AMENDMENT NO._____ Calendar No._____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—119th Cong., 1st Sess.

S.____

To reauthorize the PROTECT Our Children Act of 2008, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. CORNYN

Viz:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''PROTECT Our Children Reauthorization Act of 2025''.

SEC. 2. REAUTHORIZATION.

(a) ESTABLISHMENT OF NATIONAL STRATEGY FOR CHILD EXPLOITATION PREVENTION AND INTERDICTION.—Section 101 of the PROTECT Our Children Act of 2008 (34 U.S.C. 21111) is amended—

(1) in subsection (b), by striking ''every second year'' and inserting ''every fourth year''; and

(2) by striking subsection (c) and inserting the following:

''(c) REQUIRED CONTENTS OF NATIONAL STRATEGY.—The National Strategy established under subsection (a) shall include the following:

''(1) An analysis of current trends, challenges, and the overall magnitude of the threat of child exploitation.

''(2) An analysis of future trends and challenges, including new technologies, that will impact the efforts to combat child exploitation.

''(3) Goals and strategic solutions to prevent and interdict child exploitation, including—

''(A) plans for interagency coordination;

''(B) engagement with the judicial branches of the Federal Government and State governments;

''(C) legislative recommendations for combating child exploitation;

''(D) cooperation with international, State, local, and Tribal law enforcement agencies; and

''(E) engagement with the private sector and other entities involved in efforts to combat child exploitation.

''(4) An analysis of Federal efforts dedicated to combating child exploitation, including—

''(A) a review of the policies and work of the Department of Justice and other Federal programs relating to the prevention and interdiction of child exploitation crimes, including training programs, and investigative and prosecution activity; and

''(B) a description of the efforts of the Department of Justice to cooperate and coordinate with, and provide technical assistance and support to, international, State, local, and Tribal law enforcement agencies and private sector and nonprofit entities with respect to child exploitation prevention and interdiction efforts.

''(5) An estimate of the resources required to effectively respond to child exploitation crimes at scale by—

''(A) each ICAC task force;

''(B) the Federal Bureau of Investigation, including investigators, forensic interviewers, and analysts of victims, witnesses, and forensics;

"(C) Homeland Security Investigations, including forensic interviewers and analysts of victims, witnesses, and forensics;

"(D) the United States Marshals Service;

"(E) the United States Secret Service;

"(F) the United States Postal Service;

"(G) the criminal investigative offices of the Department of Defense; and

"(H) any component of an agency described in this paragraph.

"(6) A review of the Internet Crimes Against Children Task Force Program, including—

"(A) the number of ICAC task forces and the location of each ICAC task force;

"(B) the number of trained personnel at each ICAC task force;

"(C) the amount of Federal grants awarded to each ICAC task force; and

"(D) an assessment of the Federal, State, and local cooperation with respect to each ICAC task force, including—

"(i) the number of arrests made by each ICAC task force;

"(ii) the number of criminal referrals to United States attorneys for prosecution;

"(iii) the number of prosecutions and convictions from the referrals described in clause (ii);

"(iv) the number, if available, of local prosecutions and convictions based on ICAC task force investigations; and

"(v) any other information determined by the Attorney General demonstrating the level of Federal, State, Tribal, and local coordination and cooperation.

"(7) An assessment of training needs for each ICAC task force and affiliated agencies.

"(8) An assessment of Federal investigative and prosecution activity relating to reported incidents of child exploitation crimes that include a number of factors, including—

"(A) the number of investigations, arrests, prosecutions and convictions for a crime of child exploitation; and

"(B) the average sentence imposed and the statutory maximum sentence that could be imposed for each crime of child exploitation.

"(9) A review of all available statistical data indicating the overall magnitude of child pornography

trafficking in the United States and internationally, including—

"(A) the number of foreign and domestic suspects observed engaging in accessing and sharing child pornography;

"(B) the number of tips or other statistical data from the CyberTipline of the National Center for Missing and Exploited Children and other data indicating the magnitude of child pornography trafficking; and

"(C) any other statistical data indicating the type, nature, and extent of child exploitation crime in the United States and abroad.".

(b) ESTABLISHMENT OF NATIONAL ICAC TASK FORCE PROGRAM.—Section 102 of the PROTECT Our Children Act of 2008 (34 U.S.C. 21112) is amended—

(1) in subsection (a)(1)—

(A) by inserting ", Tribal, military," after "State"; and

(B) by striking "and child obscenity and pornography cases" and inserting "child obscenity and pornography cases, and the identification of child victims";

(2) in subsection (b)—

(A) in paragraph (2), by striking ''consult with and consider'' and all that follows through ''track record of success.'' and inserting '', evaluate the task forces funded under the ICAC Task Force Program to determine if those task forces are operating in an effective manner.'';

(B) in paragraph (3)(B)—

(i) by striking ''establish a new task force'' and inserting ''establish a new or continue an existing task force''; and

(ii) by striking ''state'' and inserting ''State''; and

(C) in paragraph (4)—

(i) in subparagraph (A), by striking ''may'' and inserting ''shall'';

(ii) by striking subparagraph (B); and

(iii) by redesignating subparagraph (C) as subparagraph (B); and

(3) by adding at the end the following:

''(c) LIMITED LIABILITY FOR ICAC TASK FORCES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), a civil claim or criminal charge against an ICAC task force established pursuant to this section and sections 103 and 104, including any law enforcement agency that participates on such a task

force or a director, officer, employee, or agent of such a law enforcement agency, arising from the prioritization decisions with respect to leads related to Internet crimes against children described in section 104(8), may not be brought in any Federal or State court.

''(2) INTENTIONAL, RECKLESS, OR OTHER MISCONDUCT.—Paragraph (1) shall not apply to a claim if the ICAC task force or law enforcement agency, or a director, officer, employee, or agent of that law enforcement agency—

''(A) engaged in intentional misconduct; or

''(B) acted, or failed to act—

''(i) with actual malice;

''(ii) with gross negligence or reckless disregard to a substantial risk of causing physical injury without legal justification; or

''(iii) for a purpose unrelated to the performance of any responsibility or function under section 104(8).

''(3) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to—

"(A) create any independent basis of liability on behalf of, or any cause of action against—

"(i) an ICAC task force; or

"(ii) a law enforcement agency or a director, officer, employee, or agent of the law enforcement agency; or

"(B) expand any liability otherwise imposed, or limit any defense to that liability, otherwise available under Federal or State law.".

(c) PURPOSE OF ICAC TASK FORCES.—Section 103 of the PROTECT Our Children Act of 2008 (34 U.S.C. 21113) is amended—

(1) in paragraph (1), by inserting ", and the identification of child victims of those crimes" before the semicolon at the end;

(2) in paragraph (2), by inserting "and prioritizing investigations that task force personnel, through the background, training and experience of those personnel and the consideration of all relevant circumstances, determine to be most likely to result in positive case outcomes and in the rescue of children" before the semicolon at the end;

(3) in paragraph (3)—

(A) by striking ''and local law enforcement'' and inserting ''Tribal, military, and local law enforcement''; and

(B) by inserting '', including probation and parole agencies, child advocacy centers, and child protective services,'' after ''enforcement agencies'';

(4) in paragraph (8), by striking ''and'' at the end;

(5) in paragraph (9), by striking the period at the end and inserting ''; and''; and

(6) by adding at the end the following:

''(10) educating the judiciary on—

''(A) the link between intrafamilial contact offenses and technology-facilitated crimes; and

''(B) characteristics of internet offenders, including the interest of online offenders in incest-themed material, sadism, and other related paraphilias or illegal activity.''.

(d) DUTIES AND FUNCTIONS OF TASK FORCES.—Section 104 of the PROTECT Our Children Act of 2008 (34 U.S.C. 21114) is amended—

(1) in paragraph (3)—

(A) by inserting ''reactive and'' before ''proactive'';

(B) by inserting ''conduct digital'' before ''forensic examinations''; and

(C) by inserting ''engage in'' before ''effective prosecutions'';

(2) by striking paragraph (8) and inserting the following:

''(8) investigate, seek prosecution with respect to, and identify child victims from leads relating to Internet crimes against children, including CyberTipline reports, with prioritization determined according to circumstances and by each task force, as described in section 102;'';

(3) by striking paragraph (9); and

(4) by redesignating paragraphs (10) and (11) as paragraphs (9) and (10), respectively.

(e) NATIONAL INTERNET CRIMES AGAINST CHILDREN DATA SYSTEM.—Section 105 of the PROTECT Our Children Act of 2008 (34 U.S.C. 21115) is amended—

(1) in subsection (a), by striking ''shall establish'' and inserting ''may establish'';

(2) in subsection (b) by striking ''continue and build upon Operation Fairplay developed by the Wyoming Attorney General's office, which has estab-

lished a secure, dynamic undercover infrastructure that has facilitated'' and inserting ''facilitate''; and

(3) in subsection (g)—

(A) by striking paragraph (3);

(B) by redesignating paragraphs (4) through (8) as paragraphs (3) through (7), respectively; and

(C) in paragraph (7), as so redesignated, by striking ''1 representative'' and inserting ''2 representatives''.

(f) ICAC GRANT PROGRAM.—Section 106 of the PROTECT Our Children Act of 2008 (34 U.S.C. 21116) is amended—

(1) in subsection (a)—

(A) in paragraph (2)(B)(ii)(II), by striking ''Operation Fairplay,''; and

(B) in paragraph (3)—

(i) by striking subparagraph (A) and inserting the following:

''(A) Not less than 20 percent of the total funds appropriated to carry out this section shall be distributed to support the ICAC Task Force Program through grants to—

"(i) provide training and technical assistance to members of the ICAC Task Force Program;

"(ii) maintain, enhance, research, and develop tools and technology to assist members of the ICAC Task Force Program;

"(iii) provide other support to the ICAC Task Force Program determined by the Attorney General;

"(iv) conduct research;

"(v) support the annual National Law Enforcement Training on Child Exploitation of the Office of Juvenile Justice and Delinquency Prevention; and

"(vi) provide wellness training."; and

(2) in subsection (d)(1)—

(A) in subparagraph (B)—

(i) in clause (ii), by striking "and" at the end;

(ii) in clause (iii), by striking ", including" and all that follows through "such crime under State law." and inserting "; and"; and

(iii) by adding at the end the following:

''(iv) the number of child victims identified.'';

(B) by striking subparagraph (D); and

(C) by redesignating subparagraphs (E) through (G) as subparagraphs (D) through (F), respectively.

(g) AUTHORIZATION OF APPROPRIATIONS.—Section 107(a) of the PROTECT Our Children Act of 2008 (34 U.S.C. 21117(a)) is amended—

(1) in paragraph (9), by striking ''and'' at the end;

(2) in paragraph (10), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(11) $70,000,000 for fiscal year 2026;

''(12) $80,000,000 for fiscal year 2027; and

''(13) $90,000,000 for fiscal year 2028.''.

(h) ADDITIONAL REGIONAL COMPUTER FORENSIC LABS.—The PROTECT Our Children Act of 2008 (34 U.S.C. 21101 et seq.) is amended by striking title II.

(i) REPORTING REQUIREMENTS OF PROVIDERS.—Section 2258A(c) of title 18, United States Code, is amended, in the matter preceding paragraph (1), by in-

serting ‘‘and all supplemental data included in the report’’ after ‘‘each report made under subsection (a)(1)’’.