

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5422

To prevent child abduction, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 19, 2002

Mr. SENSENBRENNER (for himself, Mr. SMITH of Texas, and Mr. GEKAS) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Transportation and Infrastructure, Armed Services, 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

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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 Pre-  
5 vention Act”.

1           **TITLE I—SANCTIONS AND**  
2                           **OFFENSES**

3   **SEC. 101. SUPERVISED RELEASE TERM FOR SEX OFFEND-**  
4                           **ERS.**

5           Section 3583 of title 18, United States Code, is  
6 amended by adding at the end the following:

7           “(k) SUPERVISED RELEASE TERMS FOR SEX OF-  
8 FENDERS.—Notwithstanding subsection (b), the author-  
9 ized term of supervised release for any offense under sec-  
10 tion 1201 involving a victim who has not attained the age  
11 of 18 years, and for any offense under chapter 109A, 110,  
12 117, or section 1591 is any term of years or life.”.

13   **SEC. 102. FIRST DEGREE MURDER FOR CHILD ABUSE AND**  
14                           **CHILD TORTURE MURDERS.**

15           Section 1111 of title 18, United States Code, is  
16 amended—

17           (1) in subsection (a)—

18                           (A) by inserting “child abuse,” after “sex-  
19 ual abuse,”; and

20                           (B) by inserting “or perpetrated as part of  
21 a pattern or practice of assault or torture  
22 against a child or children;” after “robbery;”;  
23 and

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

25           “(c) For purposes of this section—

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

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

5                 “(A) under the perpetrator’s care or con-  
6 trol; or

7                 “(B) at least six years younger than the  
8 perpetrator;

9           “(3) the term ‘child abuse’ means intentionally,  
10 knowingly, or recklessly causing death or serious  
11 bodily injury to a child;

12           “(4) the term ‘pattern or practice of assault or  
13 torture’ means assault or torture engaged in on at  
14 least two occasions;

15           “(5) the term ‘recklessly’ with respect to caus-  
16 ing death or serious bodily injury—

17                 “(A) means causing death or serious bodily  
18 injury under circumstances in which the pepe-  
19 rator is aware of and disregards a grave risk  
20 of death or serious bodily injury; and

21                 “(B) such recklessness can be inferred  
22 from the character, manner, and circumstances  
23 of the perpetrator’s conduct;

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

1           “(7) the term ‘torture’ means conduct, whether  
2           or not committed under the color of law, that other-  
3           wise satisfies the definition set forth in section  
4           2340(1).”.

5 **SEC. 103. SEXUAL ABUSE PENALTIES.**

6           (a) **MAXIMUM PENALTY INCREASES.**—(1) Chapter  
7 110 of title 18, United States Code, is amended—

8           (A) in section 2251(d)—

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

10          and

11          (ii) by striking “30” and inserting “50”;

12          (B) in section 2252(b)(1)—

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

14          and

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

16          (C) in section 2252(b)(2)—

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

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

19          (D) in section 2252A(b)(1)—

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

21          and

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

23          and

24          (E) in section 2252A(b)(2)—

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

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

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

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

6 (B) in section 2422(b), by striking “15” and  
7 inserting “30”;

8 (C) in section 2423(a), by striking “15” and in-  
9 serting “30”; and

10 (D) in section 2423(b), by striking “15 years”  
11 and inserting “30 years”.

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

14 (b) MINIMUM PENALTY INCREASES.—(1) Chapter  
15 110 of title 18, United States Code, is amended—

16 (A) in section 2251(d)—

17 (i) by striking “or imprisoned not less than  
18 10” and inserting “and imprisoned not less  
19 than 15”;

20 (ii) by striking “and both,”;

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

22 and

23 (iv) by striking “30” and inserting “35”;

24 (B) in section 2251A(a) and (b), by striking  
25 “20” and inserting “30”;

1 (C) in section 2252(b)(1)—

2 (i) by striking “or imprisoned” and insert-  
3 ing “and imprisoned not less than 10 years  
4 and”;

5 (ii) by striking “or both,”; and

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

7 (D) in section 2252(b)(2)—

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

11 (ii) by striking “or both,”; and

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

13 (E) in section 2252A(b)(1)—

14 (i) by striking “or imprisoned” and insert-  
15 ing “and imprisoned not less than 10 years  
16 and”;

17 (ii) by striking “or both,”; and

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

19 and

20 (F) in section 2252A(b)(2)—

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

24 (ii) by striking “or both,”; and

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

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

3           (A) in section 2422(a)—

4                 (i) by striking “or imprisoned” and insert-  
5 ing “and imprisoned not less than 2 years  
6 and”; and

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

8           (B) in section 2422(b)—

9                 (i) by striking “, imprisoned” and inserting  
10 “and imprisoned not less than 5 years and”;  
11 and

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

13           (C) in section 2423(a)—

14                 (i) by striking “, imprisoned” and inserting  
15 “and imprisoned not less than 5 years and”;  
16 and

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

18           (D) in section 2423(b)—

19                 (i) by striking “, imprisoned” and inserting  
20 “and imprisoned not less than 5 years and”;  
21 and

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

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

24           (a) SENTENCING GUIDELINES.—Notwithstanding  
25 any other provision of law regarding the amendment of

1 Sentencing Guidelines, the United States Sentencing  
2 Commission is directed to amend the Sentencing Guide-  
3 lines, to take effect on the date that is 30 days after the  
4 date of the enactment of this Act—

5 (1) so that the base level for kidnapping in sec-  
6 tion 2A4.1(a) is increased from level 24 to level 32  
7 (121–151 months);

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

9 (3) so that the increase provided by section  
10 2A4.1(b)(5) is 6 levels instead of 3.

11 (b) **MINIMUM MANDATORY SENTENCE.**—Section  
12 1201(g) of title 18 is amended by striking “shall be sub-  
13 ject to paragraph (2)” in paragraph (1) and all that fol-  
14 lows through paragraph (2) and inserting “shall include  
15 imprisonment for not less than 20 years.”.

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

17 (a) **IN GENERAL.**—Section 2423 of title 18, United  
18 States Code, is amended by striking subsection (b) and  
19 inserting the following:

20 “(b) **TRAVEL WITH INTENT TO ENGAGE IN ILLICIT**  
21 **SEXUAL CONDUCT.**—A person who travels in interstate  
22 commerce or travels into the United States, or a United  
23 States citizen or an alien admitted for permanent resi-  
24 dence in the United States who travels in foreign com-  
25 merce, for the purpose of engaging in any illicit sexual



1 conduct with another person shall be fined under this title  
2 or imprisoned not more than 15 years, or both.

3 “(c) ENGAGING IN ILLICIT SEXUAL CONDUCT IN  
4 FOREIGN PLACES.—Any United States citizen or alien ad-  
5 mitted for permanent residence who travels in foreign  
6 commerce, and engages in any illicit sexual conduct with  
7 another person shall be fined under this title or imprisoned  
8 not more than 15 years, or both.

9 “(d) ANCILLARY OFFENSES.—Whoever arranges, in-  
10 duces, procures, or facilitates the travel of a person know-  
11 ing that such a person is traveling in interstate commerce  
12 or foreign commerce for the purpose of engaging in illicit  
13 sexual conduct shall be fined under this title, imprisoned  
14 not more than 15 years, or both.

15 “(e) ATTEMPT AND CONSPIRACY.—Whoever at-  
16 tempts or conspires to violate subsection (a), (b), (c), or  
17 (d) shall be punishable in the same manner as a completed  
18 violation of that subsection.

19 “(f) DEFINITION.—As used in this section, the term  
20 ‘illicit sexual conduct’ means (1) a sexual act (as defined  
21 in section 2246) with a person that would be in violation  
22 of chapter 109A if the sexual act occurred in the special  
23 maritime and territorial jurisdiction of the United States;  
24 or (2) any commercial sex act (as defined in section 1591)  
25 with a person who has not attained the age of 18 years.

1       “(g) DEFENSE.—In a prosecution under this section  
2 based on illicit sexual conduct as defined in subsection  
3 (f)(2), it is a defense, which the defendant must establish  
4 by a preponderance of the evidence, that the defendant  
5 reasonably believed that the person with whom the defend-  
6 ant engaged in the commercial sex act had attained the  
7 age of 18 years.”.

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

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

12       (a) IN GENERAL.—Section 3559 of title 18, United  
13 States Code, is amended by adding at the end the fol-  
14 lowing new subsection:

15       “(e) MANDATORY LIFE IMPRISONMENT FOR RE-  
16 PEATED SEX OFFENSES AGAINST CHILDREN.—

17               “(1) IN GENERAL.—A person who is convicted  
18 of a Federal sex offense in which a minor is the vic-  
19 tim shall be sentenced to life imprisonment if the  
20 person has a prior sex conviction in which a minor  
21 was the victim, unless the sentence of death is im-  
22 posed.

23               “(2) DEFINITIONS.—For the purposes of this  
24 subsection—

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

3           “(i) an offense under section 2241  
4           (relating to aggravated sexual abuse),  
5           2242 (relating to sexual abuse), 2243(a)  
6           (relating to sexual abuse of a minor),  
7           2244(a)(1) or (2) (relating to abusive sex-  
8           ual contact), 2245 (relating to sexual  
9           abuse resulting in death), or 2251A (relat-  
10          ing to selling or buying of children); or

11          “(ii) an offense under section 2423(a)  
12          (relating to transportation of minors) in-  
13          volving prostitution or sexual activity con-  
14          stituting a State sex offense;

15          “(B) the term ‘State sex offense’ means an  
16          offense under State law that consists of conduct  
17          that would be a Federal sex offense if, to the  
18          extent or in the manner specified in the applica-  
19          ble provision of this title—

20                 “(i) the offense involved interstate or  
21                 foreign commerce, or the use of the mails;  
22                 or

23                 “(ii) the conduct occurred in any com-  
24                 monwealth, territory, or possession of the  
25                 United States, within the special maritime

1           and territorial jurisdiction of the United  
2           States, in a Federal prison, on any land or  
3           building owned by, leased to, or otherwise  
4           used by or under the control of the Gov-  
5           ernment of the United States, or in the In-  
6           dian country (as defined in section 1151);

7           “(C) the term ‘prior sex conviction’ means  
8           a conviction for which the sentence was imposed  
9           before the conduct occurred constituting the  
10          subsequent Federal sex offense, and which was  
11          for a Federal sex offense or a State sex offense;

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

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

16          (b) CONFORMING AMENDMENT.—Sections 2247 and  
17          2426 of title 18, United States Code, are each amended  
18          by inserting “, unless section 3559(e) applies” before the  
19          final period.

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

5 **SEC. 201. LAW ENFORCEMENT TOOLS TO PROTECT CHIL-**  
6 **DREN.**

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

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

12 (2) in subparagraph (c)—

13 (A) by striking “2251 and 2252” and in-  
14 serting “2251, 2251A, 2252, and 2252A”; and

15 (B) by inserting “section 2423(b) (relating  
16 to travel with intent to engage in a sexual act  
17 with a juvenile),” after “motor vehicle parts),”.

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

21 (1) by striking “or” at the end of paragraph  
22 (q);

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

1           “(r) a violation of section 2422 (relating to co-  
2           ercion and enticement) and section 2423(a) (relating  
3           to transportation of minors) of this title, if, in con-  
4           nection with that violation, the intended sexual activ-  
5           ity would constitute a felony violation of chapter  
6           109A or 110, including a felony violation of chapter  
7           109A or 110 if the sexual activity occurred, or was  
8           intended to occur, within the special maritime and  
9           territorial jurisdiction of the United States, regard-  
10          less of where it actually occurred or was intended to  
11          occur; or”;

12           (3) by redesignating paragraph (r) as para-  
13          graph (s).

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

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

19   **“§ 3296. Child abduction and sex offenses**

20          “Notwithstanding any other provision of law, an in-  
21          dictment may be found or an information instituted at any  
22          time without limitation for any offense under section 1201  
23          involving a minor victim, and for any felony under chapter  
24          109A, 110, or 117, or section 1591.”.

1           (2) The table of sections at the beginning of such  
2 chapter is amended by adding at the end the following  
3 new item:

“3296. Child abduction and sex offenses.”.

4           (b) **MILITARY CASES.**—Section 843 of title 10,  
5 United States Code (Article 43 of the Uniform Code of  
6 Military Justice) is amended—

7                   (1) in subsection (a), by inserting “with any of-  
8 fense involving kidnapping or abduction of a person  
9 below the age of 18, with any offense involving sexual  
10 abuse that is punishable by confinement for  
11 more than one year,” before “or with”; and

12                   (2) in subsection (c)—

13                           (A) by inserting “(1)” before “Periods”;

14                           and

15                           (B) by adding at the end the following:

16                   “(2) No period of limitation that would otherwise pre-  
17 clude prosecution for an offense involving the sexual or  
18 physical abuse of a person under the age of 18 years shall  
19 preclude such prosecution before the person reaches the  
20 age of 25 years.”.

21           (c) **APPLICATION.**—The amendments made by this  
22 section shall apply to the prosecution of any offense com-  
23 mitted before, on, or after the date of the enactment of  
24 this section.

1 **Subtitle B—No Pretrial Release for**  
2 **Those Who Rape or Kidnap**  
3 **Children**

4 **SEC. 221. NO PRETRIAL RELEASE FOR THOSE WHO RAPE**  
5 **OR KIDNAP CHILDREN.**

6 Section 3142(e) of title 18, United States Code, is  
7 amended by striking “2247(c),” before “or 2332b”.

8 **Subtitle C—No Waiting Period To**  
9 **Report Missing Children**  
10 **“Suzanne’s Law”**

11 **SEC. 241. AMENDMENT.**

12 Section 3701(a) of the Crime Control Act of 1990  
13 (42 U.S.C. 5779(a)) is amended by striking “age of 18”  
14 and inserting “age of 21”.

15 **Subtitle D—Recordkeeping to Dem-**  
16 **onstrate Minors Were Not Used**  
17 **in Production of Pornography**

18 **SEC. 261. RECORDKEEPING TO DEMONSTRATE MINORS**  
19 **WERE NOT USED IN PRODUCTION OF POR-**  
20 **NOGRAPHY.**

21 Not later than 1 year after enactment of this Act,  
22 the Attorney General shall submit to Congress a report  
23 detailing the number of times since January 1993 that  
24 the Department of Justice has inspected the records of  
25 any producer of materials regulated pursuant to section



1 2257 of title 18, United States Code, and section 75 of  
2 title 28 of the Code of Federal Regulations. The Attorney  
3 General shall indicate the number of violations prosecuted  
4 as a result of those inspections.

## 5 **TITLE III—PUBLIC OUTREACH**

### 6 **SEC. 301. NATIONAL COORDINATION OF AMBER ALERT** 7 **COMMUNICATIONS NETWORK.**

8 (a) COORDINATION WITHIN DEPARTMENT OF JUS-  
9 TICE.—The Attorney General shall assign an officer of the  
10 Department of Justice to act as the national coordinator  
11 of the AMBER Alert communications network regarding  
12 abducted children. The officer so designated shall be  
13 known as the AMBER Alert Coordinator of the Depart-  
14 ment of Justice.

15 (b) DUTIES.—In acting as the national coordinator  
16 of the AMBER Alert communications network, the Coor-  
17 dinator shall—

18 (1) seek to eliminate gaps in the network, in-  
19 cluding gaps in areas of interstate travel;

20 (2) work with States to encourage the develop-  
21 ment of additional elements (known as local  
22 AMBER plans) in the network;

23 (3) work with States to ensure appropriate re-  
24 gional coordination of various elements of the net-  
25 work; and

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

2 (A) the development of the network; and

3 (B) regional coordination of alerts on ab-  
4 ducted children through the network.

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

11 (d) COOPERATION.—The Coordinator shall cooperate  
12 with the Secretary of Transportation and the Federal  
13 Communications Commission in carrying out activities  
14 under this section.

15 **SEC. 302. MINIMUM STANDARDS FOR ISSUANCE AND DIS-**  
16 **SEMINATION OF ALERTS THROUGH AMBER**  
17 **ALERT COMMUNICATIONS NETWORK.**

18 (a) ESTABLISHMENT OF MINIMUM STANDARDS.—  
19 Subject to subsection (b), the AMBER Alert Coordinator  
20 of the Department of Justice shall establish minimum  
21 standards for—

22 (1) the issuance of alerts through the AMBER  
23 Alert communications network; and

24 (2) the extent of the dissemination of alerts  
25 issued through the network.

1 (b) LIMITATIONS.—(1) The minimum standards es-  
2 tablished under subsection (a) shall be adoptable on a vol-  
3 untary basis only.

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

11 (3) In carrying out activities under subsection (a),  
12 the Coordinator may not interfere with the current system  
13 of voluntary coordination between local broadcasters and  
14 State and local law enforcement agencies for purposes of  
15 the AMBER Alert communications network.

16 (c) COOPERATION.—(1) The Coordinator shall co-  
17 operate with the Secretary of Transportation and the Fed-  
18 eral Communications Commission in carrying out activi-  
19 ties under this section.

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

1 **SEC. 303. GRANT PROGRAM FOR NOTIFICATION AND COM-**  
2 **MUNICATIONS SYSTEMS ALONG HIGHWAYS**  
3 **FOR RECOVERY OF ABDUCTED CHILDREN.**

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

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

11 (1) the development or enhancement of elec-  
12 tronic message boards along highways and the place-  
13 ment of additional signage along highways; and

14 (2) the development or enhancement of other  
15 means of disseminating along highways alerts and  
16 other information for the recovery of abducted chil-  
17 dren.

18 (c) FEDERAL SHARE.—The Federal share of the cost  
19 of any activities funded by a grant under the program  
20 under subsection (a) may not exceed 50 percent.

21 (d) DISTRIBUTION OF GRANT AMOUNTS ON GEO-  
22 GRAPHIC BASIS.—The Secretary shall, to the maximum  
23 extent practicable, ensure the distribution of grants under  
24 the program under subsection (a) on an equitable basis  
25 throughout the various regions of the United States.

1 (e) ADMINISTRATION.—The Secretary shall prescribe  
2 requirements, including application requirements, for  
3 grants under the program under subsection (a).

4 (f) AUTHORIZATION OF APPROPRIATIONS.—(1)  
5 There is authorized to be appropriated for the Department  
6 of Transportation \$20,000,000 for fiscal year 2003 to  
7 carry out this section.

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

11 **SEC. 304. GRANT PROGRAM FOR SUPPORT OF AMBER**  
12 **ALERT COMMUNICATIONS PLANS.**

13 (a) PROGRAM REQUIRED.—The Attorney General  
14 shall carry out a program to provide grants to States for  
15 the development or enhancement of programs and activi-  
16 ties for the support of AMBER Alert communications  
17 plans.

18 (b) ACTIVITIES.—Activities funded by grants under  
19 the program under subsection (a) may include—

20 (1) the development and implementation of edu-  
21 cation and training programs, and associated mate-  
22 rials, relating to AMBER Alert communications  
23 plans;

24 (2) the development and implementation of law  
25 enforcement programs, and associated equipment,

1 relating to AMBER Alert communications plans;  
2 and

3 (3) such other activities as the Secretary con-  
4 sidered appropriate for supporting the AMBER Alert  
5 communications program.

6 (c) FEDERAL SHARE.—The Federal share of the cost  
7 of any activities funded by a grant under the program  
8 under subsection (a) may not exceed 50 percent.

9 (d) DISTRIBUTION OF GRANT AMOUNTS ON GEO-  
10 GRAPHIC BASIS.—The Attorney General shall, to the max-  
11 imum extent practicable, ensure the distribution of grants  
12 under the program under subsection (a) on an equitable  
13 basis throughout the various regions of the United States.

14 (e) ADMINISTRATION.—The Attorney General shall  
15 prescribe requirements, including application require-  
16 ments, for grants under the program under subsection (a).

17 (f) AUTHORIZATION OF APPROPRIATIONS.—(1)  
18 There is authorized to be appropriated for the Department  
19 of Justice \$5,000,000 for fiscal year 2003 to carry out  
20 this section.

21 (2) Amounts appropriated pursuant to the authoriza-  
22 tion of appropriations in paragraph (1) shall remain avail-  
23 able until expended.

1 **SEC. 305. INCREASED SUPPORT.**

2 Section 404(b)(2) of the Juvenile Justice and Delin-  
3 quency Prevention Act of 1974 (42 U.S.C. 5773(b)(2)) is  
4 amended by striking “2002 and 2003” and inserting “and  
5 2002 and \$20,000,000 for each of fiscal years 2003 and  
6 2004”.

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

8 Section 1701(d) of part Q of title I of the Omnibus  
9 Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
10 3796dd(d)) is amended—

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

13 (2) by inserting after paragraph (9) the fol-  
14 lowing:

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

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