

peaceful religion, Islam, to perform their evil deeds.

Word was out that Osama bin Laden and his minions of hate thought that by attacking us, our buildings, our Pentagon, and our planes, they could somehow divide our great Nation and somehow weaken our resolve to be a global power, to be a force for freedom and democracy around the globe.

Word was out that those who hate the United States simply for who we are, for our freedoms, our prosperity, and our diversity, thought that by murdering thousands of innocent Americans and shattering the lives of thousands of families, our Nation would somehow lose its ability to function as a great democracy.

They were wrong. We are today stronger, I argue, than ever.

September 11 changed America forever. At one level, the attacks made us aware of our vulnerabilities and forced us to realize there is no such thing as the unthinkable. Yet at another level, the way in which the entire Nation came together, in the days and weeks and months after the attacks, has served as a profound and inspirational reminder to strengthen the American people and the breadth and depth of the American spirit.

So as we mark this historic day, a day of sadness, we look back and remember September 11, not just for the tragedy it evokes but also in renewing our faith in the greatness of the wonderfulness of our Nation, in which we are charged temporarily to be custodians, as Members of this body, to see that that daughter of mine and the children of our colleague from Texas grow up in a world far safer than what we witnessed a year ago. That becomes our collective responsibility as public officials: To put aside differences and, wherever we can, to work together as one people to make our country stronger and better, to achieve that sense of perfection that the Founders of our Nation envisioned more than 200 years ago.

With those thoughts in mind, I extend my deepest sympathies, my thoughts, and prayers to the families in my State and across our Nation who still grieve terribly for the loss they suffered a year ago.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Before Senator DODD leaves the floor, I appreciate so much his beautiful remarks. We do share something very special, and that is that each of us had a new baby—mine through adoption, yours with your wife. It was right during that very sad time. I think it was so helpful to have this new life I knew then we were fighting for, to make sure that my young son and my young daughter would have the same kind of life as I did.

I know you feel that way about Grace, and to look out from her birth to see the Pentagon smoldering must

have been an emotional experience beyond any ability to describe.

So I am so proud that I have two babies born in 2001, and I have the firmest commitment to make sure we do everything in our power to assure that they have the freedom and the love of this country and the diversity we champion and the tolerance we have shown to the world. That is the way people should live. I thank the Senator for his remarks. I just wanted to say how their lives will be intertwined forever.

Mr. DODD. I thank the Senator.

NATIONAL AMBER ALERT NETWORK ACT OF 2002

The PRESIDING OFFICER (Mr. MILLER). The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent the Senate immediately proceed to Calendar No. 566, S. 2896.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (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.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

[Strike the part printed in black brackets and insert the part printed in italic.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

[This Act may be cited as the “National AMBER Alert Network Act of 2002”.]

SEC. 2. NATIONAL COORDINATION OF AMBER ALERT COMMUNICATIONS NETWORK.

[(a) COORDINATION WITHIN DEPARTMENT OF JUSTICE.—The Attorney General shall assign an officer of the Department of Justice to act as the national coordinator of the AMBER Alert communications network regarding abducted children. The officer so designated shall be known as the AMBER Alert Coordinator of the Department of Justice.

[(b) DUTIES.—In acting as the national coordinator of the AMBER Alert communications network, the Coordinator shall—

[(1) seek to eliminate gaps in the network, including gaps in areas of interstate travel;

[(2) work with States to encourage the development of additional elements (known as local AMBER plans) in the network;

[(3) work with States to ensure appropriate regional coordination of various elements of the network; and

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

[(A) the development of the network; and

[(B) regional coordination of alerts on abducted children through the network.

[(c) CONSULTATION WITH FEDERAL BUREAU OF INVESTIGATION.—In carrying out duties under subsection (b), the Coordinator shall

notify and consult with the Director of the Federal Bureau of Investigation concerning each child abduction for which an alert is issued through the AMBER Alert communications network.

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

SEC. 3. MINIMUM STANDARDS FOR ISSUANCE AND DISSEMINATION OF ALERTS THROUGH AMBER ALERT COMMUNICATIONS NETWORK.

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

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

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

[(b) LIMITATIONS.—(1) The minimum standards established under subsection (a) shall be adoptable on a voluntary basis only.

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

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

[(c) COOPERATION.—(1) The Coordinator shall cooperate with the Secretary of Transportation and the Federal Communications Commission in carrying out activities under this section.

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

SEC. 4. GRANT PROGRAM FOR NOTIFICATION AND COMMUNICATIONS SYSTEMS ALONG HIGHWAYS FOR RECOVERY OF ABDUCTED CHILDREN.

[(a) PROGRAM REQUIRED.—The Secretary of Transportation shall carry out a program to provide grants to States for the development or enhancement of notification or communications systems along highways for alerts and other information for the recovery of abducted children.

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

[(1) the development or enhancement of electronic message boards along highways and the placement of additional signage along highways; and

[(2) the development or enhancement of other means of disseminating along highways alerts and other information for the recovery of abducted children.

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

[(d) DISTRIBUTION OF GRANT AMOUNTS ON GEOGRAPHIC BASIS.—The Secretary shall, to the maximum extent practicable, ensure the distribution of grants under the program under subsection (a) on an equitable basis throughout the various regions of the United States.

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

[(f) AUTHORIZATION OF APPROPRIATIONS.—(1) There is authorized to be appropriated for

the Department of Transportation for fiscal year 2003 such sums as may be necessary to carry out this section.

[(2) Amounts appropriated pursuant to the authorization of appropriations in paragraph (1) shall remain available until expended.]

ISEC. 5. GRANT PROGRAM FOR SUPPORT OF AMBER ALERT COMMUNICATIONS PLANS.

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

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

[(1) the development and implementation of education and training programs, and associated materials, relating to AMBER Alert communications plans;

[(2) the development and implementation of law enforcement programs, and associated equipment, relating to AMBER Alert communications plans; and

[(3) such other activities as the Secretary considers appropriate for supporting the AMBER Alert communications program.]

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

[(d) DISTRIBUTION OF GRANT AMOUNTS ON GEOGRAPHIC BASIS.—The Attorney General shall, to the maximum extent practicable, ensure the distribution of grants under the program under subsection (a) on an equitable basis throughout the various regions of the United States.]

[(e) ADMINISTRATION.—The Attorney General shall prescribe requirements, including application requirements, for grants under the program under subsection (a).]

[(f) AUTHORIZATION OF APPROPRIATIONS.—(1) There is authorized to be appropriated for the Department of Justice for fiscal year 2003 such sums as may be necessary to carry out this section.]

[(2) Amounts appropriated pursuant to the authorization of appropriations in paragraph (1) shall remain available until expended.]

SECTION 1. SHORT TITLE.

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

SEC. 2. NATIONAL COORDINATION OF AMBER ALERT COMMUNICATIONS NETWORK.

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(2) work with States to encourage the development of additional elements (known as local AMBER plans) in the network;

(3) work with States to ensure appropriate regional coordination of various elements of the network; and

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

(A) the development of the network; and

(B) regional coordination of alerts on abducted children through the network.

(c) CONSULTATION AND COOPERATION.—(1) In carrying out duties under subsection (b), the Coordinator shall notify and consult with the Director of the Federal Bureau of Investigation concerning each child abduction for which an alert is issued through the AMBER Alert communications network.

(2) The Coordinator shall cooperate with the Secretary of Transportation and the Federal Communications Commission in carrying out activities under this section.

(3) In preparation for carrying out duties under subsection (b), the Coordinator shall consult with the National Center for Missing and Exploited Children and other private sector entities and organizations (including non-profit organizations) having expertise in matters relating to such duties.

SEC. 3. MINIMUM STANDARDS FOR ISSUANCE AND DISSEMINATION OF ALERTS THROUGH AMBER ALERT COMMUNICATIONS NETWORK.

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

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

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

(b) LIMITATIONS.—(1) The minimum standards established under subsection (a) shall be adoptable on a voluntary basis only.

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

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

(c) COOPERATION AND CONSULTATION.—(1) The Coordinator shall cooperate with the Secretary of Transportation and the Federal Communications Commission in carrying out activities under this section.

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

(3) The Coordinator shall also consult with the National Center for Missing and Exploited Children and other private sector entities and organizations (including non-profit organizations) having an expertise in matters relating to the minimum standards to be established under this section in establishing the minimum standards.

SEC. 4. GRANT PROGRAM FOR NOTIFICATION AND COMMUNICATIONS SYSTEMS ALONG HIGHWAYS FOR RECOVERY OF ABDUCTED CHILDREN.

(a) PROGRAM REQUIRED.—The Secretary of Transportation shall carry out a program to provide grants to States for the development or enhancement of notification or communications systems along highways for alerts and other information for the recovery of abducted children.

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

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

(2) the development or enhancement of other means of disseminating along highways alerts and other information for the recovery of abducted children.

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

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

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

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

(2) Amounts appropriated pursuant to the authorization of appropriations in paragraph (1) shall remain available until expended.

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

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

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

(1) the development and implementation of education and training programs, and associated materials, relating to AMBER Alert communications plans;

(2) the development and implementation of law enforcement programs, and associated equipment, relating to AMBER Alert communications plans; and

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

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

(d) DISTRIBUTION OF GRANT AMOUNTS ON GEOGRAPHIC BASIS.—The Attorney General shall, to the maximum extent practicable, ensure the distribution of grants under the program under subsection (a) on an equitable basis throughout the various regions of the United States.

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

(f) AUTHORIZATION OF APPROPRIATIONS.—(1) There is authorized to be appropriated for the Department of Justice for fiscal year 2003 such sums as may be necessary to carry out this section.]

(2) Amounts appropriated pursuant to the authorization of appropriations in paragraph (1) shall remain available until expended.]

Mrs. HUTCHISON. Mr. President, I would like to speak on the bill. My colleague, Senator FEINSTEIN, will speak, and then I would like to have the bill passed following those remarks.

Mr. President, I am so proud that the Senate Judiciary Committee has already passed the AMBER Alert bill on which Senator FEINSTEIN and I worked during the recess, after the tragic happening in California with the teenage girls who were lost but then found because of AMBER Alert, and the tragic kidnapping in Texas of a baby who was also found because of the AMBER Alert.

Although in numbers the child abductions through the summer weren't any more than previous years, they seemed so much more because we knew about them and we were able to do something about them. Not all of them have had a happy ending, but more than ever before have had a happy ending.

The realization that their child has been abducted must be the most terrifying nightmare a parent can endure.

But that is what has happened to parent after parent in our country.

The AMBER Alert bill is named for Amber Hagerman, who was abducted when she was 9 years old, riding her bicycle near her home in Arlington, TX, in 1996. Amber was murdered. But her mother and law enforcement personnel in the Arlington-Dallas-Fort Worth area believed so strongly there should be some way to do something that would find these children that they created the AMBER Alert on a local level.

Today, cities, regions, and States have established AMBER Alerts and 30 abducted children have been found and rescued because of the AMBER Alert.

Most of the credit for this remarkable record goes to the National Center for Missing and Exploited Children, which provides technical guidance to communities and coordination among widely separated AMBER networks. And the Center could not be effective without the willing cooperation of the National Association of Broadcasters and local television and radio stations across the nation.

As we have witnessed this summer, AMBER Alert plans in different communities have been effective in bringing children home safely. Recently, an AMBER Alert was sent out to search for 10-year-old Nichole Timmons of Riverside, California. The Alert was not only delivered throughout California but contacts also were made in neighboring states, and Nichole was found in Nevada. Nichole and her family were extremely lucky because dedicated people at the National Center for Missing and Exploited Children made the effort to notify every possible jurisdiction, and local broadcasters devoted previous air time to the Alert. The vast majority of States, however, do not yet have comprehensive, statewide coverage and lack the ability to effectively communicate between plans. This is a critical issue particularly when an abducted child is taken across State lines.

Nichole's case clearly illustrates the need for a national AMBER network. My bill, the National AMBER Alert Network Act, prepared with the help of my friend, DIANNE FEINSTEIN of California, will fill the gaps that exist in the current patchwork of AMBER systems. We will provide resources for states and communities to build their AMBER Alert systems and spread information to surrounding jurisdictions.

Our bill establishes an AMBER Alert Coordinator within the Department of Justice to assist states with their AMBER Alert plans. The AMBER Alert Coordinator will set minimum, voluntary standards to help states coordinate when necessary. The AMBER Alert Coordinator will help to reconcile the different standards for what constitutes an AMBER alert. In doing so, the Coordinator will work with existing participants, including the National Center for Missing and Exploited Children, local and state law enforce-

ment and broadcasters to define minimum standards. Overall, the AMBER Alert Coordinator's efforts will set safeguards to make sure the AMBER system is used to meet its intended purpose.

In addition, the bill provides for matching grant programs at the Department of Transportation and the Department of Justice. The grant programs will help localities and states build or further enhance their efforts to disseminate AMBER Alerts. To this end, the matching grant programs will fund road signage and electronic message boards along highways, dissemination of information on abducted children, education and training, and related equipment.

When a child is lost, the whole community grieves along with the family. An AMBER Alert channels this energy to a positive purpose. Tips from average citizens have resulted in the safe and rapid recovery of many children. We can spread the work about abducted children across county and state lines quickly, before the kidnappers have the chance to cover their tracks and get too far away.

I was very touched, when Senator FEINSTEIN and I decided we were going to introduce this National AMBER Alert bill, that Mr. Ed Smart, the father of Elizabeth Smart, who was abducted from her home in Utah and who has not been found, had a press conference with Senator BENNETT from Utah to say: Please enact this national system. Maybe it could have helped if we had had that in place.

Senator HATCH from Utah was so helpful in making sure the Judiciary Committee did expedite the passage of this bill. We could not have done it without Senator LEAHY, who allowed us to go forward, really, in miracle record time. Senator CLINTON came forward immediately to offer her help. So we have had a lot of people working on this issue. I do not think the Senate has ever come together so uniformly and so quickly to enact a piece of legislation as this AMBER Alert bill.

It is important that we enact this bill and that the President be able to sign it before we leave for a 3-month recess because there is no telling how many children could be helped if we had this in place and ready to go.

In memory of Amber Hagerman and for every family ravaged by the tragedy of child abduction, I urge my colleagues to pass the National AMBER Alert Network Act to safeguard America's children.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, I would like to begin by thanking the distinguished Senator from Texas for her leadership, for her perspicacity, for her work on this bill. We have to remember this bill was introduced exactly 1 week ago. We had hearings. It is on the floor. It is going to be passed today.

I hope it sends a message to the Nation. I hope that message is, if yours is

a State that doesn't have an AMBER Alert, let us get one. Let me tell you why.

Seventy-four percent of the children who are abducted are lost within the first day. Therefore, if you can identify the abductor, if you can identify a license plate, you may well save the life of a child.

I think that came in loudly and clearly to both Senator HUTCHISON and me in the Judiciary Committee.

The Senator mentioned Nichole Timmons and her mother Sharon. It was interesting. Nichole was kidnapped by the gardener who worked at their home. She was taken across the State line from Riverside County into Nevada. Within 24 hours, a tribal officer in Nevada recognized the license plate of the vehicle, and that went out on an AMBER Alert. There was duct tape in that car. There was a metal rod in that car. If the license had not been run, Nichole never would have come home. The AMBER Alert worked.

In my State of California, we have only had the AMBER Alert for about a month. There have been 13 AMBER Alerts. One was a misstep. Eight were stranger abductions. Four were family-related abductions. All 12 of those children were returned. Never before have I seen a statistic such as that.

We know the AMBER Alert works. Now we have an opportunity to get this nationwide.

I think the bill is thoughtful. I think it is well set out.

Since 1996, when the AMBER Alert went into being, it has been credited with the return of 30 children to their families, including one case in which the abductor, interestingly enough, released the child himself after hearing the alert. In other words, it can act as a deterrent as well.

What is more important than our children, other than war and peace? I don't think anything. This is really important because it means you can avoid a child being murdered simply by issuing this AMBER Alert.

The Senator has indicated the various points of the bill. But I want to say this. The AMBER Alert is typically issued only when a law enforcement agency confirms that a predatory child abduction has occurred. When the child is in imminent danger and there is information available that is disseminated to the public, they can assist in the safe recovery of the child.

In the bill, we have provided that the Attorney General would set these minimum standards. So the same standards would be used across every State, probably close to what I have read, and therefore avoid a plethora of unnecessary AMBER Alerts. We can have a system which really functions well in those cases where the likelihood is that something grievous could in fact happen to that child.

I am hopeful that we will shortly have a national system with 15 AMBER Alerts. We are very proud that the National Association of Broadcasters is

strongly supportive. As you know, when an AMBER Alert goes out, it interrupts the television program or radio program. It is on the highway. That is what gives the broad knowledge to people.

Interestingly enough, at the hearing, Marc Klaas was also there. His daughter Polly several years ago—in the mid-1990s—was taken from her bedroom when she had a sleepover with a number of girls in her home. Someone came into her home and took her. He truly believes that had AMBER Alert been in place, Polly might have been saved.

At that hearing, we had Nichole and her mother. She was saved. And we had Marc Klaas, who lost his daughter because there was not an AMBER Alert. For many of us, it was a real juxtaposition.

I thank the Center for Missing and Exploited Children. I thank my colleague, Senator HUTCHISON. I particularly thank the chairman of the Judiciary Committee. Without Senator LEAHY, this bill couldn't have been put on the calendar, it couldn't have been marked up, and it couldn't have been moved in the very short time in which it was.

I think it has accomplished something for our children today. It will pass unanimously. Only 15 States have it. And hopefully other States are going to move very rapidly. Hopefully one day Senator HUTCHISON and I will be able to come before you, Mr. President, and the rest of this body, and say that every State in the United States today has an AMBER Alert. Here are the statistics, ladies and gentlemen. We have saved a lot of children and had them returned to their parents.

I only say to the Senator, my friend, good work. I am delighted to be here today.

I thank my colleagues for voting for this bill.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I thank the Senator from California for jumping right in after the tragic abduction of the teenage girls. Those lives were probably saved 5 minutes before they would have been murdered. That is what the testimony was. It was the result of the AMBER Alert, which is a statewide system in California. Senator FEINSTEIN, as the Senator from the home State, has an emotional tie to this issue. I just hope we can prevent in other States other parents from having this kind of scare in their lives. At least, if they have the scare, we will be able to help them and save the lives of the most innocent in our society. Of course, that is our children.

I send a list of cosponsors—we have 38—on the desk and ask that they be printed in the RECORD.

There being no objection, the list of cosponsors was ordered to be printed in the RECORD, as follows:

S. 2896—HUTCHISON-FEINSTEIN AMBER ALERT
BILL OF 2002

CO-SPONSORS (38)

Democrats: Senators Biden, Carnahan, Cleland, Clinton, Dayton, Dodd, Durbin, Edwards, Feingold, Feinstein, Harkin, Johnson, Landrieu, Leahy, Bill Nelson, Rockefeller, Stabenow, and Wyden.

Republicans: Senators Allard, Bennett, Collins, Crapo, Ensign, Fitzgerald, Hatch, Helms, Hutchinson, Inhofe, Kyl, Lott, Lugar, Santorum, Sessions, Gordon Smith, Snowe, Thurmond, Voinovich, and McConnell.

Mrs. HUTCHISON. Mr. President, it is my understanding that other Senator's wish to speak. I was not sure if Senator NELSON wanted to speak before we passed the bill. I want to make sure we pass the bill. I don't know if we need to wait for other Senators before we do that.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, if the Senator from Texas would be amenable, while we are waiting for Senators, I have remarks with regard to another matter. It is my understanding that we are in morning business. I can accommodate you all in whatever way you would like. Senators could insert their remarks in the RECORD after the fact.

Mrs. HUTCHISON. I think that is probably what we would like to do. I would like to then go forward.

Mrs. FEINSTEIN. Mr. President, over the last few months the American people have awakened to the tragic reality that our children face the very real threat of predatory criminals each and every day.

The airwaves have been filled with story after story of children who have been abducted, sometimes to be found alive later thanks to an AMBER alert or good law enforcement work; sometimes to be found, tragically, dead; and sometimes never to be found at all.

This is not a new problem, but the increased attention to the problem gives us a real opportunity to make some much-needed changes in the law to prevent some of these horrible crimes and to better protect the children of this Nation.

The bill Senator HATCH and I introduce today will help ensure that law enforcement officers have the tools and resources they need to find, prosecute, and severely punish those who commit crimes against innocent children.

Specifically, the Hatch-Feinstein Child Crime Bill would do the following:

First, the legislation directs the FBI to establish a National Crimes Against Children Response Center. This Center would have as its primary mission the development of a comprehensive, rapid response plan to reported crimes involving the victimization of children. Working undoubtedly in conjunction with the National Center for Missing and Exploited Children, the AMBER Alert systems nationwide, and other agencies and private entities as well, this Center would be the focal point for seeing that the victimization of chil-

dren does not go unsolved, or unpunished.

Second, the legislation will create a new Crimes Against Children Section at the Department of Justice, tasked with prosecuting crimes against children; providing guidance and assistance to Federal, State, and local law enforcement agencies and personnel who handle such cases; coordinating efforts with international law enforcement agencies to combat crimes against children; and acting as a liaison with the legislative and judicial branches of government.

The bill also directs this new office in DOJ to create a national Internet site that will consolidate sex offender information which States currently release under the federal reporting act.

The bill also directs States that have not developed Internet sites to do so. Currently, all 50 States have registration statutes that require sex offenders to register and to share information with the United States Attorney General through the Federal Bureau of Investigation, and over 30 States make offender information available to the public on the Internet. But not all States include all available information, and there is no single place to easily acquire this information about local sex offenders. The national database will be such a place.

The legislation also prevents the use of the so-called "Marital Privilege" to allow one spouse to protect another in cases where a parent, guardian or supervising adult has abused a child in the home. If an adult is abusing a child in his or her own home, it is vital to put a stop to the situation. Allowing a spouse to refuse to testify about the abuse by asserting an outdated "marital privilege" puts the child at continuing risk. This makes no sense.

In order to assist law enforcement track and punish child predators and other violent criminals, this legislation also expands the class of offenses that are included in the Combined DNA Index System, CODIS, by adding to the system all Federal felonies and additional offenses that subject Federal offenders to sex registration requirements. Currently, only select Federal offenses are entered in CODIS.

The bill makes two modifications to Rule 414 of the Federal Rules of Evidence, which already allows evidence of a defendant's prior acts of child molestation to be admitted in a criminal child molestation case.

Unfortunately, the definition of prior acts of child abuse includes only children under 14, so acts against 15 or 16-year olds, for instance, are inadmissible. This legislation extends the definition of "child" contained in Rule 414 to include any person below the age of 18—rather than age 14.

And the amendment also makes clear that where a defendant previously possessed what may have been virtual, as opposed to actual, child pornography, such evidence is admissible under Rule 414.

We have also included language to expand the Federal Wiretap Act by adding as predicate offenses to the statute, sex trafficking, sex exploitation, and other interstate sex offenses. Currently, the wiretap statute authorizes the interception of wire, oral, or electronic communications in the investigation of just two sexual exploitation of children crimes.

To obtain a wiretap, law enforcement authorities will still need to meet the strict statutory guidelines of the wiretap statute and obtain authorization from a court.

The legislation would also extend the maximum supervised release period that applies to sexual offenders, by granting Federal judges the discretion to impose up to lifetime periods of supervised release for individuals who are convicted of sexual abuse, sexual exploitation, transportation for illegal sexual activity, or sex trafficking offenses.

Under current law, a judge can impose no more than 5 years of supervised release for a serious felony, and no more than 3 years for a lesser categorized offense. This amendment will not require judges to impose a period of supervised release longer than 5 years; it simply authorizes them to do so where the judge sees fit based on the nature and circumstances of the particular case. Some sexual offenders may pose a potential risk to their communities for longer than 5 years, and discretion to supervise those offenders past an artificial time limit is simply common sense.

The legislation also increases the maximum penalties that apply to certain sexual offenses, by doubling the maximum penalties for sex offenses involving the trafficking of children and other interstate elements. This will allow the Sentencing Commission, and federal judges, greater latitude in determining sentences for the worst of offenders. No changes are made to mandatory minimums.

Finally, we direct the Sentencing Commission to review the guidelines that apply to child abuse and exploitation offenses to determine whether they are sufficiently severe.

Earlier this month Senator HUTCHINSON and I introduced legislation to help establish a national AMBER alert system. These systems have been proven effective in finding abducted children quickly, and most certainly saving some lives. That bill, which will pass tonight is one step in protecting our children from dangerous predators.

The bill I introduce today with my good friend Senator HATCH is simply another piece of the anti-predator puzzle. I hope my colleagues will join us in this effort.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the Senate agree to the committee substitute amendment, that the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment in the nature of substitute was agreed to.

The bill (S. 2896) was read the third time and passed.

Mrs. HUTCHISON. Thank you, Mr. President. I thank the Senator from Florida.

I do not know if a bill has ever gone through the Senate any faster. It couldn't have happened without Senator LEAHY. I think passing this kind of bill before we leave for 3 months could be responsible for saving lives.

I am just so appreciative that we can go forward and that every single Senator on both sides of the aisle will give their consent to this bill passing.

So, Mr. President, I thank the Senator from Vermont for his leadership and for helping us work through what could have been a delay, but it was not because of his leadership.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, I thank my good friend from Texas for her kind remarks, but I was simply able to expedite the very good work that she and the distinguished Senator from California have done.

I note that what has happened here is an idea which has come from the Senator from Texas and the Senator from California, who have worked together in a bipartisan fashion. Actually, this is a nonpartisan issue. They are both parents. The Senator from Texas knows how much I admire her work as a parent, as I do the Senator from California.

Whether or not you are a parent, the most terrifying experience is for a child to be suddenly missing, especially if foul play is involved. I am not talking about a child getting lost on the way home from school who is going to show up an hour later because all the neighbors are out looking for that child or a child who stayed too long at a friend's house and forgot to call and then calls a frantic parent 45 minutes or an hour later and says, "Gee, I forgot to tell you I was at Johnny's or Susie's house," or something like that. This comes into play in a case where, much as you hate to suspect there may be foul play, there may well be.

If you can return one child—one child—to the parents, look at what you have done. If you can return hundreds, which is the potential with this legislation, look how much more you have done.

It is the case where you have big States, such as those of the Senator from Texas and the Senator from California. They come from very large States: large graphically, large in population. I come from a very small State: small in geography, small in population. But if you can tie in my part of the country—the northeastern part—we go from very small States, such as mine, to the bordering States of New York and Massachusetts, which are much larger States in population.

It is the whole northeastern corridor, but somebody can drive through those States in half the time it takes to drive, for example, across the State of Texas or the length of the State of California. So we have to be able to coordinate.

I think that is why so many came together on this: Senators HATCH, BIDEN, DURBIN, EDWARDS, FEINGOLD, KYL, SESSIONS—and I think you have 34 cosponsors.

Mrs. HUTCHISON. Thirty-eight.

Mr. LEAHY. Thirty-eight. I thank the Senator from Texas.

The Senator from Florida represents a State the length of which, if it went in the other direction, it would go across time zones.

Incidentally, people may see the success stories on one or two television programs, where there might have been one last year or last month or last week, but the Department of Justice estimates the number of children taken by strangers annually is between 3,000 and 4,000. That is terrible.

This plan originated in Arlington, TX, after the murder of 9-year-old Amber Hagerman. We will help coordinate. We will make sure the local, State, and Federal officials can work together.

But not only that, private citizens will be involved because they will hear from State broadcasters or from law enforcement people. I don't know of anybody who hears of a missing child who would not want to help. And this will make that possible.

So it will help kidnap victims. It will also preserve the flexibility of the States because States are different in how they want to implement it.

It is disturbing to see on TV or in the newspapers photo after photo of missing children from every corner of the Nation. As the father of three children, as well as a grandfather of one grandson, with another grandchild on the way, I know that an abducted child is a parent's or grandparent's worst nightmare.

Unfortunately, it appears this nightmare is happening all too often. Indeed, the Justice Department estimates that the number of children taken by strangers annually is between 3,000 and 4,000. These parents and grandparents, as well as the precious children, deserve the assistance of the American people and helping hand of the Congress.

By coordinating their efforts, law enforcement emergency management and transportation agencies, radio and television stations, and cable systems have worked to develop an innovative early warning system to help find abducted children by broadcasting information—including descriptions and pictures of the missing child, the suspected abductor, a suspected vehicle, and any other information available and valuable to identifying the child and suspect—to the public as speedily as possible.

The AMBER Alert system's popularity has raced across the United

States. Since the original AMBER Plan was established in 1996, 55 modified versions have been adopted at local, regional, and statewide levels. Eighteen States have already implemented statewide plans. It is also a proven success—to date the AMBER Plan has been credited with recovering 30 children.

This bipartisan legislation will authorize the Attorney General, in cooperation with the Secretary of Transportation and the Chairman of the Federal Communications Commission to appoint a Justice Department National AMBER Alert coordinator to oversee the Alert's communication network for abducted children. The AMBER Alert Coordinator will work with the States, broadcasters, and law enforcement agencies to set up AMBER plans, serve as a point of contact to supplement existing AMBER plans, and facilitate regional coordination of AMBER alerts.

It also directs the AMBER Alert coordinator, in conjunction with the FCC, local broadcasters, and local law enforcement agencies, to establish voluntary guidelines for minimum standards in determining the criteria for AMBER alerts and for the dissemination of those alerts. As a result, our bipartisan bill helps kidnap victims while preserving flexibility for States in implementing the alert system.

Because developing and enhancing the AMBER alert system is a costly endeavor for States to take on alone, our bipartisan bill establishes two Federal grant programs to share the burden. First, the bill creates a Federal grant program, under the direction of the Secretary of Transportation for statewide notification and communications systems, including electronic message boards and road signs, along highways for the recovery of abducted children. Second, the bill establishes a grant program managed by the Attorney General for the support of AMBER alert communications plans with law enforcement agencies and others in the community.

Our Nation's children, parents and grandchildren deserve our help to stop the disturbing trend of children abductions. I am gratified the Senate has passed the AMBER Alert National Network Act, and I hope the House and the President will act expeditiously on this important piece of legislation to ensure that our communications systems help rescue abducted children from their kidnapers and return them safely to their families.

Mr. President, I thank the Senators who have joined on this measure.

I yield the floor and thank the distinguished Senator from Florida for his courtesy in allowing me to speak. But I hope he will note, in honoring that, I tried to wear a suit as close in color to his as possible.

The PRESIDING OFFICER. The Senator from Florida is recognized.

ELECTION REFORM

Mr. NELSON of Florida. Mr. President, before the distinguished chairman of the Judiciary Committee leaves the floor, I want to call to his attention, which I did a few minutes ago to his colleague, the distinguished chairman of the Rules Committee, that, lo and behold, there are problems with the voting equipment in Florida today during the primary elections. It underscores the fact there is a need for this Congress to enact an election reform package.

In the Senate, we have passed a substantial bill which is a much different version than has been passed by the other body, the House of Representatives. And the conference committee has been unable to come to terms of agreement.

If it can happen in Florida, almost 2 years after the awful experience that the Nation went through in disputed ballots in the general election of November 2000, it can happen anywhere. It was a circumstance which riveted the attention of not only the Nation but the world with ballots that were confusing—ballots that were miscounted because it was difficult to determine the intent of the voter.

In fact, the Florida legislature had responded by providing appropriations so that the various counties, through their supervisors of elections, could modernize and update voting equipment, as well as procedures and providing voter education.

All of that has been in place in the State of Florida, where all of our citizens are so highly sensitive to the fact that their vote might not be counted, as happened in the experience 2 years ago. If it can happen in Florida today, as it literally has on primary election night, then how much more likely will it happen in other States? And how much more do we have to make the case that it is so important for us to get resolution of the differences and come to agreement in an election reform bill for the country as a whole?

That clearly is a matter that is relevant to the moment. As a result of the discrepancies that have happened earlier today in Florida, the Governor has extended the deadline for voting in Florida from 8 o'clock Eastern time to 10 o'clock this evening. So the results of the primary elections will be coming in quite late. Yet it bears to be underscored this is another reason we need to pass the election reform bill.

The PRESIDING OFFICER. The Senator from California is recognized.

IN MEMORY OF THE CALIFORNIA VICTIMS OF 9/11

Mrs. BOXER. Mr. President, I thank the Senator from Florida for what he said on the need to get homeland security right. He touched on the Coast Guard as an example of where we don't want to lose the function of the Coast Guard that is so important to our

States—those of us who have waterways and oceans and a search-and-rescue element. I could not agree more with that point.

I am also going to be working on the Federal Emergency Management Administration. We know they have come to our rescue many times, and we don't want to lose the ability of that agency to function in a natural disaster, as well as, of course, utilizing them if, God forbid, we have another terrorist attack. I think these are things on which we need to reflect.

I am very pleased that Senator BYRD has slowed us up on considering this bill because it is not about an artificial date; it is about getting it right.

Mr. President, I am here in a very somber mood. We are approximately 15 hours away from the very moment 1 year ago that our Nation was hit, and I want to take just a moment of the Senate's time—maybe 15 minutes—to reflect on that day and, most of all, to remember the Californians we lost that day, numbering 54.

For me, and perhaps for you and many Americans, September has really been a month of excitement and anticipation. I have always loved September. It is the end of the summer, the beginning of a beautiful fall with the changing of the leaves, back to school, and perhaps a little quicker pace, a faster step. September, for most of us, never reminds us of loss, of fear, of shock, of the horrors born of an extreme, unbridled, blind hatred.

In September, we found out about those things. We also found out as a Nation what heroism truly is, how strong and united we can be, how we can set aside differences for the greater good and work together.

The images of September 11 are deep in our minds and deep in our souls. The pain is there, just under the surface. For some of us in America, it is on the surface, and it will always be on the surface for the families who grieve, for the children who will never know a parent—thousands of them—for communities that were decimated.

Today I want to remember those in my State who died on that day. Each was unique. Every one of those planes on that fated day was headed to California. So even though my State was 3,000 miles away from Ground Zero, from the World Trade Center or the Pentagon, we were linked in our sorrow, and we were linked in our outrage.

I am going to read the 54 names, and then I am going to talk a little more about some of the people whose families wanted me to just say a little more about them and show their picture to you.

David Angell; Lynn Angell; David Aoyama; Melissa Barnes; Alan Beaven; Berry Berenson; Dr. Yen Betru; Carol Beug, and her mother Mary Alice Wahlstrom died together on flight 93. Mary Alice is from Utah.

Mark Bingham; Deora Bodley; Touri Bolourchi; Daniel Brandworst, Ronald Gamboa, and their adopted son, David Brandhorst. He was 3 years old.