

# Union Calendar No. 29

108TH CONGRESS  
1ST SESSION

# H. R. 1104

**[Report No. 108-47, Part I]**

To prevent child abduction, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2003

Mr. SENSENBRENNER (for himself, Mr. SMITH of Texas, Mr. CHABOT, Mr. GREEN of Wisconsin, Mr. HYDE, and Mr. COBLE) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Transportation and Infrastructure, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

MARCH 24, 2003

Additional sponsors: Mr. DELAY, Mrs. CAPITO, Ms. DUNN, Mr. BRADY of Texas, Mr. FOLEY, Mr. GOODLATTE, Mr. TERRY, Mr. BAKER, Mr. UPTON, Mr. MCCOTTER, Mr. SIMMONS, Mr. REYNOLDS, Ms. HART, Mrs. BLACKBURN, Mr. ADERHOLT, Mr. ROYCE, Mr. ISAKSON, Mr. LATOURETTE, Mr. BRADLEY of New Hampshire, Mr. KING of Iowa, Mr. FEENEY, Mr. GILCHREST, Mr. GALLEGLY, Mr. GREENWOOD, Mr. WILSON of South Carolina, Mr. PETRI, Mr. SPRATT, Mr. KENNEDY of Minnesota, Ms. GINNY BROWN-WAITE of Florida, Mr. ROGERS of Michigan, Mr. WAMP, Mr. SWEENEY, Mr. MCKEON, Mr. FRANKS of Arizona, Mr. SULLIVAN, Mr. PLATTS, Mr. VITTER, Mr. MARIO DIAZ-BALART of Florida, and Mr. POMEROY

MARCH 24, 2003

Reported from the Committee on the Judiciary with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

MARCH 24, 2003

Referral to the Committees on Transportation and Infrastructure, and Education and the Workforce extended for a period ending not later than March 24, 2003

MARCH 24, 2003

The Committees on Transportation and Infrastructure, and Education and the Workforce discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on March 5, 2003]

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# A BILL

To prevent child abduction, 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 Abduction Preven-*  
5 *tion Act”.*

6 **TITLE I—SANCTIONS AND**  
7 **OFFENSES**

8 **SEC. 101. SUPERVISED RELEASE TERM FOR SEX OFFEND-**  
9 **ERS.**

10 *Section 3583 of title 18, United States Code, is amend-*  
11 *ed—*

12 *(1) in subsection (e)(3), by inserting “on any*  
13 *such revocation” after “required to serve”;*

14 *(2) in subsection (h), by striking “that is less*  
15 *than the maximum term of imprisonment authorized*  
16 *under subsection (e)(3)”;* and

17 *(3) by adding at the end the following:*

1       “(k) Notwithstanding subsection (b), the authorized  
 2 term of supervised release for any offense under section 1201  
 3 involving a minor victim, and for any offense under section  
 4 1591, 2241, 2242, 2244(a)(1), 2244(a)(2), 2251, 2251A,  
 5 2252, 2252A, 2260, 2421, 2422, 2423, or 2425, is any term  
 6 of years or life, and the sentence for any such offense that  
 7 is a felony shall include a term of supervised release of at  
 8 least 5 years.”.

9       **SEC. 102. FIRST DEGREE MURDER FOR CHILD ABUSE AND**  
 10                                   **CHILD TORTURE MURDERS.**

11       Section 1111 of title 18, United States Code, is amend-  
 12 ed—

13                   (1) in subsection (a)—

14                           (A) by inserting “child abuse,” after “sexual  
 15 abuse,”; and

16                           (B) by inserting “or perpetrated as part of  
 17 a pattern or practice of assault or torture  
 18 against a child or children;” after “robbery;”;  
 19 and

20                   (2) by inserting at the end the following:

21       “(c) For purposes of this section—

22                           “(1) the term ‘assault’ has the same meaning as  
 23 given that term in section 113;

24                           “(2) the term ‘child’ means a person who has not  
 25 attained the age of 18 years and is—

1           “(A) *under the perpetrator’s care or control;*

2           *or*

3           “(B) *at least six years younger than the*  
4           *perpetrator;*

5           “(3) *the term ‘child abuse’ means intentionally,*  
6           *knowingly, or recklessly causing death or serious bod-*  
7           *ily injury to a child;*

8           “(4) *the term ‘pattern or practice of assault or*  
9           *torture’ means assault or torture engaged in on at*  
10          *least two occasions;*

11          “(5) *the term ‘recklessly’ with respect to causing*  
12          *death or serious bodily injury—*

13                 “(A) *means causing death or serious bodily*  
14                 *injury under circumstances in which the pepe-*  
15                 *trator is aware of and disregards a grave risk of*  
16                 *death or serious bodily injury; and*

17                 “(B) *such recklessness can be inferred from*  
18                 *the character, manner, and circumstances of the*  
19                 *perpetrator’s conduct;*

20          “(6) *the term ‘serious bodily injury’ has the*  
21          *meaning set forth in section 1365; and*

22          “(7) *the term ‘torture’ means conduct, whether or*  
23          *not committed under the color of law, that otherwise*  
24          *satisfies the definition set forth in section 2340(1).”.*

1 **SEC. 103. SEXUAL ABUSE PENALTIES.**

2 (a) *MAXIMUM PENALTY INCREASES.*—(1) *Chapter 110*  
3 *of title 18, United States Code, is amended—*

4 (A) *in section 2251(d)—*

5 (i) *by striking “20” and inserting “30”;*

6 *and*

7 (ii) *by striking “30” the first place it ap-*  
8 *pears and inserting “50”;*

9 (B) *in section 2252(b)(1)—*

10 (i) *by striking “15” and inserting “20”;*

11 *and*

12 (ii) *by striking “30” and inserting “40”;*

13 (C) *in section 2252(b)(2)—*

14 (i) *by striking “5” and inserting “10”; and*

15 (ii) *by striking “10” and inserting “20”;*

16 (D) *in section 2252A(b)(1)—*

17 (i) *by striking “15” and inserting “20”;*

18 *and*

19 (ii) *by striking “30” and inserting “40”;*

20 *and*

21 (E) *in section 2252A(b)(2)—*

22 (i) *by striking “5” and inserting “10”; and*

23 (ii) *by striking “10” and inserting “20”.*

24 (2) *Chapter 117 of title 18, United States Code, is*  
25 *amended—*

1           (A) in section 2422(a), by striking “10” and in-  
2           serting “20”;

3           (B) in section 2422(b), by striking “15” and in-  
4           serting “30”; and

5           (C) in section 2423(a), by striking “15” and in-  
6           serting “30”.

7           (3) Section 1591(b)(2) of title 18, United States Code,  
8           is amended by striking “20” and inserting “40”.

9           (b) *MINIMUM PENALTY INCREASES.*—(1) Chapter 110  
10          of title 18, United States Code, is amended—

11           (A) in section 2251(d)—

12                   (i) by striking “or imprisoned not less than  
13                   10” and inserting “and imprisoned not less than  
14                   15”;

15                   (ii) by striking “and both,”;

16                   (iii) by striking “15” and inserting “25”;

17           and

18                   (iv) by striking “30” the second place it ap-  
19                   pears and inserting “35”;

20           (B) in section 2251A(a) and (b), by striking  
21           “20” and inserting “30”;

22           (C) in section 2252(b)(1)—

23                   (i) by striking “or imprisoned” and insert-  
24                   ing “and imprisoned not less than 10 years  
25                   and”;

1                   (ii) by striking “or both,”; and

2                   (iii) by striking “5” and inserting “15”;

3           (D) in section 2252(b)(2)—

4                   (i) by striking “or imprisoned” and insert-  
5                   ing “and imprisoned not less than 5 years and”;

6                   (ii) by striking “or both,”; and

7                   (iii) by striking “2” and inserting “10”;

8           (E) in section 2252A(b)(1)—

9                   (i) by striking “or imprisoned” and insert-  
10                   ing “and imprisoned not less than 10 years  
11                   and”;

12                   (ii) by striking “or both,”; and

13                   (iii) by striking “5” and inserting “15”;

14           and

15           (F) in section 2252A(b)(2)—

16                   (i) by striking “or imprisoned” and insert-  
17                   ing “and imprisoned not less than 5 years and”;

18                   (ii) by striking “or both,”; and

19                   (iii) by striking “2” and inserting “10”.

20           (2) Chapter 117 of title 18, United States Code, is  
21           amended—

22                   (A) in section 2422(a)—

23                   (i) by striking “or imprisoned” and insert-  
24                   ing “and imprisoned not less than 2 years and”;

25           and

1                   (ii) by striking “, or both”;

2                   (B) in section 2422(b)—

3                   (i) by striking “, imprisoned” and inserting  
4                   “and imprisoned not less than 5 years and”; and

5                   (ii) by striking “, or both”; and

6                   (C) in section 2423(a)—

7                   (i) by striking “, imprisoned” and inserting  
8                   “and imprisoned not less than 5 years and”; and

9                   (ii) by striking “, or both”.

10 **SEC. 104. STRONGER PENALTIES AGAINST KIDNAPPING.**

11           (a) *SENTENCING GUIDELINES.*—Notwithstanding any  
12 other provision of law regarding the amendment of Sen-  
13 tencing Guidelines, the United States Sentencing Commis-  
14 sion is directed to amend the Sentencing Guidelines, to take  
15 effect on the date that is 30 days after the date of the enact-  
16 ment of this Act—

17                   (1) so that the base level for kidnapping in sec-  
18 tion 2A4.1(a) is increased from level 24 to level 32  
19 (121–151 months);

20                   (2) so as to delete section 2A4.1(b)(4)(C); and

21                   (3) so that the increase provided by section  
22 2A4.1(b)(5) is 6 levels instead of 3.

23           (b) *MINIMUM MANDATORY SENTENCE.*—Section  
24 1201(g) of title 18, United States Code, is amended by strik-  
25 ing “shall be subject to paragraph (2)” in paragraph (1)

1 *and all that follows through paragraph (2) and inserting*  
2 *“shall include imprisonment for not less than 20 years.”.*

3 **SEC. 105. PENALTIES AGAINST SEX TOURISM.**

4 *(a) IN GENERAL.—Section 2423 of title 18, United*  
5 *States Code, is amended by striking subsection (b) and in-*  
6 *serting the following:*

7 *“(b) TRAVEL WITH INTENT TO ENGAGE IN ILLICIT*  
8 *SEXUAL CONDUCT.—A person who travels in interstate*  
9 *commerce or travels into the United States, or a United*  
10 *States citizen or an alien admitted for permanent residence*  
11 *in the United States who travels in foreign commerce, for*  
12 *the purpose of engaging in any illicit sexual conduct with*  
13 *another person shall be fined under this title or imprisoned*  
14 *not more than 30 years, or both.*

15 *“(c) ENGAGING IN ILLICIT SEXUAL CONDUCT IN FOR-*  
16 *EIGN PLACES.—Any United States citizen or alien admit-*  
17 *ted for permanent residence who travels in foreign com-*  
18 *merce, and engages in any illicit sexual conduct with an-*  
19 *other person shall be fined under this title or imprisoned*  
20 *not more than 30 years, or both.*

21 *“(d) ANCILLARY OFFENSES.—Whoever arranges, in-*  
22 *duces, procures, or facilitates the travel of a person knowing*  
23 *that such a person is traveling in interstate commerce or*  
24 *foreign commerce for the purpose of engaging in illicit sex-*

1 *ual conduct shall be fined under this title, imprisoned not*  
2 *more than 30 years, or both.*

3       “(e) *ATTEMPT AND CONSPIRACY.*—Whoever attempts  
4 *or conspires to violate subsection (a), (b), (c), or (d) shall*  
5 *be punishable in the same manner as a completed violation*  
6 *of that subsection.*

7       “(f) *DEFINITION.*—As used in this section, the term ‘il-  
8 *licit sexual conduct’ means (1) a sexual act (as defined in*  
9 *section 2246) with a person that would be in violation of*  
10 *chapter 109A if the sexual act occurred in the special mari-*  
11 *time and territorial jurisdiction of the United States; or*  
12 *(2) any commercial sex act (as defined in section 1591)*  
13 *with a person who has not attained the age of 18 years.*

14       “(g) *DEFENSE.*—In a prosecution under this section  
15 *based on illicit sexual conduct as defined in subsection*  
16 *(f)(2), it is a defense, which the defendant must establish*  
17 *by a preponderance of the evidence, that the defendant rea-*  
18 *sonably believed that the person with whom the defendant*  
19 *engaged in the commercial sex act had attained the age of*  
20 *18 years.”.*

21       “(b) *CONFORMING AMENDMENT.*—Section 2423(a) of  
22 *title 18, United States Code, is amended by striking “or*  
23 *attempts to do so,”.*

1 **SEC. 106. TWO STRIKES YOU'RE OUT.**

2 (a) *IN GENERAL.*—Section 3559 of title 18, United  
3 States Code, is amended by adding at the end the following  
4 new subsection:

5 “(e) *MANDATORY LIFE IMPRISONMENT FOR REPEATED*  
6 *SEX OFFENSES AGAINST CHILDREN.*—

7 “(1) *IN GENERAL.*—A person who is convicted of  
8 a Federal sex offense in which a minor is the victim  
9 shall be sentenced to life imprisonment if the person  
10 has a prior sex conviction in which a minor was the  
11 victim, unless the sentence of death is imposed.

12 “(2) *DEFINITIONS.*—For the purposes of this  
13 subsection—

14 “(A) the term ‘Federal sex offense’ means—

15 “(i) an offense under section 2241 (re-  
16 lating to aggravated sexual abuse), 2242  
17 (relating to sexual abuse), 2244(a)(1) or (2)  
18 (relating to abusive sexual contact), 2245  
19 (relating to sexual abuse resulting in death),  
20 2251 (relating to sexual exploitation of chil-  
21 dren), 2251A (relating to selling or buying  
22 of children), or 2422(b) (relating to coercion  
23 and enticement of a minor into prostitu-  
24 tion); or

25 “(ii) an offense under section 2423(a)  
26 (relating to transportation of minors) in-

1            *volving prostitution or sexual activity con-*  
2            *stituting a State sex offense;*

3            *“(B) the term ‘State sex offense’ means an*  
4            *offense under State law that consists of conduct*  
5            *that would be a Federal sex offense if, to the ex-*  
6            *tent or in the manner specified in the applicable*  
7            *provision of this title—*

8            *“(i) the offense involved interstate or*  
9            *foreign commerce, or the use of the mails; or*

10           *“(ii) the conduct occurred in any com-*  
11           *monwealth, territory, or possession of the*  
12           *United States, within the special maritime*  
13           *and territorial jurisdiction of the United*  
14           *States, in a Federal prison, on any land or*  
15           *building owned by, leased to, or otherwise*  
16           *used by or under the control of the Govern-*  
17           *ment of the United States, or in the Indian*  
18           *country (as defined in section 1151);*

19           *“(C) the term ‘prior sex conviction’ means*  
20           *a conviction for which the sentence was imposed*  
21           *before the conduct occurred constituting the sub-*  
22           *sequent Federal sex offense, and which was for a*  
23           *Federal sex offense or a State sex offense;*

24           *“(D) the term ‘minor’ means an individual*  
25           *who has not attained the age of 17 years; and*

1                   “(E) the term ‘State’ has the meaning given  
2                   that term in subsection (c)(2).”.

3           (b) *CONFORMING AMENDMENT.*—Sections 2247(a) and  
4 2426(a) of title 18, United States Code, are each amended  
5 by inserting “, unless section 3559(e) applies” before the  
6 final period.

7   **SEC. 107. ATTEMPT LIABILITY FOR INTERNATIONAL PAREN-**  
8                   **TAL KIDNAPPING.**

9           Section 1204 of title 18, United States Code, is amend-  
10 ed—

11                   (1) in subsection (a), by inserting “, or attempts  
12 to do so,” before “or retains”; and

13                   (2) in subsection (c)—

14                           (A) in paragraph (1), by inserting “or the  
15 Uniform Child Custody Jurisdiction and En-  
16 forcement Act” before “and was”; and

17                           (B) in paragraph (2), by inserting “or”  
18 after the semicolon.

1 **TITLE II—INVESTIGATIONS AND**  
2 **PROSECUTIONS**  
3 **Subtitle A—Law Enforcement Tools**  
4 **To Protect Children**

5 **SEC. 201. INTERCEPTIONS OF COMMUNICATIONS IN INVES-**  
6 **TIGATIONS OF SEX OFFENSES.**

7 (a) *IN GENERAL.*—Section 2516(1) of title 18, United  
8 States Code, is amended—

9 (1) in paragraph (a), by inserting after “chapter  
10 37 (relating to espionage),” the following: “chapter 55  
11 (relating to kidnapping),”; and

12 (2) in paragraph (c)—

13 (A) by inserting “1591 (sex trafficking),”  
14 before “section 1751”;

15 (B) by striking “2251 and 2252 (sexual ex-  
16 ploitation of children)” and inserting “2251,  
17 2251A, 2252, 2252A, and 2260 (sexual exploi-  
18 tation of children)”; and

19 (C) by inserting “sections 2421, 2422, 2423,  
20 and 2425 (transportation for illegal sexual activ-  
21 ity and related crimes),” before “section 1029”.

22 (b) *TRANSPORTATION FOR ILLEGAL SEXUAL ACTIV-*  
23 *ITY.*—Section 2516(1) of title 18, United States Code, is  
24 amended—

25 (1) by striking “or” at the end of paragraph (g);

1           (2) by inserting after paragraph (q) the fol-  
2           lowing:

3           “(r) a violation of section 2422 (relating to coer-  
4           cion and enticement) and section 2423(a) (relating to  
5           transportation of minors) of this title, if, in connec-  
6           tion with that violation, the intended sexual activity  
7           would constitute a felony violation of chapter 109A or  
8           110, including a felony violation of chapter 109A or  
9           110 if the sexual activity occurred, or was intended  
10          to occur, within the special maritime and territorial  
11          jurisdiction of the United States, regardless of where  
12          it actually occurred or was intended to occur; or”;  
13          and

14          (3) by redesignating paragraph (r) as paragraph  
15          (s).

16   **SEC. 202. NO STATUTE OF LIMITATIONS FOR CHILD ABDUC-**  
17                                   **TION AND SEX CRIMES.**

18          (a) *IN GENERAL.*—(1) Chapter 213 of title 18, United  
19          States Code, is amended by adding at the end the following  
20          new section:

21   **“§ 3297. Child abduction and sex offenses**

22          “Notwithstanding any other provision of law, an in-  
23          dictment may be found or an information instituted at any  
24          time without limitation for any offense under section 1201  
25          involving a minor victim, and for any felony under section

1 1591, 2241, 2242, 2244(a)(1), 2244(a)(2), 2251, 2251A,  
 2 2252, 2252A, 2260, 2421, 2422, 2423, or 2425.”

3 (2) *The table of sections at the beginning of such chap-*  
 4 *ter is amended by adding at the end the following new item:*  
 “3297. Child abduction and sex offenses.”

5 (b) *APPLICATION.—The amendments made by this sec-*  
 6 *tion shall apply to the prosecution of any offense committed*  
 7 *before, on, or after the date of the enactment of this section.*

8 ***Subtitle B—No Pretrial Release for***  
 9 ***Those Who Rape or Kidnap Chil-***  
 10 ***dren***

11 ***SEC. 221. NO PRETRIAL RELEASE FOR THOSE WHO RAPE OR***  
 12 ***KIDNAP CHILDREN.***

13 *Section 3142(e) of title 18, United States Code, is*  
 14 *amended by striking “or 2332b” and inserting “1201, 1591,*  
 15 *2241, 2242, 2244(a)(1), 2242(a)(2), 2251, 2251A, 2252,*  
 16 *2252A, 2260, 2332b, 2421, 2422, 2423, or 2425”.*

17 ***Subtitle C—No Waiting Period To***  
 18 ***Report Missing Children***  
 19 ***“Suzanne’s Law”***

20 ***SEC. 241. AMENDMENT.***

21 *Section 3701(a) of the Crime Control Act of 1990 (42*  
 22 *U.S.C. 5779(a)) is amended by striking “age of 18” and*  
 23 *inserting “age of 21”.*

1       **TITLE III—PUBLIC OUTREACH**

2       **SEC. 301. NATIONAL COORDINATION OF AMBER ALERT**  
3                               **COMMUNICATIONS NETWORK.**

4           (a) *COORDINATION WITHIN DEPARTMENT OF JUSTICE.*—The Attorney General shall assign an officer of the  
5 Department of Justice to act as the national coordinator  
6 of the AMBER Alert communications network regarding  
7 abducted children. The officer so designated shall be known  
8 as the AMBER Alert Coordinator of the Department of Jus-  
9 tice.  
10 tice.

11          (b) *DUTIES.*—In acting as the national coordinator of  
12 the AMBER Alert communications network, the Coordi-  
13 nator shall—

14               (1) *seek to eliminate gaps in the network, includ-*  
15 *ing gaps in areas of interstate travel;*

16               (2) *work with States to encourage the develop-*  
17 *ment of additional elements (known as local AMBER*  
18 *plans) in the network;*

19               (3) *work with States to ensure appropriate re-*  
20 *gional coordination of various elements of the net-*  
21 *work; and*

22               (4) *act as the nationwide point of contact for—*

23                       (A) *the development of the network; and*

24                       (B) *regional coordination of alerts on ab-*  
25 *ducted children through the network.*

1       (c) *CONSULTATION WITH FEDERAL BUREAU OF IN-*  
2 *VESTIGATION.*—*In carrying out duties under subsection (b),*  
3 *the Coordinator shall notify and consult with the Director*  
4 *of the Federal Bureau of Investigation concerning each*  
5 *child abduction for which an alert is issued through the*  
6 *AMBER Alert communications network.*

7       (d) *COOPERATION.*—*The Coordinator shall cooperate*  
8 *with the Secretary of Transportation and the Federal Com-*  
9 *munications Commission in carrying out activities under*  
10 *this section.*

11 **SEC. 302. MINIMUM STANDARDS FOR ISSUANCE AND DIS-**  
12 **SEMINATION OF ALERTS THROUGH AMBER**  
13 **ALERT COMMUNICATIONS NETWORK.**

14       (a) *ESTABLISHMENT OF MINIMUM STANDARDS.*—*Sub-*  
15 *ject to subsection (b), the AMBER Alert Coordinator of the*  
16 *Department of Justice shall establish minimum standards*  
17 *for—*

18               (1) *the issuance of alerts through the AMBER*  
19 *Alert communications network; and*

20               (2) *the extent of the dissemination of alerts*  
21 *issued through the network.*

22       (b) *LIMITATIONS.*—*(1) The minimum standards estab-*  
23 *lished under subsection (a) shall be adoptable on a vol-*  
24 *untary basis only.*

1       (2) *The minimum standards shall, to the maximum*  
2 *extent practicable (as determined by the Coordinator in*  
3 *consultation with State and local law enforcement agen-*  
4 *cies), provide that appropriate information relating to the*  
5 *special needs of an abducted child (including health care*  
6 *needs) are disseminated to the appropriate law enforcement,*  
7 *public health, and other public officials.*

8       (3) *The minimum standards shall, to the maximum*  
9 *extent practicable (as determined by the Coordinator in*  
10 *consultation with State and local law enforcement agen-*  
11 *cies), provide that the dissemination of an alert through the*  
12 *AMBER Alert communications network be limited to the*  
13 *geographic areas most likely to facilitate the recovery of the*  
14 *abducted child concerned.*

15       (4) *In carrying out activities under subsection (a), the*  
16 *Coordinator may not interfere with the current system of*  
17 *voluntary coordination between local broadcasters and*  
18 *State and local law enforcement agencies for purposes of*  
19 *the AMBER Alert communications network.*

20       (c) *COOPERATION.—(1) The Coordinator shall cooper-*  
21 *ate with the Secretary of Transportation and the Federal*  
22 *Communications Commission in carrying out activities*  
23 *under this section.*

1       (2) *The Coordinator shall also cooperate with local*  
2 *broadcasters and State and local law enforcement agencies*  
3 *in establishing minimum standards under this section.*

4       **SEC. 303. GRANT PROGRAM FOR NOTIFICATION AND COM-**  
5                               **MUNICATIONS SYSTEMS ALONG HIGHWAYS**  
6                               **FOR RECOVERY OF ABDUCTED CHILDREN.**

7       (a) *PROGRAM REQUIRED.*—*The Secretary of Trans-*  
8 *portation shall carry out a program to provide grants to*  
9 *States for the development or enhancement of notification*  
10 *or communications systems along highways for alerts and*  
11 *other information for the recovery of abducted children.*

12       (b) *DEVELOPMENT GRANTS.*—

13               (1) *IN GENERAL.*—*The Secretary may make a*  
14 *grant to a State under this subsection for the develop-*  
15 *ment of a State program for the use of changeable*  
16 *message signs or other motorist information systems*  
17 *to notify motorists about abductions of children. The*  
18 *State program shall provide for the planning, coordi-*  
19 *nation, and design of systems, protocols, and message*  
20 *sets that support the coordination and communica-*  
21 *tion necessary to notify motorists about abductions of*  
22 *children.*

23               (2) *ELIGIBLE ACTIVITIES.*—*A grant under this*  
24 *subsection may be used by a State for the following*  
25 *purposes:*

1           (A) *To develop general policies and proce-*  
2           *dures to guide the use of changeable message*  
3           *signs or other motorist information systems to*  
4           *notify motorists about abductions of children.*

5           (B) *To develop guidance or policies on the*  
6           *content and format of alert messages to be con-*  
7           *veyed on changeable message signs or other trav-*  
8           *eler information systems.*

9           (C) *To coordinate State, regional, and local*  
10          *plans for the use of changeable message signs or*  
11          *other transportation related issues.*

12          (D) *To plan secure and reliable commu-*  
13          *nications systems and protocols among public*  
14          *safety and transportation agencies or modify ex-*  
15          *isting communications systems to support the*  
16          *notification of motorists about abductions of chil-*  
17          *dren.*

18          (E) *To plan and design improved systems*  
19          *for communicating with motorists, including the*  
20          *capability for issuing wide area alerts to motor-*  
21          *ists.*

22          (F) *To plan systems and protocols to facili-*  
23          *tate the efficient issuance of child abduction noti-*  
24          *fication and other key information to motorists*  
25          *during off-hours.*

1           (G) *To provide training and guidance to*  
2           *transportation authorities to facilitate appro-*  
3           *priate use of changeable message signs and other*  
4           *traveler information systems for the notification*  
5           *of motorists about abductions of children.*

6           (c) *IMPLEMENTATION GRANTS.—*

7           (1) *IN GENERAL.—The Secretary may make a*  
8           *grant to a State under this subsection for the imple-*  
9           *mentation of a program for the use of changeable mes-*  
10          *sage signs or other motorist information systems to*  
11          *notify motorists about abductions of children. A State*  
12          *shall be eligible for a grant under this subsection if*  
13          *the Secretary determines that the State has developed*  
14          *a State program in accordance with subsection (b).*

15          (2) *ELIGIBLE ACTIVITIES.—A grant under this*  
16          *subsection may be used by a State to support the im-*  
17          *plementation of systems that use changeable message*  
18          *signs or other motorist information systems to notify*  
19          *motorists about abductions of children. Such support*  
20          *may include the purchase and installation of change-*  
21          *able message signs or other motorist information sys-*  
22          *tems to notify motorists about abductions of children.*

23          (d) *FEDERAL SHARE.—The Federal share of the cost*  
24          *of any activities funded by a grant under this section may*  
25          *not exceed 80 percent.*

1       (e) *DISTRIBUTION OF GRANT AMOUNTS.*—The Sec-  
2       retary shall, to the maximum extent practicable, distribute  
3       grants under this section equally among the States that  
4       apply for a grant under this section within the time period  
5       prescribed by the Secretary.

6       (f) *ADMINISTRATION.*—The Secretary shall prescribe  
7       requirements, including application requirements, for the  
8       receipt of grants under this section.

9       (g) *DEFINITION.*—In this section, the term “State”  
10      means any of the 50 States, the District of Columbia, or  
11      Puerto Rico.

12      (h) *AUTHORIZATION OF APPROPRIATIONS.*—There is  
13      authorized to be appropriated to the Secretary to carry out  
14      this section \$20,000,000 for fiscal year 2004. Such amounts  
15      shall remain available until expended.

16      (i) *STUDY OF STATE PROGRAMS.*—

17              (1) *STUDY.*—The Secretary shall conduct a study  
18      to examine State barriers to the adoption and imple-  
19      mentation of State programs for the use of commu-  
20      nications systems along highways for alerts and other  
21      information for the recovery of abducted children.

22              (2) *REPORT.*—Not later than 1 year after the  
23      date of enactment of this Act, the Secretary shall  
24      transmit to Congress a report on the results of the

1 study, together with any recommendations the Sec-  
2 retary determines appropriate.

3 **SEC. 304. GRANT PROGRAM FOR SUPPORT OF AMBER**  
4 **ALERT COMMUNICATIONS PLANS.**

5 (a) *PROGRAM REQUIRED.*—The Attorney General shall  
6 carry out a program to provide grants to States for the  
7 development or enhancement of programs and activities for  
8 the support of AMBER Alert communications plans.

9 (b) *ACTIVITIES.*—Activities funded by grants under the  
10 program under subsection (a) may include—

11 (1) the development and implementation of edu-  
12 cation and training programs, and associated mate-  
13 rials, relating to AMBER Alert communications  
14 plans;

15 (2) the development and implementation of law  
16 enforcement programs, and associated equipment, re-  
17 lating to AMBER Alert communications plans; and

18 (3) such other activities as the Attorney General  
19 considers appropriate for supporting the AMBER  
20 Alert communications program.

21 (c) *FEDERAL SHARE.*—The Federal share of the cost  
22 of any activities funded by a grant under the program  
23 under subsection (a) may not exceed 50 percent.

24 (d) *DISTRIBUTION OF GRANT AMOUNTS ON GEO-*  
25 *GRAPHIC BASIS.*—The Attorney General shall, to the max-

1 *imum extent practicable, ensure the distribution of grants*  
2 *under the program under subsection (a) on an equitable*  
3 *basis throughout the various regions of the United States.*

4 (e) *ADMINISTRATION.*—*The Attorney General shall*  
5 *prescribe requirements, including application requirements,*  
6 *for grants under the program under subsection (a).*

7 (f) *AUTHORIZATION OF APPROPRIATIONS.*—(1) *There*  
8 *is authorized to be appropriated for the Department of Jus-*  
9 *tice \$5,000,000 for fiscal year 2004 to carry out this section.*

10 (2) *Amounts appropriated pursuant to the authoriza-*  
11 *tion of appropriations in paragraph (1) shall remain avail-*  
12 *able until expended.*

13 ***SEC. 305. INCREASED SUPPORT.***

14 *Section 404(b)(2) of the Juvenile Justice and Delin-*  
15 *quency Prevention Act of 1974 (42 U.S.C. 5773(b)(2)) is*  
16 *amended by inserting “and \$20,000,000 for each of fiscal*  
17 *years 2004 and 2005” after “and 2003”.*

18 ***SEC. 306. SEX OFFENDER APPREHENSION PROGRAM.***

19 *Section 1701(d) of part Q of title I of the Omnibus*  
20 *Crime Control and Safe Streets Act of 1968 (42 U.S.C.*  
21 *3796dd(d)) is amended—*

22 (1) *by redesignating paragraphs (10) and (11)*  
23 *as (11) and (12), respectively; and*

24 (2) *by inserting after paragraph (9) the fol-*  
25 *lowing:*

1           “(10) assist a State in enforcing a law through-  
2           out the State which requires that a convicted sex of-  
3           fender register his or her address with a State or local  
4           law enforcement agency and be subject to criminal  
5           prosecution for failure to comply;”.



**Union Calendar No. 29**

108TH CONGRESS  
1ST SESSION

**H. R. 1104**

**[Report No. 108-47, Part I]**

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**A BILL**

To prevent child abduction, and for other purposes.

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MARCH 24, 2003

Reported from the Committee on the Judiciary with an amendment

MARCH 24, 2003

Referral to the Committees on Transportation and Infrastructure, and Education and the Workforce extended for a period ending not later than March 24, 2003

MARCH 24, 2003

The Committees on Transportation and Infrastructure, and Education and the Workforce discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed