

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.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 7, 2011

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

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## 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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