

## Calendar No. 354

106TH CONGRESS  
1ST SESSION**S. 1750**

To reduce the incidence of child abuse and neglect, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 19, 1999

Mr. DEWINE (for himself, Mr. LEAHY, Mr. KOHL, Mr. TORRICELLI, Mr. VOINOVICH, and Mr. ABRAHAM) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

OCTOBER 28, 1999

Reported by Mr. HATCH, with amendments

[Omit the part struck through and insert the part printed in *italic*]**A BILL**

To reduce the incidence of child abuse and neglect, 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 “Child Abuse Preven-  
5       tion and Enforcement Act”.

1 ***TITLE I—THE CHILD ABUSE PRE-***  
 2 ***VENTION AND ENFORCEMENT***  
 3 ***ACT***

4 ***SEC. 101. SHORT TITLE.***

5 *This title may be cited as the “Child Abuse Prevention*  
 6 *and Enforcement Act”.*

7 ***SEC. 2. 102. GRANT PROGRAM.***

8 Section 102(b) of the Crime Identification Tech-  
 9 nology Act of 1998 (42 U.S.C. 14601(b)) is amended by  
 10 striking “and” at the end of paragraph (15), by striking  
 11 the period at the end of paragraph (16) and inserting “;  
 12 and”, and by adding after paragraph (16) the following:

13 “(17) the capability of the criminal justice sys-  
 14 tem to deliver timely, accurate, and complete crimi-  
 15 nal history record information to child welfare agen-  
 16 cies, organizations, and programs that are engaged  
 17 in the assessment of risk and other activities related  
 18 to the protection of children, including protection  
 19 against child sexual abuse, and placement of chil-  
 20 dren in foster care.”.

21 ***SEC. 3. USE OF FUNDS UNDER BYRNE GRANT PROGRAM***  
 22 ***FOR CHILD PROTECTION.***

23 Section 501(b) of title I of the Omnibus Crime Con-  
 24 trol and Safe Streets Act of 1968 (42 U.S.C. 3751) is  
 25 amended—

1           (1) by striking “and” at the end of paragraph  
2       (25);

3           (2) by striking the period at the end of para-  
4       graph (26) and adding “; and”; and

5           (3) by adding at the end the following:

6           “(27) enforcing child abuse and neglect laws,  
7       including laws protecting against child sexual abuse,  
8       and promoting programs designed to prevent child  
9       abuse and neglect; and

10   **SEC. 103. USE OF FUNDS UNDER BYRNE GRANT PROGRAM**  
11                           **FOR CHILD PROTECTION.**

12       Section 501(b) of title I of the Omnibus Crime Control  
13   and Safe Streets Act of 1968 (42 U.S.C. 3751) is  
14   amended—

15           (1) by striking “and” at the end of paragraph  
16       (25);

17           (2) by striking the period at the end of para-  
18       graph (26) and inserting a semicolon; and

19           (3) by adding at the end the following:

20           “(27) enforcing child abuse and neglect laws, in-  
21       cluding laws protecting against child sexual abuse,  
22       and promoting programs designed to prevent child  
23       abuse and neglect.”.

24           “(28) establishing or supporting cooperative pro-  
25       grams between law enforcement and media organiza-

1        *tions, to collect, record, retain, and disseminate infor-*  
 2        *mation useful in the identification and apprehension*  
 3        *of suspected criminal offenders.”.*

4    **SEC. 4. 104. CONDITIONAL ADJUSTMENT IN SET ASIDE FOR**  
 5                    **CHILD ABUSE VICTIMS UNDER THE VICTIMS**  
 6                    **OF CRIME ACT OF 1984.**

7        (a) IN GENERAL.—Section 1402(d)(2) of the Victims  
 8 of Crime Act of 1984 (42 U.S.C. 10601(d)(2)) is  
 9 amended—

10            (1) by striking “(2) the next \$10,000,000” and  
 11            inserting “(2)(A) Except as provided in subpara-  
 12            graph (B), the next \$10,000,000”; and

13            (2) by adding at the end the following:

14            “(B)(i) For any fiscal year for which the  
 15            amount deposited in the Fund is greater than the  
 16            amount deposited in the Fund for fiscal year 1998,  
 17            the \$10,000,000 referred to in subparagraph (A)  
 18            plus an amount equal to 50 percent of the increase  
 19            in the amount from fiscal year 1998 shall be avail-  
 20            able for grants under section 1404A.

21            “(ii) Amounts available under this subpara-  
 22            graph for any fiscal year shall not exceed  
 23            \$20,000,000.”.

24        (b) INTERACTION WITH ANY CAP.—Subsection (a)  
 25 shall be implemented so that any increase in funding pro-

1 vided thereby shall operate notwithstanding any dollar  
 2 limitation on the availability of the Crime Victims Fund  
 3 established under the Victims of Crime Act of 1984.

## 4 ***TITLE II—JENNIFER’S LAW***

### 5 ***SECTION 201. SHORT TITLE.***

6 *This title may be cited as “Jennifer’s Law”.*

### 7 ***SEC. 202. PROGRAM AUTHORIZED.***

8 *The Attorney General is authorized to provide grant*  
 9 *awards to States to enable States to improve the reporting*  
 10 *of unidentified and missing persons.*

### 11 ***SEC. 203. ELIGIBILITY.***

12 *(a) APPLICATION.—To be eligible to receive a grant*  
 13 *award under this title, a State shall submit an application*  
 14 *at such time and in such form as the Attorney General may*  
 15 *reasonably require.*

16 *(b) CONTENTS.—Each such application shall include*  
 17 *assurances that the State shall, to the greatest extent*  
 18 *possible—*

19 *(1) report to the National Crime Information*  
 20 *Center and when possible, to law enforcement authori-*  
 21 *ties throughout the State regarding every deceased un-*  
 22 *identified person, regardless of age, found in the*  
 23 *State’s jurisdiction;*

24 *(2) enter a complete profile of such unidentified*  
 25 *person in compliance with the guidelines established*

1       *by the Department of Justice for the National Crime*  
2       *Information Center Missing and Unidentified Persons*  
3       *File, including dental records, DNA records, x-rays,*  
4       *and fingerprints, if available;*

5           *(3) enter the National Crime Information Center*  
6       *number or other appropriate number assigned to the*  
7       *unidentified person on the death certificate of each*  
8       *such unidentified person; and*  
9           *(4) retain all such records pertaining to uniden-*  
10       *tified persons until a person is identified.*

11   **SEC. 204. USES OF FUNDS.**

12       *A State that receives a grant award under this title*  
13       *may use such funds received to establish or expand pro-*  
14       *grams developed to improve the reporting of unidentified*  
15       *persons in accordance with the assurances provided in the*  
16       *application submitted pursuant to section 203(b).*

17   **SEC. 205. AUTHORIZATION OF APPROPRIATIONS.**

18       *There are authorized to be appropriated to carry out*  
19       *this title \$2,000,000 for each of fiscal years 2000, 2001, and*  
20       *2002.*



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