

112TH CONGRESS
1ST SESSION

H. R. 1434

To render inadmissible to the United States aliens who have been convicted of a sex offense against a minor, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 7, 2011

Mr. SHULER introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To render inadmissible to the United States aliens who have been convicted of a sex offense against a minor, 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 “International Child
5 Protection Act of 2011”.

6 **SEC. 2. PREVENTING ADMISSION OF ALIENS CONVICTED**
7 **OF SEX OFFENSES AGAINST MINORS.**

8 Section 212(a)(2) of the Immigration and Nationality
9 Act (8 U.S.C. 1182(a)(2)) is amended by adding at the
10 end the following:

1 “(J) SEX OFFENDERS.—

2 “(i) IN GENERAL.—Any alien con-
3 victed of, or who admits having committed,
4 or who admits committing acts which con-
5 stitute the essential elements of, a sex of-
6 fense is inadmissible.

7 “(ii) DEFINITIONS.—

8 “(I) IN GENERAL.—For purposes
9 of clause (i), the term ‘sex offense’
10 means a criminal offense, including a
11 Federal offense, against a minor that
12 involves any of the following:

13 “(aa) Solicitation to engage
14 in sexual conduct.

15 “(bb) Use in a sexual per-
16 formance.

17 “(cc) Solicitation to practice
18 prostitution (whether for finan-
19 cial or other forms of remunera-
20 tion).

21 “(dd) Video voyeurism as
22 described in section 1801 of title
23 18, United States Code.

1 “(ee) Possession, production,
2 or distribution of child pornog-
3 raphy.

4 “(ff) Criminal sexual con-
5 duct involving a minor, or the
6 use of the Internet to facilitate or
7 attempt such conduct.

8 “(gg) Sex trafficking of chil-
9 dren as described in section 1591
10 of title 18, United States Code.

11 “(hh) Transporting a minor
12 in interstate or foreign com-
13 merce, or in any commonwealth,
14 territory, or possession of the
15 United States, with intent that
16 the individual engage in prostitu-
17 tion, or in any sexual activity for
18 which any person can be charged
19 with a criminal offense.

20 “(ii) Any other conduct that
21 by its nature is a sex offense
22 against a minor.

23 “(II) EXCEPTIONS.—The term
24 ‘sex offense’ shall not include the fol-
25 lowing:

1 “(aa) A foreign conviction if
2 it was not obtained with suffi-
3 cient safeguards for fundamental
4 fairness and due process for the
5 accused under guidelines or regu-
6 lations established under section
7 112 of the Sex Offender Reg-
8 istration and Notification Act
9 (title I of Public Law 109–248;
10 42 U.S.C. 16911).

11 “(bb) An offense involving
12 consensual sexual conduct if the
13 victim was at least 13 years old
14 and the offender was not more
15 than 4 years older than the vic-
16 tim.

17 “(III) MINOR.—For purposes of
18 subclause (I), the term ‘minor’ means
19 an individual who has not attained the
20 age of 18 years.”.

21 **SEC. 3. SENSE OF CONGRESS.**

22 It is the sense of the Congress that the Secretary of
23 Homeland Security, the Attorney General, and the Sec-
24 retary of State should work with law enforcement agencies
25 of foreign countries and appropriate international organi-

- 1 zations to establish information reporting mechanisms suf-
- 2 ficient to enable the implementation of the amendment
- 3 made by section 2.

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