



Questions for the Record from Representative Rick Allen (R-GA-12)
U.S. House Committee on Education and the Workforce
Subcommittee on Early Childhood, Elementary, and Secondary Education
Submitted March 18, 2024

Response from Ms. Michelle DeLaune
President and CEO, National Center for Missing & Exploited Children

Question 1:

The Department of Justice National Missing and Unidentified Persons System lists 725 remains of unidentified children. Your organization has a forensics services unit, and in a recent Newsweek article, John Bishoff praised new DNA testing, FGG, that is solving many of these cases.

If technology can solve these cases, what, if anything, is preventing NCMEC from identifying all 725 children?

NCMEC Response:

Currently, 630 cases of unidentified deceased children have been reported to NCMEC.¹ NCMEC devotes substantial resources to cases of unidentified child remains, including 3 dedicated staff members and coordination with more than 14 professional lab organizations. Unfortunately, several factors can complicate efforts to determine the identity of remains of unidentified children, including the following factors:

1. When the investigating authority indicates critical evidence has been misplaced, destroyed, completely used for prior testing, and/or is not available;
2. When the child's remains have been buried in unmarked graves, cremated, sent to State Anatomy Boards or universities for research or medical purposes, and/or no tracking records exist and bodies are currently unavailable;
3. When the child's remains or evidence have not produced sufficient human DNA for forensic genetic genealogy (FGG) purposes after multiple attempts using appropriate technologies due to contamination and degradation;

¹ NCMEC works cases of unidentified child remains that are reported to us. Currently, there is no state requirement to report cases of unidentified child remains to NCMEC. The disparity between the NamUs total of 725 unidentified child remains and NCMEC's case load of 630 such cases is due to jurisdictions that are not reporting these cases to NCMEC.

4. When sufficient DNA has been developed for FGG and research is active; however, the approved law enforcement databases provide insufficient matches for productive research and genealogy efforts are stifled and prolonged.

Question 2:

How many minors have been identified using FGG technology? And how many cases solved by FGG technology were funded by NCMEC?

NCMEC Response:

NCMEC is aware of 82 unidentified children that have been identified through the use of FGG since 2018. NCMEC provided technical assistance facilitating FGG resources to 37 (45%) of those 82 cases that resulted in identification. Technical assistance includes funding in whole or part the FGG process, utilizing in-kind support from private companies, or applying other NCMEC resources (e.g., analytical searches) that directly contributed to the final identification.



**Questions for the Record from Representative Frederica Wilson (D-FL-24)
U.S. House Committee on Education and the Workforce
Subcommittee on Early Childhood, Elementary, and Secondary Education
Submitted March 18, 2024**

**Response from Ms. Michelle DeLaune
President and CEO, National Center for Missing & Exploited Children**

Question 1:

We know that there is a disproportionate representation of children of color who are missing, as compared to their numbers in the population, and who are at risk for exploitation.

From 2016 to 2020, 31% of children reported missing to National Center for Missing and Exploited Children during this time period were Black, while only making up 14% of the U.S. population.

What can you share about the National Center for Missing and Exploited Children experience in working on this issue and the disparities you see?

NCMEC Response:

NCMEC acknowledges the unfortunate reality that Black children make up a disproportionate amount of missing children in the United States. For reference, based on 130,790 endangered runaway/missing children reported to NCMEC between 2019-2023, 31.3% were reports of missing Black children. Of the total number of endangered runaway/missing child reports made to NCMEC over the last 5 years, 81.5% were children missing from state-sponsored care facilities. For further reference, the proportion of the reports involving Black children missing from state-sponsored care facilities was 34% compared to the 23% of Black children who were reported missing, but not missing from care.

The reasons why children and youth of color go missing from care are complex and reflective of broader and systemic societal issues.

NCMEC prioritizes addressing the disproportionate number of Black children missing in this country. In the spring of 2022, NCMEC's Missing Children Division successfully partnered with an external stakeholder to independently evaluate our Call Center to ensure our internal processes and operations are inclusive and optimized to best serve marginalized communities. Additionally, we continue to engage with diverse audiences and communities. In 2022, NCMEC staff engaged with the Chicago chapter of the Black Child Development Institute and is presently working to bring this organization on as a Community Education Partner. Also, NCMEC staff presented to the Austin Area African

American Behavioral Health Network to discuss online dangers and ways to identify and protect young people from exploitation and solicitation. NCMEC staff shared data and information about missing and exploited youth, how youth of color and their families are affected and how NCMEC can support these children and their families.

Question 2:

How are you working collaboratively with partners on this matter?

NCMEC Response:

Given that a high percentage of reports of endangered runaways are children missing from state sponsored care facilities, NCMEC has partnerships in all 50 states, including child welfare, state policy administrators, human trafficking coordinators, locator programs that are administered through child welfare systems, and State child welfare training coordinators. NCMEC regularly provides outreach, shares data, and works collaboratively to improve reporting and, ultimately outcomes, for all missing children. We participate in discussions on issues relating to disproportionality of Black missing children with State child welfare systems and share our data in our community outreach to learn more and to ensure NCMEC is part of the solution. NCMEC provides regular updates to states on reports of children missing from state-sponsored care facilities that include information relating to disproportionality.

NCMEC also works to ensure that cases of Black missing children gain the proper media coverage. As an example, NCMEC and the Black and Missing Foundation have partnered with *On Patrol: Live* to bring cases of missing persons to an audience of 3.5 million viewers on a weekly basis. The segments bring special attention to cases of missing Black adults and children and provide opportunities for additional amplification for these cases through social media.

NCMEC also has worked to build strategic partnerships at both the national and state levels to strengthen our engagement with marginalized communities. We partner with the National Network for Youth and work closely with their diverse National Youth Advisory Council (NYAC). NCMEC hosted a staff *Lunch and Learn* in 2023 that was conducted by NYAC members. In 2022, NCMEC finalized a partnership with the Georgetown Center for Juvenile Justice Reform and collaborated to leverage their expertise and shared goals of reducing racial and ethnic disparities within child welfare systems. In 2023, NCMEC released a joint report on children missing from care that included a youth perspective, and highlighted research relating to disproportionalities concerning race, ethnicity, gender, and LGBTQ+ youth in the child welfare system.²

² <https://www.missingkids.org/content/dam/missingkids/pdfs/analysis-of-children-missing-from-care-reported-to-ncmec-2013-2022.pdf>.

Question 3:

The National Center for Missing and Exploited Children's CyberTipline is an online portal that receives reports from the public and electronic service providers like Google and TikTok about incidents of suspected child sexual exploitation, including child sexual abuse material, child sex trafficking, and online enticement of children for sexual acts.

In 2023, the CyberTipline received a staggering 36 million reports. While federal law requires electronic service providers like TikTok and Google to report when they have actual knowledge of a violation of child exploitation, it doesn't require them proactively examine their platforms for this material or even require a substantive report to be made to the CyberTipline.

Can you explain the impact of these gaps in federal policy on the National Center for Missing and Exploited Children's work?

NCMEC Response:

After NCMEC created the CyberTipline, Congress enacted a statute, 18 U.S.C. § 2258A, which contains a basic requirement for electronic service providers (ESPs) to submit a report to NCMEC's CyberTipline when they have actual knowledge of a violation of federal child pornography laws on their platforms. While this reporting requirement drives submission of reports to the CyberTipline, it does not require ESPs to take proactive steps to detect child sexual exploitation content, remove content after it has been reported, or submit substantive, consistent information in CyberTipline reports. The statute's current gaps and inconsistencies enable many ESPs to submit reports that are incomplete, and ultimately unactionable by law enforcement; leave children unprotected online; and subjects survivors to repeated revictimization.

Question 4:

How many reports do you receive that are unactionable? Can you give us an example of what a report looks like that meets current federal requirements but fails to provide the National Center for Missing and Exploited Children with meaningful information?

NCMEC Response:

One of the most significant disparities in ESP reporting relates to the large number of ESPs that chronically fail to submit actionable reports. In 2023, 3.8% of CyberTipline reports contained such little information regarding the geographic location of the reported offense, that it was not possible for NCMEC to determine where in the world that offense had occurred. NCMEC categorizes reports it receives from ESPs as "actionable" or "informational" to help prioritize CyberTipline reports for law enforcement review. An actionable report contains information regarding a suspected prior, ongoing, or planned child sexual exploitation crime. An informational report contains limited information relating to child sexual exploitation or has been designated as "viral," meaning that the image was shared online in high volumes among users for inappropriate comedic effect or moral outrage.

Generally, only actionable reports have investigative value for law enforcement. When an ESP submits a report lacking critical information or the reported incident occurred so long ago that no current information would be available, that informational report cannot be investigated by law enforcement. In 2023, about half of the 36 million reports submitted to NCMEC's CyberTipline were informational.

In order to submit a CyberTipline report to NCMEC, ESPs are only required to provide the incident type they are reporting and the incident date/time. Based on these sparse requirements, an ESP would fulfill its statutory reporting requirement by submitting a report to the CyberTipline that indicates they are reporting a Child Sexual Abuse Material incident that occurred on a specific date/time. No additional details or information are required under the current reporting law.

Question 5:

The National Center for Missing and Exploited Children has reported that in 2022, 21,494 out of 27,644 missing children are or were in state care. Yet, a great portion of missing children in state care is unreported.

We have laws in place that require state child welfare agencies to report missing children to both law enforcement and the National Center for Missing and Exploited Children.

What supports do state child welfare agencies need to meet their legal obligations and accurately report the number of missing children in their systems?

NCMEC Response:

Our child welfare partners have a complex and difficult job in managing a large volume of cases of children missing from state sponsored state care while addressing multiple crises simultaneously. Child welfare workers strive to prioritize numerous high-priority tasks at the same time. As NCMEC proactively conducts outreach to state agencies with offers of support, a few themes have become apparent. First, the high level of staff turnover makes it difficult to ensure individuals are properly trained and informed of current policies. Incorporating information about the reporting requirement to NCMEC in training for new child welfare workers could help address this issue. Second, a significant number of children who go missing from care will run multiple times in rapid succession. When this occurs, there can be confusion regarding whether these multiple runs should be reported to NCMEC as separate incidents or a continuing incident. NCMEC is working to address this and related process issues through our outreach so they understand when and what to report and the importance of providing robust information so NCMEC can better support the child's recovery. This last point is especially crucial. Often, NCMEC finds that child welfare staff are not aware of the full range of free resources that NCMEC can offer to support the staff working on the missing child case, ranging from analytical resources, case management support, poster distribution, and recovery support.

NCMEC also provides report information to assist with States' compliance and monitoring processes. The provided data shows which jurisdictions are reporting missing children which helps highlight those areas of the state that are not submitting reports. NCMEC offers additional technical assistance and support to states and jurisdictions where reporting is low.



**Questions for the Record from Representative Ilhan Omar (D-MN-5)
U.S. House Committee on Education and the Workforce
Subcommittee on Early Childhood, Elementary, and Secondary Education
Submitted March 18, 2024**

**Response from Ms. Michelle DeLaune
President and CEO, National Center for Missing & Exploited Children**

Question 1:

According to the National Crime Information Center, in 2020, of the 268,884 girls and women report missing, 90,333, or nearly 34%, were Black. This is extremely concerning, given that Black girls and women make up only 14% of the U.S. female population. Nationally, cases involving Black girls and women stay open four times longer than other cases on average. These statistics paint a devastating picture of the magnitude of the issue of missing and murdered Black women and girls.

Ms. DeLaune, in addition to supporting the work that your organization does, what else could Congress do to address these stark statistics and focus resources on communities that are disproportionately impacted?

NCMEC Response:

NCMEC strives to improve reporting, and ultimately the recovery, of all missing children. To do this NCMEC continually shares data with stakeholders, engages in communities through outreach programs, and works collaboratively with any organization who shares our mission because child deserves a safe childhood. While we engage in efforts to ensure that our work is impactful in our most vulnerable communities, Congress can continue to engage and direct attention to the disproportionality of Black girls who are missing.

NCMEC believes the best way to address the disproportionate number of missing Black girls is through a two-pronged approach at the national and local levels. NCMEC works with states and local entities to determine additional data points and information that would be helpful for them to better address issues relating to disparity. To address the disproportionate number of Black girls who go missing, we must foster relationships at the state and local level and understand what is truly needed in those communities.

In addition to strengthening communication at the local level, NCMEC believes more can be done at the national level. NCMEC and the Black and Missing Foundation have partnered with *On Patrol: Live*

to bring cases of missing persons to an audience of 3.5 million viewers weekly. The segments bring special attention to Black adults and children who are missing and provide additional opportunities to amplify these cases through social media. Providing a national platform to spread awareness about cases of missing black girls is paramount to demonstrating the seriousness and potential danger all children face when they go missing.

After passage of the 2014 Preventing Sex Trafficking and Strengthening Families Act, NCMEC experienced a tremendous increase in missing child reports and a substantial shift in the type of missing child cases NCMEC received. As a result of this increase, NCMEC held our first roundtable in 2017 to address children in state care and the missing child nexus. This roundtable also focused on cultural considerations and bridging the gap between law enforcement and communities of color.

An analysis of NCMEC data between 2013 to 2022, showed that 61% of children missing from care are Black girls.³ Many factors contribute to successful outcomes for missing children, including missing Black girls, such as: accurate and up-to-date information about the child and any endangerments the child may be facing; recent photos of the child; providing better support and placements for foster youth; trauma-informed, victim-centric recovery plans; and proper training to ensure foster care workers are able to provide the best services possible to foster youth.

Question 2:

Last year, I introduced a bill, H.R. 6828 – The Brittany Clardy Missing and Murdered Black Women and Girls Act, which would establish an Office for Missing and Murdered Black Women and Girls within the Department of Justice to help prioritize and strengthen national efforts in countering such disparities.

Ms. DeLaune, could this legislation improve the efficacy and coordination of the federal government to equitably address this issue?

NCMEC Response:

NCMEC's long history of helping locate and recover missing children has shown us there is a disproportionate number of Black girls who go missing. While NCMEC defers to DOJ's expertise on establishing a new office within the Department, whenever such a disparity exists, it is critical that we understand the scope of the problem and identify the root causes of the issue.

The Brittany Clardy Missing and Murdered Black Women and Girls Act's proposal to collect and report data of missing person reports, homicides, and Amber Alerts that involve Black women and girls would be beneficial to record this information, establish an annual report to document disparities in these cases and help build a clear, collective path forward to address these issues. Focusing more attention and resources to this problem can facilitate lowering disparities, even when these complex problems require a multi-faceted approach.

Each case of a missing child is unique and requires its own resources and nuanced response. The

³ <https://www.missingkids.org/content/dam/missingkids/pdfs/analysis-of-children-missing-from-care-reported-to-ncmec-2013-2022.pdf>.

Brittany Clardy Missing and Murdered Black Women and Girls Act calls for additional resources to be allocated directly to protecting Black women and girls in the United States. NCMEC's experience has shown that when law enforcement, NCMEC, and others collaborating on a missing child case have accurate reporting and data, ample resources, and the proper tools at their disposal, we are all better able to ensure the speedy and safe recovery of a child.