


(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To direct the Attorney General to convene a national working group to study proactive strategies and needed resources for the identification and rescue of children from sexual exploitation and abuse, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. SPANBERGER introduced the following bill; which was referred to the
Committee on _____

A BILL

To direct the Attorney General to convene a national working group to study proactive strategies and needed resources for the identification and rescue of children from sexual exploitation and abuse, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Child Rescue Act”.

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

1 (1) The growing international trade in child
2 sexual abuse material creates demand and incentive
3 for the sexual assault of children throughout the
4 United States.

5 (2) United States law enforcement efforts to
6 combat child sexual exploitation have the potential
7 to help multiple distinct groups of victims, includ-
8 ing—

9 (A) children depicted in child sexual abuse
10 material (CSAM) who are still being abused;

11 (B) children and adults whose victimiza-
12 tion as a child continues to be viewed and
13 shared online; and

14 (C) children who are being sexually abused
15 or exploited by adults who could be interdicted
16 while accessing or sharing CSAM online.

17 (3) In 2021, law enforcement investigative sys-
18 tems detected more than 325,000 unique Internet
19 Protocol addresses in the United States seen distrib-
20 uting child sexual abuse material across peer-to-peer
21 file sharing networks.

22 (4) A growing body of research, including aca-
23 demic studies, analysis by the United States Sen-
24 tencing Commission, and findings by law enforce-
25 ment polygraphers, indicates that a significant per-

1 centage of majority of individuals possessing and
2 sharing CSAM are “dual offenders” who possess il-
3 legal imagery and also commit contact offenses. In
4 2021, the United States Sentencing Commission
5 found that in fiscal year 2019, 48 percent of “non-
6 production child pornography offenders engaged in
7 aggravating sexual conduct prior to, or concurrently
8 with”, their current offense. Studies including Seto
9 et al, the Butner Redux, the OJJDP study, and
10 Bourke et al Tactical Polygraph study have found
11 that between 50 and 80 percent of offenders who
12 possess CSAM are also committing contact sexual
13 offenses against children.

14 (5) According to a 2018 study by the National
15 Center for Missing and Exploited Children
16 (NCMEC), “in cases involving a single victim and
17 single offender, actively traded cases were associated
18 with having prepubescent victims. Actively traded
19 cases were also associated with more egregious con-
20 tent in terms of sexual activity, and more likely to
21 involve familial offenders, particularly nuclear family
22 members”.

23 (6) CyberTipline reports often lead to the res-
24 cue of children through the successful investigation
25 of offenders who are not only exploiting children by

1 circulating CSAM, but who are also committing con-
2 tact offenses. In 2020, 21,700,000 CyberTipline re-
3 ports were submitted to NCMEC and approximately
4 288,000 CyberTipline reports were made available to
5 the 61 Internet Crimes Against Children (ICAC)
6 units across the country.

7 (7) United States law enforcement's ability to
8 detect and interdict online traffic in CSAM provides
9 an opportunity to locate sexual predators and rescue
10 children through victim-centric investigations.

11 (8) With inadequate resources, United States
12 law enforcement agencies are increasingly unable to
13 adequately respond to this rapidly growing number
14 of CyberTips and other investigative leads, a prob-
15 lem which also reduces the number of proactive un-
16 dercover investigations and education activities they
17 can conduct.

18 (9) Investigations of these crimes are com-
19 plicated by the increasing prevalence of encryption
20 and anonymizing services available to offenders.

21 **SEC. 3. UNITED STATES WORKING GROUP ON CHILDREN IN**
22 **IMMINENT DANGER OF SEXUAL ABUSE AND**
23 **EXPLOITATION.**

24 (a) ESTABLISHMENT.—Not later than 90 days after
25 the date of the enactment of this Act, the Attorney Gen-

1 eral shall establish a national working group, to be known
2 as the “United States Working Group on Children in Im-
3 minent Danger of Sexual Abuse and Exploitation” (here-
4 inafter referred to as the “Working Group”), to study vic-
5 tim-centric policing strategies and resource needs to iden-
6 tify and rescue—

7 (1) children in the United States who are vis-
8 ually depicted in child sexual abuse material;

9 (2) children in the United States who are vic-
10 tims of sexual abuse by individuals who are engaged
11 in an offense relating to child sexual abuse mate-
12 rials; and

13 (3) children located outside the United States
14 who are visually depicted in child sexual abuse ma-
15 terials where the perpetrators are in the United
16 States.

17 (b) DUTIES OF THE WORKING GROUP.—

18 (1) INFORMATION REQUEST.—Not later than
19 30 days after the establishment of the Working
20 Group under subsection (a), the Working Group
21 shall solicit from each State, Tribal, or local law en-
22 forcement agency the information necessary to de-
23 velop the estimates under paragraph (2).

24 (2) DEVELOPMENT OF ESTIMATES.—The Work-
25 ing Group shall:

1 (A) Develop estimates of the total number
2 of individuals suspected with respect to child
3 sexual abuse material or other crimes involving
4 sexual contact with children in the United
5 States, including those who are—

6 (i) known to a law enforcement agen-
7 cy; or

8 (ii) identified by law enforcement
9 through proactive policing; or

10 (iii) reported to the CyberTipline of
11 NCMEC (or any successor to the
12 CyberTipline operated by NCMEC).

13 (B) Develop estimates of the total number
14 of child victims of child sexual abuse in the
15 United States who could be located and pro-
16 tected from further abuse through the appre-
17 hension of suspects described under subpara-
18 graph (A).

19 (C) Develop recommendations of the fund-
20 ing, resources, and proactive and reactive strat-
21 egies necessary for law enforcement agencies to
22 successfully identify, locate, and protect child
23 victims—

24 (i) described in subparagraph (B);

25 and

1 (ii) who appear in child sexual abuse
2 material known to a law enforcement agen-
3 cy or NCMEC.

4 (D) Develop or obtain estimates of the
5 number of child sexual abuse reports made an-
6 nually to law enforcement agencies and to
7 State, Tribal, and local child protective services,
8 broken out by locality and relationship between
9 victim and offender, including adults in a posi-
10 tion of trust or authority.

11 (E) Develop recommendations for strate-
12 gies, best practices, and resources that could be
13 used by law enforcement agencies to determine
14 whether offenders alleged to have committed a
15 crime involving sexual contact should also be in-
16 vestigated for potential child sexual abuse mate-
17 rial crimes.

18 (F) Develop recommendations of victim-
19 centric and proactive policing strategies, inter-
20 national collaboration, and resource needs to
21 apprehend offenders in the United States who
22 are engaged in offenses related to children as
23 described in subsection (a)(3).

24 (G) Develop estimates of, or compile data
25 solicited under paragraph (1)—

1 (i) the number of adults who were ar-
2 rested by law enforcement agencies during
3 the 5-year period preceding the date of en-
4 actment of this Act, by year, for offenses
5 or violations described in subparagraphs
6 (A) through (D);

7 (ii) the number of adults who were
8 prosecuted at the State, Tribal, or Federal
9 level during the 5-year period preceding
10 the date of the enactment of the Act, by
11 year, for offenses described in subpara-
12 graphs (A) through (D); and

13 (iii) the number of children who are
14 unidentified victims of child sexual abuse
15 material described in subparagraph (C)(ii).

16 (H) Analyze and summarize common rea-
17 sons why investigations of reports of child sex-
18 ual abuse or exploitation do not go forward.

19 (I) Develop guidance for Internet Crimes
20 Against Children Task Forces to adopt a
21 prioritization framework with respect to the in-
22 vestigation and prosecution of all child sexual
23 abuse and exploitation, including prioritizing in-
24 vestigating individuals using encryption or
25 anonymization.

1 (J) Develop guidance on the Attorney Gen-
2 eral's response to technology companies that
3 refuse to comply with lawful requests for infor-
4 mation related to offenders who use virtual pri-
5 vate networks.

6 (K) Evaluate the current duties and re-
7 sponsibilities of ICAC Task Forces pursuant to
8 section 21114 of title 34, United States Code,
9 including on—

10 (i) workloads;

11 (ii) their ability to pursue investiga-
12 tions which are most likely to result in the
13 identification of offenders described in sub-
14 paragraph (A) and children described in
15 subparagraph (B).

16 (3) REPORT.—

17 (A) IN GENERAL.—Not later than 365
18 days after the date of enactment of this Act,
19 the Working Group shall submit to the Attor-
20 ney General, the Committee on the Judiciary of
21 the Senate, the Committee on Appropriations of
22 the Senate, the Committee on the Judiciary of
23 the House of Representatives, and the Com-
24 mittee on Appropriations of the House of Rep-
25 resentatives, a report that contains—

1 (i) a detailed statement of the find-
2 ings and conclusions of the Working
3 Group, together with recommendations for
4 legislation; and

5 (ii) a summary of the support, docu-
6 ments, and witnesses provided by the At-
7 torney General to the Working Group.

8 (B) MATERIAL INCLUDED.—A majority
9 vote of the members of the Working Group
10 shall determine the findings, conclusions, and
11 recommendations included in the report sub-
12 mitted under subparagraph (A).

13 (C) DOCUMENTATION OF NUMERICAL
14 EDITS.—If for any reason the Working Group
15 is unable to develop the estimates under para-
16 graph (2), the Working Group shall in the re-
17 port under this paragraph document the rea-
18 sons such estimates could not be developed and
19 make recommendations toward developing such
20 estimates.

21 (c) MEMBERS OF THE WORKING GROUP.—

22 (1) IN GENERAL.—

23 (A) ATTORNEY GENERAL DISCRETION.—
24 The Working Group shall be composed of rep-
25 resentatives of Federal departments and agen-

1 cies, law enforcement agencies, Tribal govern-
2 mental agencies, nongovernmental organiza-
3 tions, and other subject matter experts as the
4 Attorney General determines appropriate.

5 (B) SPECIFIED MEMBERS.—The Attorney
6 General shall appoint representatives of the fol-
7 lowing agencies and nongovernmental organiza-
8 tions to the Working Group:

9 (i) Three representatives from State
10 or unit of local government who have re-
11 ceived a grant from the Internet Crimes
12 Against Children Task Force program with
13 extensive, direct experience conducting
14 both CyberTipline investigations and
15 proactive, online undercover investigations,
16 including the use of specialized tools for
17 peer-to-peer investigations.

18 (ii) The Chief or Deputy Chief of the
19 Child Exploitation and Obscenity Section
20 of the Criminal Division of the Department
21 of Justice.

22 (iii) The National Coordinator for
23 Child Exploitation Prevention and Inter-
24 diction of the Department of Justice.

1 (iv) A representative of the Behavioral
2 Analysis Unit of the United States Mar-
3 shals Service with subject matter expertise
4 in child exploitation offenders who also
5 commit contact offenses.

6 (v) A special agent of Homeland Se-
7 curity Investigations with expertise in both
8 CyberTipline investigations and proactive
9 online investigations.

10 (vi) A subject matter expert within
11 Homeland Security Investigations with ex-
12 pertise in child victim identification.

13 (vii) A special agent of the Federal
14 Bureau of Investigation with expertise in
15 both CyberTipline investigations and
16 proactive online investigations and the use
17 of polygraphs in child sexual abuse mate-
18 rial investigations.

19 (viii) A representative from the Na-
20 tional Children's Alliance with expertise in
21 child exploitation and child victim forensic
22 interviewing.

23 (ix) A special agent of the United
24 States Secret Service with expertise in in-
25 vestigations of child sexual abuse material

1 or polygraphs of child sexual exploitation
2 suspects.

3 (x) A Postal Inspector at the United
4 States Postal Inspection Service with ex-
5 pertise in child sexual abuse material in-
6 vestigations.

7 (xi) A representative from the Na-
8 tional District Attorney's Association.

9 (xii) A representative from the aca-
10 demic community with expertise in devel-
11 oping technology that can proactively de-
12 tect the distribution of child sexual abuse
13 material online.

14 (xiii) A representative of the Office of
15 Juvenile Justice and Delinquency Preven-
16 tion with expertise in available data
17 sources and methods for developing preva-
18 lence estimates using direct and indirect
19 methods of estimation.

20 (xiv) A representative of the Executive
21 Office of the United States Attorney.

22 (xv) A recently retired Internet
23 Crimes Against Children Task Force Com-
24 mander.

1 (xvi) A representative from National
2 Child Protection Task Force.

3 (xvii) Representatives from the De-
4 partment of Justice Office of Tribal Jus-
5 tice and the Bureau of Indian Affairs Of-
6 fice of Justice Services.

7 (xviii) A representative of the Rape,
8 Abuse & Incest National Network with
9 subject matter expertise on child sexual ex-
10 ploitation and abuse.

11 (xix) A representative of the Inter-
12 national Justice Mission with subject mat-
13 ter expertise on cross-border, live-streamed
14 child sexual abuse.

15 (C) TECHNICAL ASSISTANCE.—The Work-
16 ing Group shall establish a Technical Assistance
17 Board to provide guidance and technical assist-
18 ance to the Working Group, composed of the
19 following:

20 (i) A representative from the ICAC
21 Child Online Protection System
22 (ICACCOPS) at the National Criminal
23 Justice Training Center with subject mat-
24 ter expertise on child sexual exploitation
25 and abuse investigations.

1 (ii) A representative from the Child
2 Rescue Coalition with subject matter ex-
3 pertise on the Child Protection System and
4 other child sexual exploitation and abuse
5 investigations.

6 (iii) A representative from the Na-
7 tional Center for Missing and Exploited
8 Children with subject matter expertise on
9 child sexual exploitation and abuse and
10 child victim identification.

11 The Working Group shall consult with the
12 members of the Technical Assistance Board
13 throughout the execution of its duties under
14 subsection (b). Representatives of the Technical
15 Assistance Board under paragraph (1) from
16 each organization shall have the right to be
17 present at each Working Group meeting.

18 (2) CESSATION OF MEMBERSHIP.—If an indi-
19 vidual is appointed to the Working Group based on
20 membership in an agency or organization and the in-
21 dividual ceases to be a member of that agency or or-
22 ganization, the individual shall cease to be a member
23 of the Working Group on the date on which the
24 member ceases to be a member of the agency or or-
25 ganization.

1 (3) TERMS.—A member of the Working Group
2 shall be appointed for the life of the Working Group.

3 (4) VACANCIES.—

4 (A) VACANCY BEFORE EXPIRATION OF
5 TERM.—A member appointed to the Working
6 Group to fill a vacancy occurring before the ex-
7 piration of the term for which the member’s
8 predecessor was appointed shall be appointed
9 only for the remainder of that term.

10 (B) MANNER OF APPOINTMENT.—A va-
11 cancy in the Working Group shall be filled in
12 the manner in which the original appointment
13 was made.

14 (5) COMPENSATION.—A member of the Work-
15 ing Group shall serve without pay.

16 (6) QUORUM.—A majority of the members of
17 the Working Group shall constitute a quorum, but
18 a lesser number may hold hearings.

19 (7) CHAIRPERSON.—The Chairperson of the
20 Working Group shall be appointed by the Attorney
21 General from the membership of the Working
22 Group.

23 (8) MEETINGS.—The Working Group shall hold
24 virtual meetings monthly, and any subgroup of the

1 Working Group shall hold additional meetings as
2 necessary.

3 (d) STAFF OF WORKING GROUP; EXPERTS AND CON-
4 SULTANTS.—

5 (1) STAFF.—The Chairperson of the Working
6 Group may appoint and fix the pay of additional
7 personnel as the Chairperson considers appropriate.

8 (2) EXPERTS AND CONSULTANTS.—The Chair-
9 person of the Working Group may procure tem-
10 porary and intermittent services under section
11 3109(b) of title 5, United States Code.

12 (3) DETAILEES.—Upon request of the Chair-
13 person of the Working Group, the head of any Fed-
14 eral department or agency may detail, on a reim-
15 bursable basis, any of the personnel of that depart-
16 ment or agency to the Working Group to assist in
17 carrying out the duties of the Working Group under
18 this Act.

19 (e) POWERS OF THE WORKING GROUP.—

20 (1) SUBPOENA POWER.—

21 (A) BY WORKING GROUP.—The Working
22 may subpoena witnesses and records related to
23 the purposes of this Act.

24 (B) ENFORCEMENT.—The district courts
25 of the United States have jurisdiction to enforce

1 a subpoena issued under this section. Trial is in
2 the district in which the proceeding is con-
3 ducted. The court may punish a refusal to obey
4 a subpoena as a contempt of court.

5 (2) HEARINGS AND SESSIONS.—

6 (A) IN GENERAL.—The Working Group
7 may, for the purpose of carrying out this Act,
8 hold hearings, sit and act at times and places,
9 take testimony, and receive evidence as the
10 Working Group considers appropriate.

11 (B) WITNESSES.—The Working Group
12 may administer oaths or affirmations to wit-
13 nesses appearing before the Working Group.

14 (3) POWERS OF MEMBERS AND AGENTS.—Any
15 member or agent of the Working Group may, if au-
16 thorized by the Chairperson, take any action that
17 the Working Group is authorized to take under this
18 Section, including requesting information.

19 (4) OBTAINING OFFICIAL INFORMATION.—

20 (A) UNITED STATES' AGENCIES AND DE-
21 PARTMENTS.—

22 (i) IN GENERAL.—The Working
23 Group may secure directly from any de-
24 partment or agency of the United States

1 information necessary to enable the Work-
2 ing Group to carry out this Act.

3 (ii) FURNISHING INFORMATION.—

4 Upon request of the Chairperson of the
5 Working Group for information solicited
6 pursuant to subsection (b), the head of the
7 department or agency of the United States
8 shall furnish that information to the Work-
9 ing Group.

10 (B) STATE AND LOCAL INFORMATION.—

11 (i) IN GENERAL.—The Working
12 Group may obtain and review information
13 and data from State and local departments
14 and agencies for purposes of carrying out
15 this Act.

16 (ii) COSTS.—The Working Group
17 shall pay reasonable costs to state and
18 local agencies for records obtained pursu-
19 ant to subsection (b).

20 (5) CLEARANCE FOR MEMBERS OF WORKING
21 GROUP.—In the case that the Working Group inter-
22 acts with controlled unclassified information, the
23 Working Group shall follow all laws, regulations, and
24 government-wide policies with respect to such infor-
25 mation.

1 (f) TERMINATION OF WORKING GROUP.—

2 (1) IN GENERAL.—The Working Group shall
3 terminate 120 days after submission of the report
4 under section 9, unless the Attorney General deter-
5 mines that such termination is not appropriate.

6 (2) RECONVENING GROUP.—If the Working
7 Group terminates under subsection (a), the Attorney
8 General may reconvene the Working Group in ac-
9 cordance with this Act. If the Attorney General re-
10 convenes the Working Group, the Working Group
11 shall be convened in accordance with this section.
12 The Attorney General may re-appoint members to
13 the Working Group who served a previous term if
14 the Working Group is reconvened.

15 (g) DEFINITIONS.—In this section:

16 (1) CHILD.—The term “child” means any indi-
17 vidual under the age of eighteen years.

18 (2) CHILD SEXUAL ABUSE MATERIAL.—The
19 term “child sexual abuse material” shall have the
20 meaning given the term “child pornography” in sec-
21 tion 2256 of title 18, United States Code.

22 (3) CRIME INVOLVING SEXUAL CONTACT.—The
23 term “crime involving sexual contact” means —

24 (A) an offense involving a child under
25 chapter 109A of title 18, United States Code,

1 or any attempt or conspiracy to commit such an
2 offense; or

3 (B) an offense involving a child under a
4 State or Tribal statute that is similar to a pro-
5 vision described in subparagraph (A).

6 (4) KNOWN TO LAW ENFORCEMENT.—The term
7 “known to law enforcement” means that a Federal,
8 State, Tribal, or local law enforcement agency has
9 evidence of a crime that can be attributed to a per-
10 son or location, including an email address, Internet
11 Protocol address, screen name, universally unique
12 identifier, phone number, or other information at-
13 tributable to that person or location.

14 (5) LAW ENFORCEMENT AGENCY.—The term
15 “law enforcement agency” means an agency of the
16 Federal Government, a State, a political subdivision
17 of a State, or a Federally recognized tribe that is
18 authorized by law to supervise the prevention, detec-
19 tion, investigation, or prosecution of any violation of
20 criminal law.

21 (6) NCMEC.—The term “NCMEC” means the
22 National Center for Missing & Exploited Children.

23 (7) PROACTIVE POLICING.—The term
24 “proactive policing” means a covert or undercover
25 investigation conducted by a law enforcement agency

1 that involves a person or organization that the law
2 enforcement agency believes is engaging or has en-
3 gaged in an offense or violation relating to child sex-
4 ual abuse, child sexual abuse material, child exploi-
5 tation, or child sex trafficking crimes.

6 (8) STATE.—The term “State” means each of
7 the several States, the District of Columbia, the
8 Commonwealth of Puerto Rico, or any other terri-
9 tory or possession of the United States.

10 (9) VICTIM-CENTRIC.—The term “victim-cen-
11 tric” refers to the systematic focus on the needs and
12 concerns of a victim to ensure that services are de-
13 livered in a compassionate, sensitive, non-
14 judgmental, and culturally considerate manner that
15 seeks to minimize retraumatization associated with
16 the criminal justice process by providing the support
17 of victim advocates and service providers, empow-
18 ering victims as engaged participants in the process,
19 and providing victims an opportunity to play a role
20 in seeing their abusers brought to justice.

21 (10) UNITED STATES.—The term “United
22 States” means the 50 States of the United States of
23 America and the District of Columbia, the Common-
24 wealth of Puerto Rico, Guam, the Virgin Islands,
25 American Samoa, Wake Island, Midway Islands,

1 Kingman Reef, Johnston Atoll, the Northern Mar-
2 iana Islands, and any other trust territory or posses-
3 sion of the United States.