice, NCMEC serves as the national clearinghouse for AMBER Alert information and employs a full-time AMBER Alert law enforcement liaison. NCMEC verifies AMBER Alerts and disseminates information about an abduction to authorized secondary distributors that can target messages to their customers in a specific geographic region. Only law enforcement can initiate and release AMBER Alerts for primary distribution. In May 2005, DOJ and NCMEC partnered with CTIA-The Wireless Association to encourage customers to sign up to receive wireless AMBER Alerts on their cell phones.⁷⁸

Other Program Activities

The MEC program provides funding to support other activities related to missing and exploited children—including program administration, support services provided by missing children’s organizations, and grant programs—that can vary from year to year.

OJJDP provides training and technical assistance on missing and exploited children for public and private nonprofit organizations,⁷⁹ and funds the development and printing of publications and Missing Children’s Day activities through DOJ’s National Criminal Justice Reference Service.

⁷⁵ Pursuant to the PROTECT Act, states are eligible to receive two types of DOT grants. *Development* grants to be used to develop general policies, procedures, training, and communication systems for changeable message signs or other motorist information about an abduction. Implementation grants are to be used to support the infrastructure of the program. Funding authorized under the PROTECT Act was used exclusively for the *implementation* of communication systems to issue AMBER alerts. However, states are eligible to apply for grants up to \$125,000 each, through a separate DOT appropriation for the Intelligent Transportation Systems program, to support state departments of transportation efforts related to AMBER Alert planning. These funds are available until expended.

⁷⁶ This information was provided to the Congressional Research Service by the Department of Transportation, Federal Highway Administration, September 2016.

⁷⁷ U.S. Department of Justice, “AMBER Alert Program, Technical Assistance,” <http://www.amber-net.org/technicalassistance.html>.

⁷⁸ U.S. Department of Justice, *Report to Congress on AMBER Alert*, p. 7.

⁷⁹ For further information, see U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and (continued...)

Other program activities vary each year. For example, the program funded research with FY2011 funding on missing and exploited children and on how technology facilitates crimes against children, including identifying predictive factors that reliably indicate whether a subject of an online child exploitation investigation poses a great risk of harming children. Another FY2011 grant funded an organization to provide technical assistance to OJJDP grantees and other organizations addressing commercial sex trafficking of girls and boys.

(...continued)

Delinquency Prevention, “Missing and Exploited Children’s Program Training and Technical Assistance,” <http://mecptraining.org/>.

Appendix. The Missing Children's Assistance Act of 1984, as Amended

Table A-1. The Missing Children's Assistance Act of 1984 and Amendments to the Act

Year (Public Law)	Legislative Creation and Amendments to the Missing Children's Assistance Act
1984 (P.L. 98-473)	<p>—Defines <i>missing child</i> as any individual under age 18 whose whereabouts are unknown to such individual's legal custodian if he or she was removed from control of his or her legal custodian without custodian's consent or the circumstances strongly indicate that such individual is likely to be abused or sexually exploited;</p> <p>—Directs the Administrator of the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to</p> <ul style="list-style-type: none"> (1) facilitate effective coordination among all federally funded programs relating to missing children, (2) establish and operate a national toll-free telephone line for individuals to report information regarding the location of any missing child, or other child 13 years old or younger whose whereabouts are unknown, (3) establish and operate a national resource center and clearinghouse designed to provide technical assistance to state and local governments and law enforcement agencies, disseminate information about innovative and model missing children's programs, and periodically conduct national incidence studies to determine the number of missing children, (4) analyze, compile, publish, and disseminate an annual summary of recently completed research relating to missing children with emphasis on effective models of inter-governmental coordination and effective programs designed to promote community awareness of missing children, among others, and (5) prepare an annual comprehensive plan for facilitating cooperation and coordination among all agencies and organizations with responsibilities related to missing children; <p>—Authorizes OJJDP Administrator to make grants and enter into contracts for research, demonstration projects, or service programs designed to disseminate information about missing children, locate missing children, and collect information from states or localities on the investigative practices used by law enforcement agencies in missing children's cases, among other purposes; and</p> <p>—Provides funding authorization at \$10 million for FY1985 and such sums as necessary for FY1986 through FY1988.</p>
1988 (P.L. 100-690)	<p>—Removes the requirement that the OJJDP Administrator analyze, compile, publish, and disseminate an annual summary of recently completed research concerning missing and exploited children;</p> <p>—Requires OJJDP Administrator to submit a report, within 180 days after the end of each fiscal year, to the President and Congress, including a comprehensive plan for facilitating cofair and coordination among all agencies and organizations with responsibilities related to missing children; identify and summarize effective models of cooperation; identify and summarize effective programs for victims of abduction; and describe in detail the activities in the national resource center and clearinghouse, among other requirements;</p> <p>—Requires OJJDP Administrator to disseminate information about free or low-cost legal, restaurant, lodging, and transportation services available for the families of missing children, as well as information about the lawful use of school records and birth certificates to identify and locate missing children;</p> <p>—Requires OJJDP Administrator to establish annual research, demonstration, and service program priorities for making grants and contracts, and criteria based on merit for making such grants and contracts; limits a grant or contract to \$50,000 unless the grant is competitive;</p> <p>—Provides funding authorization at such sums as necessary for FY1989 through FY1992.</p>

Year (Public Law)	Legislative Creation and Amendments to the Missing Children's Assistance Act
1989 (P.L. 101-204)	Technical amendments only.
1992 (P.L. 102-586)	Provides funding authorization at such sums as necessary for FY1993 through FY1996.
1994 (P.L. 103-322)	Establishes a task force composed of law enforcement officers from pertinent federal agencies to work with the National Center for Missing and Exploited Children and coordinate federal law enforcement resources to assist state and local authorities in investigating the most difficult cases of missing and exploited children.
1996 (P.L. 104-235)	<p>—Requires that the OJJDP Administrator use only up to 5% of the amount appropriated for a fiscal year to conduct an evaluation of the effectiveness of programs and activities under the Missing Children's Assistance Act;</p> <p>—Provides funding authorization at such sums as necessary for FY1997 through FY2001.</p>
1998 (P.L. 105-314)	Deletes the language to establish a task force composed of law enforcement officers from pertinent federal agencies to work with the National Center for Missing and Exploited Children.
1999 (P.L. 106-71)	<p>—Provides an annual grant to the National Center for Missing and Exploited Children to carry out the activities originally designated to the OJJDP Administrator, including the following:</p> <ul style="list-style-type: none"> (1) operate the national 24-hour, toll-free telephone line, (2) coordinate the operation of the telephone line with the operation of the Runaway and Homeless Children Program's national communications system, and (3) operate the official national resource center and information clearinghouse for missing and exploited children, among other responsibilities; <p>—Requires the OJJDP Administrator to make grants to or enter into contracts to periodically conduct national incidence studies to determine for a given year the actual number of children reported missing, among other statistics; and</p> <p>—Provides funding authorization for the National Center for Missing and Exploited Children at \$10 million for FY2000 through FY2003 and such sums as necessary for the Missing Children's Assistance Act program for these same years.</p>
2003 (P.L. 108-21)	<p>—Provides funding authorization for the National Center for Missing and Exploited Children at \$20 million for FY2004 through FY2005; and</p> <p>—Provides that the National Center for Missing and Exploited Children coordinate the operation of a cyber tipline to provide online users an effective means of reporting Internet-related child sexual exploitation in the areas of distribution of child pornography, online enticement of children for sexual acts, and child prostitution.</p>
2003 (P.L. 108-96)	Provides funding authorization for the National Center for Missing and Exploited Children at \$20 million for FY2004 through FY2008 and such sums as necessary for the Missing Children's Assistance Act program for these same years.
2006 (P.L. 109-248)	Changes the definition of <i>missing child</i> to any individual less than 18 years of age whose whereabouts are unknown to such individual's legal guardian.
2008 (P.L. 110-240)	Provides funding authorization for the National Center for Missing and Exploited Children at \$40 million for FY2008 and such sums as necessary for FY2009 through FY2013, and such sums as necessary for the Missing Children's Assistance Act program for these same years. The law also authorizes the OJP Administrator to make the grant to NCMEC to carry out specified activities, some of which were already carried out by the organization before the law was enacted.
2008 (P.L. 110-344)	Provides authority to an Inspector General to authorize staff to assist NCMEC by conducting reviews of inactive case files to develop recommendations for further investigations and by engaging in similar activities.

Year (Public Law)	Legislative Creation and Amendments to the Missing Children's Assistance Act
2013 (P.L. 113-38)	Provides funding authorization of \$40 million for each of FY2014 through FY2018 for OJJDP to fund activities carried out under the act. Of this amount, up to \$32.2 million is to be used for the National Center for Missing and Exploited Children. The law also requires more regular (every three years) studies on missing and sexually exploited children and implements new accountability standards for grant recipients.

Source: Compiled by the Congressional Research Service (CRS).

Notes: The Missing Children's Assistance Act is codified at 42 U.S.C. §5771 et seq.; under Chapter 72 (Juvenile Justice and Delinquency Prevention). This compilation includes only legislation amending the Missing and Exploited Children's program at §5771 et seq. The Internet Crimes Against Children (ICAC) Task Force Program, a component of the Missing and Exploited Children's Program, is authorized under the PROTECT Our Children Act (P.L. 110-401), at 42 U.S.C. §17601 et seq., under Chapter 154 (Combating Child Exploitation). The AMBER Alert program, another component of the Missing and Exploited Children's program, is authorized under the PROTECT Act (P.L. 108-21) and is codified at 42 U.S.C. §5791.

Author Contact Information

(name redacted)
Specialist in Social Policy
[redacted]@crs.loc.gov , 7-....

EveryCRSReport.com

The Congressional Research Service (CRS) is a federal legislative branch agency, housed inside the Library of Congress, charged with providing the United States Congress non-partisan advice on issues that may come before Congress.

EveryCRSReport.com republishes CRS reports that are available to all Congressional staff. The reports are not classified, and Members of Congress routinely make individual reports available to the public.

Prior to our republication, we redacted names, phone numbers and email addresses of analysts who produced the reports. We also added this page to the report. We have not intentionally made any other changes to any report published on EveryCRSReport.com.

CRS reports, as a work of the United States government, are not subject to copyright protection in the United States. Any CRS report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS report may include copyrighted images or material from a third party, you may need to obtain permission of the copyright holder if you wish to copy or otherwise use copyrighted material.

Information in a CRS report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to members of Congress in connection with CRS' institutional role.

EveryCRSReport.com is not a government website and is not affiliated with CRS. We do not claim copyright on any CRS report we have republished.