

107TH CONGRESS
2D SESSION

H. R. 5475

To require that certain procedures are followed in Federal buildings when a child is reported missing.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 2002

Mr. ACEVEDO-VILÁ (for himself, Mr. FOLEY, Mr. LAMPSON, Mr. GUTIERREZ, Ms. VELÁZQUEZ, Mr. SERRANO, Mr. PALLONE, Mr. CRAMER, Mr. DUNCAN, and Mr. WICKER) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, 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

A BILL

To require that certain procedures are followed in Federal buildings when a child is reported missing.

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 “Code Adam Act”.

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

7 (1) “Code Adam” is a protocol used as a pre-
8 ventive tool against child abductions and lost chil-

1 dren in certain public buildings and commercial es-
2 tablishments across the Nation.

3 (2) “Code Adam” was created and promoted by
4 the Wal-Mart retail stores, which developed this pro-
5 tocol as a child-safety program to find a child who
6 has been kidnapped or is merely lost in a public
7 place.

8 (3) This protocol was named in memory of 6-
9 year-old Adam Walsh, who was murdered after being
10 kidnapped from a Florida shopping mall in 1981, an
11 event that brought the horror of child abduction to
12 national attention.

13 (4) “Code Adam” has proven extremely suc-
14 cessful in thwarting many attempted abductions
15 through the issuance of a “Code Adam” alert in
16 commercial establishments, and it continues to be
17 implemented in stores across the country with the
18 help of the National Center for Missing and Ex-
19 ploited Children.

20 (5) The Commonwealth of Puerto Rico is the
21 only jurisdiction that has approved an Act to adopt
22 the “Code Adam” in government buildings.

1 **SEC. 3. PROCEDURES IN FEDERAL BUILDINGS REGARDING**
2 **A MISSING OR LOST CHILD.**

3 (a) IN GENERAL.—On and after the 180th day after
4 the date of the enactment of this Act, each Federal build-
5 ing that is open to the public shall have in place proce-
6 dures described in subsection (b) for locating a child who
7 is missing in a Federal building.

8 (b) NOTIFICATION AND SEARCH PROCEDURES.—The
9 head, Director, Commission, and Committee referred to
10 in subsection (c), respectively, shall direct employees to as-
11 sist any parent, guardian, or teacher whose child is miss-
12 ing in a Federal building by instituting and enforcing pro-
13 cedures that include the following:

14 (1) OBTAINING A DETAILED DESCRIPTION OF
15 THE CHILD.—When a parent, tutor, or guardian no-
16 tifies any employee of a Federal building that his/her
17 child is lost, such employee shall obtain from the
18 parent, tutor, or guardian, a detailed description of
19 the child, including the name, age, color of eyes and
20 hair, height, weight, and clothing description, par-
21 ticularly the shoes the child was wearing. Such em-
22 ployee shall—

23 (A) alert designated employees via a fast
24 and effective means of communication that
25 “Code Adam” has been activated;

1 (B) furnish a detailed description of the
2 child according to the information provided by
3 the parent, tutor, or guardian; and

4 (C) provide the telephone number or exten-
5 sion from which the alert is made.

6 (2) IDENTIFICATION OF CHILD.—The employee
7 shall escort the parent, tutor, or guardian to the
8 main door of the Federal building to help in identi-
9 fying the child, while designated employees stop
10 their normal work to search for the child.

11 (3) MONITORING EXISTS.—Employees des-
12 ignated by the head, Director, Commission, and
13 Committee referred to in subsection (c), respectively,
14 shall monitor all building exits to ascertain that the
15 child does not leave the building without the parent,
16 tutor, or guardian.

17 (4) BUILDING EGRESS.—Any person leaving
18 through any of the Federal building exits accom-
19 panied by a child shall be asked to go through the
20 main exit previously designated by the head, Direc-
21 tor, Commission, and Committee referred to in sub-
22 section (c), respectively. If once there, the person in-
23 sists on leaving the Federal building, the person
24 shall be allowed to do so once it has been determined
25 that the child who is leaving is not the one being

1 searched for and such person presumed to be the
2 parent, tutor, or guardian, presents a government
3 issued photo identification.

4 (5) LOCAL LAW ENFORCEMENT.—Contacting
5 local law enforcement agencies if a child is not found
6 during the search. After the activation of “Code
7 Adam” has been announced, designated employees
8 shall search throughout the entire Federal building,
9 and 2 or more of them, as may be considered nec-
10 essary, shall be assigned to each floor to certify that
11 the child is not there. The search shall include any
12 parking lots used for such building. No other em-
13 ployees shall be compelled to participate in the
14 search.

15 (6) BROAD NOTIFICATION.—If the child is not
16 found within a 10-minute period, a designated em-
17 ployee shall call the 9–1–1 emergency phone number
18 and report the situation so that state or local secu-
19 rity or emergency personnel may be immediately de-
20 ployed to the site. A designated employee shall also
21 notify the National Center for Missing and Exploited
22 Children.

23 (7) REPORT.—Upon completion of the protocol,
24 designated employees shall inform the head, Direc-
25 tor, Commission, and Committee referred to in sub-

1 section (c), and other designated employees that the
2 “Code Adam” has ended. The head, Director, Com-
3 mission, and Committee referred to in subsection
4 (c), respectively, shall prepare a report of the inci-
5 dent, which shall be kept in the administrative files
6 for a term of not less than 3 years.

7 (c) ENFORCEMENT.—

8 (1) EXECUTIVE BRANCH BUILDINGS.—The
9 head of each Executive agency shall issue regula-
10 tions, and take such other actions as may be nec-
11 essary, to institute and enforce the procedures con-
12 tained in subsection (b) as such procedures apply to
13 Federal buildings owned or leased for use by the Ex-
14 ecutive Agency.

15 (2) JUDICIAL BRANCH BUILDINGS.—The Direc-
16 tor of the Administrative Office of the United States
17 Courts shall take such actions as may be necessary
18 to institute and enforce the procedures contained in
19 subsection (b) as such procedures apply to Federal
20 buildings owned or leased for use by an establish-
21 ment in the judicial branch of the Government.

22 (3) LEGISLATIVE BRANCH BUILDINGS.—

23 (A) HOUSE OF REPRESENTATIVES.—The
24 House Office Building Commission shall take
25 such actions as may be necessary to institute

1 and enforce the procedures contained in sub-
2 section (b) as such procedures apply to Federal
3 buildings owned or leased for use by the House
4 of Representatives.

5 (B) SENATE.—The Committee on Rules
6 and Administration of the Senate shall take
7 such actions as may be necessary to institute
8 and enforce the procedures contained in sub-
9 section (b) as such procedures apply to Federal
10 buildings owned or leased for use by the Senate.

11 (C) OTHER ESTABLISHMENTS.—The head
12 of each establishment in the legislative branch
13 of the Government (other than the House of
14 Representatives and the Senate) shall take such
15 actions as may be necessary to institute and en-
16 force the procedures contained in subsection (b)
17 as such procedures apply to Federal buildings
18 owned or leased for use by the establishment.

19 **SEC. 4. DEFINITIONS.**

20 For the purposes of this Act, the following definitions
21 apply:

22 (1) EXECUTIVE AGENCY.—The term “Executive
23 agency” has the same meaning such term has under
24 section 105 of title 5, United States Code.

1 (2) FEDERAL AGENCY.—The term “Federal
2 agency” means any Executive agency and any estab-
3 lishment in the legislative or judicial branches of the
4 Government.

5 (3) FEDERAL BUILDING.—The term “Federal
6 building” means any building or other structure (or
7 portion thereof) owned or leased for use by a Fed-
8 eral agency; except that such term does not include
9 any building or other structure on a military instal-
10 lation or any area of a building that is used pri-
11 marily as living quarters.

12 (4) CHILD.—The term “child” means an indi-
13 vidual who is 17 years of age or younger.

○