

than 3,000 samples were waiting to be processed in Nevada alone. Local law enforcement petitioned the Reno community for donations that would enable them to expedite processing of samples collected as part of Brianna's case and tackle the statewide backlog. Nevadans contributed nearly \$300,000 to eliminate the backlog of DNA samples in our State.

This significant outpouring of support demonstrates the American people's commitment to fighting crime through DNA technology. Congress should take this opportunity to mirror the priorities of those we represent. In an age where DNA technology has the potential to solve previously unsolvable crimes and quickly put violent offenders behind bars, there is no excuse for failing to equip law enforcement agencies with the tools and personnel they need to quickly process DNA.

The Debbie Smith Reauthorization Act provides a vital means of reducing the DNA evidence backlog in labs across the country. I joined 26 of my colleagues, including the author of this legislation, in sending a letter to appropriators earlier this year urging appropriators to provide full funding for the Debbie Smith DNA Backlog Grant Program. Few investments could be more important to effective law enforcement in the 21st century. The national DNA database has made matches or otherwise aided in more than 51,000 cases since its inception. While the DNA of Brianna's killer was unfortunately not detected as Nevada's samples were processed in recent months, it is quite possible that the DNA of Brianna's killer is backlogged in another state. Also worth noting is the fact that Nevada law enforcement was able to link 30 unsolved cases to known offenders as a result of eliminating our state's DNA backlog. Assuming a similar success rate nationwide, hundreds—if not thousands—of criminals could be put behind bars if law enforcement could process all DNA samples on hand. Thousands of victims and families whose cases are currently unsolved could find closure.

Ensuring that all crime-related DNA samples are entered in the nationwide database makes every community in every district safer. Supporting the Debbie Smith DNA Backlog Grant Program tells law enforcement that Congress supports their crimefighting efforts with the best technology available, and shows the American people our commitment to taking violent criminals off our streets. I strongly encourage my colleagues to support the Debbie Smith Reauthorization Act as well as efforts to provide full funding for this vital program.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 5057, the "Debbie Smith Reauthorization Act of 2008" (reauthorizing Title II of P.L. 108-405). This Act authorizes funding to eliminate the large backlogs of DNA crime scene samples awaiting testing in State forensic labs. I am in support of this bill.

In recent years, law enforcement agencies have realized the critical value that DNA evidence has in quickly solving cases. Often, a DNA sample result can scientifically link a perpetrator to a crime or prove a defendant's innocence with virtual certainty. Many of the Nation's Federal and State criminal forensics laboratories currently are overwhelmed with innumerable samples awaiting DNA analysis.

Named for Debbie Smith, who was kidnapped in her Virginia home and raped in nearby woods by a stranger, the Debbie Smith

DNA Backlog Grant Program authorized grant money to states to collect samples from crime scenes and convicted persons, conduct DNA analyses, and enter these results into a comprehensive national database. Debbie Smith's attacker remained unidentified for over six years, until a DNA sample collected from a convicted person serving time in a Virginia State prison revealed his involvement in her rape. Although eventually identified, the six years between crime and identification allowed Ms. Smith's attacker to engage in more criminal activity.

Re-authorization of the Debbie Smith DNA Backlog Grant Program will help law enforcement throughout the Nation. It will facilitate the development of a comprehensive national data base against which samples from current crime scenes can be compared. It will allow laboratories to reduce the currently unacceptable delays in processing DNA samples. Finally, it will provide law enforcement and prosecutors strong tools to quickly identify and prosecute criminals, minimizing the costs of investigation and prosecution, the possibility of prosecuting the wrong person and the possibility of future heinous crimes.

Recognizing that the backlog of biological evidence that had to be entered in State databases was preventing law enforcement officials from solving many of the Nation's most heinous crimes, like the tragedy that befell Debbie Smith, Congress passed the DNA "Analysis Backlog Elimination Act of 2000" (P.L. 106-546). The bill authorized the Attorney General to make grants to eligible States to collect DNA samples from convicted individuals and crime scenes for inclusion in the federal DNA database, Combined DNA Index System (CODIS), and to increase the capacity of State crime laboratories. The Act required the Bureau of Prisons and the military to collect DNA samples from convicted individuals and forward these samples for analysis, and required the FBI to expand its CODIS database to include the analyses of these DNA samples.

The Act also amended the criminal code to require all defendants on probation or supervised release to cooperate with the collection of a DNA sample. The Act expressed the sense of Congress that State grants should be conditioned upon the State's agreement to ensure post-conviction DNA testing in appropriate cases; and that Congress should work with the States to improve the quality of legal representation in capital cases. Finally, the Act authorized an unspecified amount of appropriations to the Attorney General to carry out the Act.

In 2004, DNA backlog elimination was incorporated into the Justice for All Act of 2004", P.L. 108-405 and was renamed the Debbie Smith DNA Backlog Grant Program, which became Title II of P.L. 108-405. While the Act authorized \$151 million for each fiscal year 2005-2009, Congress did not appropriate any money until FY 2008, at which time it appropriated \$147.4 million.

The Debbie Smith DNA Backlog Grant Program expires at the end of FY 2009. H.R. 5057, the "Debbie Smith Reauthorization Act," which has strong bipartisan support, would renew the law and authorize \$151 million for each fiscal year 2009-2014. H.R. 5057 specifies that not less than 40 percent of the total amount awarded in grants must be used for DNA analyses of samples from crime scenes,

rape kits and other sexual assault evidence, and in cases that do not have an identified suspect.

#### AMENDMENT

While I support this legislation, I successfully offered an amendment at subcommittee markup. My amendment would require the Attorney General to evaluate the integrity and security of DNA collection and storage practices and procedures at a sample of crime laboratories throughout the country to determine the extent to which DNA samples are tampered with or are otherwise contaminated in such laboratories. The sample should be a representative sample and should include at least one lab from each State. My amendment would require the Attorney General to conduct this evaluation annually and the Attorney General should be required to submit the evaluation to Congress. This amendment is necessary.

A district attorney in Harris County, Texas used evidence to wrongfully convict persons based upon faulty evidence. An investigation into the Houston Police Department's crime lab revealed that bad management, under-trained staff, false documentation, and inaccurate work cast doubt on thousands of DNA-based convictions. Investigators raised serious questions about the reliability of evidence in hundreds of cases they investigated and asked for further independent scrutiny and new testing to determine the extent to which individuals were wrongly convicted with faulty evidence.

My amendment ensures that Congress will exercise some oversight of the program. It will ensure the integrity and security of the DNA collection and storage and procedures. It is my hope that my amendment will minimize wrongful convictions and will make the DNA storage and collection process more reliable.

#### SCHIFF AMENDMENT

I note that one of my colleagues on the Subcommittee offered an amendment, Mr. SCHIFF. I do not agree with this amendment. The amendment would require that DNA be collected from all arrestees. This amendment has serious civil liberties concerns.

Mr. SCHIFF. Mr. Speaker, in the absence of any further speakers, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. SCHIFF) that the House suspend the rules and pass the bill, H.R. 5057, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to reauthorize the Debbie Smith DNA Backlog Grant Program, and for other purposes."

A motion to reconsider was laid on the table.

#### CRIMINAL HISTORY BACKGROUND CHECKS PILOT EXTENSION ACT OF 2008

Mr. SCHIFF. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 3218) to extend the pilot program for volunteer groups to obtain criminal history background checks.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 3218

*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 “Criminal History Background Checks Pilot Extension Act of 2008”.

**SEC. 2. EXTENSION OF PILOT PROGRAM.**

Section 108(a)(3)(A) of the PROTECT Act (42 U.S.C. 5119a note) is amended by striking “a 60-month” and inserting “a 66-month”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. SCHIFF) and the gentleman from Ohio (Mr. CHABOT) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. SCHIFF. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCHIFF. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Criminal History Background Checks Pilots Extension Act of 2008 will allow a simple 6-month extension to the National Child Safety Pilot Program passed as a part of the PROTECT Act of 2003.

I am proud to sponsor the House version of this bill. The Senate has already taken up the legislation by unanimous consent, so if the House votes to pass this bill, as I hope it will, it will go to the President to be signed into law.

We're fortunate to have millions of Americans who generously give their time and energy to volunteer and mentor children. In 1986, as a then young lawyer, I volunteered as a Big Brother for a 7-year-old in the Greater Los Angeles area. That relationship has been one of the most rewarding and enduring that I've ever had. It also taught me firsthand the trust that we place in the adult in a mentoring situation. It's important that we protect children by taking reasonable and practical steps to help guard against the chance that a convicted child abuser or sex offender might conceal his or her past and place our children at risk.

Since 2003, and earlier, States have been authorized to access national fingerprint-based background checks through the FBI on behalf of youth-serving organizations. Unfortunately, as of today, only one-third of States have the infrastructure in place for a youth-serving organization to get a background check from the FBI in an affordable and timely manner.

In passing the PROTECT Act, Congress acted in response to the need to

protect children from predators who could gain access to children under the guise of volunteering. Mentoring groups, large and small, want access to the information they need to protect children, and the pilot has been extremely successful in providing that access through a fee-supported system at no cost to taxpayers.

The pilot demonstrated that there was a clear need for this program to protect children. Six percent of checks conducted came back with serious criminal records, in many cases records that would have not turned up through a search of a State database or through a name-based commercial search. We have cases from around the Nation in which applicants for volunteering positions with children were sex offenders, repeat felons, and child abusers.

The National Center for Missing and Exploited Children reviewed files in which an applicant had a criminal record in four States, including a conviction for murder, which they didn't reveal to the organization. Losing access to these checks would be disastrous for hundreds of small, community-based mentoring organizations.

Due to the success of the program, we have extended the pilot twice before. It is now set to expire July 31 unless we extend it again. This bill would provide a 6-month extension to give us all time to work on an appropriate permanent bill that protects our children, while also protecting the privacy of potential volunteers.

I am proud to sponsor, along with my colleague, Mr. ROGERS of Michigan, the Child Protection Improvements Act, a bill which would do just that. We will continue to work with stakeholders and the Judiciary Committee to put in place a permanent system of protection.

The pilot program has demonstrated that youth-serving organizations correctly want to watch out for children and want access to affordable, accurate and prompt background checks to help them do so. We need to keep the pilot program in place while we develop the permanent bill.

I urge my colleagues to support this important legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 3218, the Criminal History Background Checks Pilot Extension Act of 2008, which extends the Child Safety Pilot Program for volunteer organizations for an additional 6 months.

Originally created in 2003 under the PROTECT Act, the Child Safety Pilot Program has proven to be an effective resource for groups such as the Boys and Girls Clubs of America, the National Mentoring Partnership, and the National Council of Youth Sports.

Through the pilot program, any non-profit organization that provides youth-focused care, as defined in the National Child Protection Act of 1993,

may request criminal history background checks from the FBI on applicants for volunteer or employee positions that entail working with children.

Currently, over 10,000 background checks have been administered through the Child Safety Pilot Program. Of those checks, 7.5 percent of all workers screened had an arrest or conviction on their record. Crimes uncovered included rape, child sexual abuse, murder, and domestic battery. Over 25 percent of applicants with a criminal record committed crimes in States other than where they were applying to work. If it weren't for the Child Safety Pilot Program, employers may not have known that the applicants had criminal records.

Volunteer organizations across the country are working hard to provide safe learning and growing environments for our children. That means hiring professional and responsible employees. S. 3218 extends a program that has successfully helped these groups do just that.

I urge my colleagues to join in supporting this important legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. SCHIFF. Mr. Speaker, I join with my colleague in urging passage of this legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of S. 3218, the “Criminal History Background Checks Pilot Extension Act of 2008”. First, I would like to thank my distinguished colleague, ADAM SCHIFF of California, for introducing this much-needed piece of legislation. This bill will amend the “PROTECT Act of 2003” by extending for six months the currently expiring Child Safety Pilot Program. This program will allow certain volunteer organizations to obtain national and state criminal history background checks on their volunteers. I strongly encourage my colleagues to support this act.

The “Criminal History Background Checks Pilot Extension Act of 2008” is critical because it will ensure that our Nation's children remain safe from predators and sex-offenders. By allowing volunteer organizations working with children the option of State and Federal background checks, we protect our children from our greatest fear: that the very organizations that set out to help our children, inadvertently harm them.

The “PROTECT Act of 2003” was aimed at defending children from the horrors of exploitation, abuse, and abduction. Yet, if we fail to act now, the act's 60-month “Child Safety Pilot Program” will expire. We cannot afford to leave volunteer groups without this critical tool, and in the process leave countless children at risk.

Upon enactment, the “Criminal History Background Checks Pilot Extension Act of 2008” will extend by 6 months the “Child Safety Pilot Program”, and will allow certain volunteer organizations to continue utilizing the national and state criminal history background checks. With passage of this act, we take one step forward to a day when all the children of our Nation are safe from the harms and horrors of abuse.

Currently in the US, there are over 100,000 cases of child abuse, abduction, or exploitation, each year. It is imperative that we do not allow this number to escalate out of carelessness. Why should we allow an extra Amber Alert to occur when it would be so easy to prevent?

The Amber Alert Network which was first implemented in the State of Texas is an important element in attaining a truly secure environment. This system is part of an additional level of protection. Yet, programs like Amber Alert lose their significance when they are not accompanied by meaningful precautions. The background checks that the "Criminal History Background Checks Pilot Extension Act of 2008" makes possible, allow us to stop Amber Alerts before they happen.

I have always seen the safety of children as an issue of tremendous importance. Whether it is through this bill, protecting children from sex-offenders, or in recent legislation such as H.R. 3397, safeguarding children against lead-poisoning, or in other acts improving school safety, I believe that the well-being of our children must be one of our foremost concerns.

I urge my colleagues to support this act to protect the children of Texas' 18th and the children of our Nation.

Mr. SCHIFF. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. SCHIFF) that the House suspend the rules and pass the Senate bill, S. 3218.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

#### A CHILD IS MISSING ALERT AND RECOVERY CENTER ACT

Mr. SCHIFF. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5464) to direct the Attorney General to make an annual grant to the A Child Is Missing Alert and Recovery Center to assist law enforcement agencies in the rapid recovery of missing children, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5464

*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 "A Child Is Missing Alert and Recovery Center Act".

#### SEC. 2. DIRECTING THE ATTORNEY GENERAL TO MAKE ANNUAL GRANTS TO A CHILD IS MISSING ALERT AND RECOVERY CENTER TO ASSIST LAW ENFORCEMENT AGENCIES IN RECOVERING MISSING CHILDREN.

(a) IN GENERAL.—The Attorney General, acting through the Administrator of the Office of Juvenile Justice and Delinquency Prevention, shall annually make a grant to the A Child Is Missing Alert and Recovery Center.

(b) SPECIFIED USE OF FUNDS FOR RECOVERY ACTIVITIES, REGIONAL CENTERS, EDUCATION, AND INFORMATION SHARING.—A Child Is Missing Alert and Recovery Center shall use the funds made available under this Act—

(1) to operate and expand the A Child Is Missing Alert and Recovery Center to provide services to Federal, State, and local law enforcement agencies to promote the quick recovery of a missing child in response to a request from such agencies for assistance by utilizing rapid alert telephone calls, text messaging, and satellite mapping technology;

(2) to maintain and expand technologies and techniques to ensure the highest level of performance of such services;

(3) to establish and maintain regional centers to provide both centralized and on-site training and to distribute information to Federal, State, and local law enforcement agency officials about how to best utilize the services provided by the A Child Is Missing Alert and Recovery Center;

(4) to share appropriate information with the National Center for Missing and Exploited Children, the AMBER Alert Coordinator, and appropriate Federal, State, and local law enforcement agencies; and

(5) to assist the National Center for Missing and Exploited Children, the AMBER Alert Coordinator, and appropriate Federal, State, and local law enforcement agencies with education programs.

#### SEC. 3. DEFINITION OF MISSING CHILD.

For purposes of this Act, the term "missing child" means an individual whose whereabouts are unknown to a Federal, State, or local law enforcement agency.

#### SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

For grants under section 2, there are authorized to be appropriated to the Attorney General \$5,000,000 for each fiscal year from fiscal year 2009 through fiscal year 2014.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. SCHIFF) and the gentleman from Ohio (Mr. CHABOT) each will control 20 minutes.

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

Mr. SCHIFF. Mr. Speaker, I ask unanimous consent that all Members have an additional 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCHIFF. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5464, the "A Child is Missing Alert and Recovery Center Act," helps address the terrifying experience of when a family member or friend goes missing.

Under current law, there are programs such as Amber Alert to help missing children who are abducted or become victims of foul play. But these programs do not extend to situations where a child or elderly person becomes missing in other more innocent ways. H.R. 5464 fills this gap and authorizes money for annual grants to the A Child Is Missing Alert and Recovery Center. This national nonprofit program provides assistance to local law enforcement throughout the country in all situations of missing persons, not only those involved in criminal activity.

The center helps when a small child fails to come home from school or a

grandmother suffering from Alzheimer's disease walks out of her home in the middle of the night. When the terrifying event of a missing person is reported to the police, the responding police officer can call the center, which operates 365 days a year, 24 hours a day. Based on information from the call, the center quickly prepares a recorded message that includes a description of the missing person, along with a location where the person was last seen. Within minutes, the center sends this recording to thousands of phones within a radius of the last known location. This activity can save not only precious lives, but also critically needed enforcement resources that would otherwise be spent in extended searches for missing persons.

The bill before us today will make a significant contribution to the protection of children and vulnerable adults throughout the United States. I want to thank the sponsor of this bill, Ron Klein of Florida, for his leadership on this very important issue. I urge my colleagues to support the legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 5464, a bill that would authorize the A Child is Missing Program for the next 5 years.

I would like to thank the distinguished gentleman from Florida (Mr. KLEIN) for his work on this important bill.

The A Child is Missing Program is an unsung tool that our law enforcement and communities have been using since 1997 to locate missing children and also elderly that are missing due to Alzheimer's or other difficulties.

I would also like to recognize the founder of this program that was founded back in January 1997. I had the opportunity to meet with her in Cincinnati, the Greater Cincinnati area, Norwood, in particular, Sherry Friedlander, who is in the gallery today. And if she could stand, I would like to acknowledge her.

Statistics released by the Center for Missing and Exploited Children reveal that more than 2,000 children go missing each day in this country. Let me repeat that, 2,000 children go missing every day in this country.

□ 1700

We know that the first couple of hours a child is missing are critical to the successful recovery of that child. While the AMBER Alert is a critical tool, it takes hours to initiate. The A Child is Missing program fills that void, alerting and mobilizing the community almost immediately. The A Child is Missing program has been credited with over 300 safe-assisted recoveries and is supported by law enforcement organizations all over the country. In my own district, the First District of Ohio, local law enforcement agencies have directly benefited from