

Calendar No. 566

107TH CONGRESS
2^D SESSION

S. 2896

To enhance the operation of the AMBER Alert communications network in order to facilitate the recovery of abducted children, to provide for enhanced notification on highways of alerts and information on such children, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 3, 2002

Mrs. HUTCHISON (for herself, Mrs. FEINSTEIN, Mr. LEAHY, Mr. HATCH, Mrs. CLINTON, Mr. HUTCHINSON, Mrs. CARNAHAN, Mr. BENNETT, Mr. ROCKEFELLER, Mr. HELMS, Ms. LANDRIEU, Mr. HARKIN, Ms. COLLINS, Mr. KYL, Mr. DURBIN, Mr. EDWARDS, Mr. DODD, Mr. CRAPO, Ms. SNOWE, Mr. ALLARD, Mr. VOINOVICH, Mr. NELSON of Florida, Mr. LOTT, Mr. BIDEN, Mr. LUGAR, Ms. STABENOW, Mr. SESSIONS, Mr. INHOFE, Mr. ENSIGN, Mr. FEINGOLD, Mr. FITZGERALD, Mr. JOHNSON, Mr. SANTORUM, Mr. WYDEN, and Mr. CLELAND) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

SEPTEMBER 5, 2002

Reported by Mr. LEAHY, with an amendment

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

A BILL

To enhance the operation of the AMBER Alert communications network in order to facilitate the recovery of abducted children, to provide for enhanced notification on highways of alerts and information on such children, 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 “National AMBER
5 Alert Network Act of 2002”.

6 **SEC. 2. NATIONAL COORDINATION OF AMBER ALERT COM-**
7 **MUNICATIONS 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 (e) 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. 3. 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. 4. GRANT PROGRAM FOR NOTIFICATION AND COMMU-**
2 **NICATIONS SYSTEMS ALONG HIGHWAYS FOR**
3 **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 for fiscal year 2003 such sums as may
7 be necessary to 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. 5. GRANT PROGRAM FOR SUPPORT OF AMBER ALERT**
12 **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 siders 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 for fiscal year 2003 such sums as may be nec-~~
20 ~~essary to carry out 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 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “National AMBER Alert*
 3 *Network Act of 2002”.*

4 **SEC. 2. NATIONAL COORDINATION OF AMBER ALERT COM-**
 5 **MUNICATIONS NETWORK.**

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

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

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

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

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

24 (4) *act as the nationwide point of contact for—*
 25 (A) *the development of the network; and*

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

3 (c) *CONSULTATION AND COOPERATION.*—(1) *In car-*
4 *rying out duties under subsection (b), the Coordinator shall*
5 *notify and consult with the Director of the Federal Bureau*
6 *of Investigation concerning each child abduction for which*
7 *an alert is issued through the AMBER Alert communica-*
8 *tions network.*

9 (2) *The Coordinator shall cooperate with the Secretary*
10 *of Transportation and the Federal Communications Com-*
11 *mission in carrying out activities under this section.*

12 (3) *In preparation for carrying out duties under sub-*
13 *section (b), the Coordinator shall consult with the National*
14 *Center for Missing and Exploited Children and other pri-*
15 *vate sector entities and organizations (including non-profit*
16 *organizations) having expertise in matters relating to such*
17 *duties.*

18 **SEC. 3. MINIMUM STANDARDS FOR ISSUANCE AND DISSEMI-**
19 **NATION OF ALERTS THROUGH AMBER ALERT**
20 **COMMUNICATIONS NETWORK.**

21 (a) *ESTABLISHMENT OF MINIMUM STANDARDS.*—Sub-
22 *ject to subsection (b), the AMBER Alert Coordinator of the*
23 *Department of Justice shall establish minimum standards*
24 *for—*

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

3 (2) *the extent of the dissemination of alerts*
4 *issued through the network.*

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

8 (2) *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 (3) *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 AND CONSULTATION.—(1) The Coor-*
21 *dinator shall cooperate with the Secretary of Transpor-*
22 *tation and the Federal Communications Commission in*
23 *carrying out activities 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 (3) *The Coordinator shall also consult with the Na-*
 5 *tional Center for Missing and Exploited Children and other*
 6 *private sector entities and organizations (including non-*
 7 *profit organizations) having an expertise in matters relat-*
 8 *ing to the minimum standards to be established under this*
 9 *section in establishing the minimum standards.*

10 **SEC. 4. GRANT PROGRAM FOR NOTIFICATION AND COMMU-**
 11 **NICATIONS SYSTEMS ALONG HIGHWAYS FOR**
 12 **RECOVERY OF ABDUCTED CHILDREN.**

13 (a) *PROGRAM REQUIRED.*—*The Secretary of Trans-*
 14 *portation shall carry out a program to provide grants to*
 15 *States for the development or enhancement of notification*
 16 *or communications systems along highways for alerts and*
 17 *other information for the recovery of abducted children.*

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

20 (1) *the development or enhancement of electronic*
 21 *message boards along highways and the placement of*
 22 *additional signage along highways; and*

23 (2) *the development or enhancement of other*
 24 *means of disseminating along highways alerts and*

1 *other information for the recovery of abducted chil-*
 2 *dren.*

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

6 *(d) DISTRIBUTION OF GRANT AMOUNTS ON GEO-*
 7 *GRAPHIC BASIS.—The Secretary shall, to the maximum ex-*
 8 *tent practicable, ensure the distribution of grants under the*
 9 *program under subsection (a) on an equitable basis*
 10 *throughout the various regions of the United States.*

11 *(e) ADMINISTRATION.—The Secretary shall prescribe*
 12 *requirements, including application requirements, for*
 13 *grants under the program under subsection (a).*

14 *(f) AUTHORIZATION OF APPROPRIATIONS.—(1) There*
 15 *is authorized to be appropriated for the Department of*
 16 *Transportation for fiscal year 2003 such sums as may be*
 17 *necessary to carry out this section.*

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

21 **SEC. 5. GRANT PROGRAM FOR SUPPORT OF AMBER ALERT**
 22 **COMMUNICATIONS PLANS.**

23 *(a) PROGRAM REQUIRED.—The Attorney General shall*
 24 *carry out a program to provide grants to States for the*

1 *development or enhancement of programs and activities for*
2 *the support of AMBER Alert communications plans.*

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

5 (1) *the development and implementation of edu-*
6 *cation and training programs, and associated mate-*
7 *rials, relating to AMBER Alert communications*
8 *plans;*

9 (2) *the development and implementation of law*
10 *enforcement programs, and associated equipment, re-*
11 *lating to AMBER Alert communications plans; and*

12 (3) *such other activities as the Attorney General*
13 *considers appropriate for supporting the AMBER*
14 *Alert communications program.*

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

18 (d) *DISTRIBUTION OF GRANT AMOUNTS ON GEO-*
19 *GRAPHIC BASIS.*—*The Attorney General shall, to the max-*
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21 *under the program under subsection (a) on an equitable*
22 *basis throughout the various regions of the United States.*

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24 *prescribe requirements, including application requirements,*
25 *for grants under the program under subsection (a).*

1 (f) *AUTHORIZATION OF APPROPRIATIONS.—(1) There*
2 *is authorized to be appropriated for the Department of Jus-*
3 *tice for fiscal year 2003 such sums as may be necessary*
4 *to carry out this section.*

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6 *tion of appropriations in paragraph (1) shall remain avail-*
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A BILL

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