

107TH CONGRESS  
2D SESSION

# S. 3027

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

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IN THE SENATE OF THE UNITED STATES

OCTOBER 2, 2002

Mrs. CLINTON introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## 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-  
9 dren in certain public buildings and commercial es-  
10 tablishments across the Nation.

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

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

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

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

21 **SEC. 3. PROCEDURES IN FEDERAL BUILDINGS REGARDING**

22 **A MISSING OR LOST CHILD.**

23          (a) IN GENERAL.—On and after the 180th day after  
24          the date of the enactment of this Act, each Federal build-  
25          ing that is open to the public shall have in place proce-

1 dures described in subsection (b) for locating a child who  
2 is missing in a Federal building.

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

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

18 (A) alert designated employees via a fast  
19 and effective means of communication that  
20 “Code Adam” has been activated;

21 (B) furnish a detailed description of the  
22 child according to the information provided by  
23 the parent, tutor, or guardian; and

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

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

6           (3) MONITORING EXITS.—Employees des-  
7 igned by the head, Director, Commission, and  
8 Committee referred to in subsection (c), respectively,  
9 shall monitor all building exits to ascertain that the  
10 child does not leave the building without the parent,  
11 tutor, or guardian.

12           (4) BUILDING EGRESS.—Any person leaving  
13 through any of the Federal building exits accom-  
14 panied by a child shall be asked to go through the  
15 main exit previously designated by the head, Direc-  
16 tor, Commission, and Committee referred to in sub-  
17 section (c), respectively. If once there, the person in-  
18 sists on leaving the Federal building, the person  
19 shall be allowed to do so once it has been determined  
20 that the child who is leaving is not the one being  
21 searched for and such person presumed to be the  
22 parent, tutor, or guardian, presents a government  
23 issued photo identification.

24           (5) LOCAL LAW ENFORCEMENT.—Contacting  
25 local law enforcement agencies if a child is not found

1 during the search. After the activation of “Code  
2 Adam” has been announced, designated employees  
3 shall search throughout the entire Federal building,  
4 and 2 or more of them, as may be considered nec-  
5 essary, shall be assigned to each floor to certify that  
6 the child is not there. The search shall include any  
7 parking lots used for such building. No other em-  
8 ployees shall be compelled to participate in the  
9 search.

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

18 (7) REPORT.—Upon completion of the protocol,  
19 designated employees shall inform the head, Direc-  
20 tor, Commission, and Committee referred to in sub-  
21 section (c), and other designated employees that the  
22 “Code Adam” has ended. The head, Director, Com-  
23 mission, and Committee referred to in subsection  
24 (c), respectively, shall prepare a report of the inci-

1 dent, which shall be kept in the administrative files  
2 for a term of not less than 3 years.

3 (c) ENFORCEMENT.—

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

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

18 (3) LEGISLATIVE BRANCH BUILDINGS.—

19 (A) HOUSE OF REPRESENTATIVES.—The  
20 House Office Building Commission shall take  
21 such actions as may be necessary to institute  
22 and enforce the procedures contained in sub-  
23 section (b) as such procedures apply to Federal  
24 buildings owned or leased for use by the House  
25 of Representatives.

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

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

15 **SEC. 4. DEFINITIONS.**

16          For the purposes of this Act, the following definitions  
17          apply:

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

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

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

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

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