

108TH CONGRESS
1ST SESSION

S. 810

To enhance the protection of children against crime by eliminating the statute of limitations for child abduction and sex crimes, providing for registration of child pornographers as sex offenders, establishing a grant program in support of AMBER Alert communications plans, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 8, 2003

Mr. DEWINE (for himself, Mr. GRASSLEY, Mr. SHELBY, and Mrs. HUTCHISON) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To enhance the protection of children against crime by eliminating the statute of limitations for child abduction and sex crimes, providing for registration of child pornographers as sex offenders, establishing a grant program in support of AMBER Alert communications plans, 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 “Protecting Children
5 Against Crime Act of 2003”.

1 **SEC. 2. NO STATUTE OF LIMITATIONS FOR CHILD ABDUC-**
 2 **TION AND SEX CRIMES.**

3 (a) STATUTE OF LIMITATIONS.—

4 (1) IN GENERAL.—Chapter 213 of title 18,
 5 United States Code, is amended by adding at the
 6 end the following:

7 **“§ 3297. Child abduction and sex offenses**

8 “Notwithstanding any other provision of law, an in-
 9 dictment may be found or an information instituted at any
 10 time without limitation for any offense under section 1201
 11 involving a minor victim, and for any felony under chapter
 12 109A, 110, or 117, or section 1591.”.

13 (2) CLERICAL AMENDMENT.—The table of sec-
 14 tions at the beginning of chapter 213 of title 18,
 15 United States Code, is amended by adding at the
 16 end the following new item:

“3297. Child abduction and sex offenses.”.

17 (b) APPLICATION.—The amendments made by this
 18 section shall apply to the prosecution of any offense com-
 19 mitted before, on, or after the date of the enactment of
 20 this section.

21 **SEC. 3. REGISTRATION OF CHILD PORNOGRAPHERS IN THE**
 22 **NATIONAL SEX OFFENDER REGISTRY.**

23 (a) JACOB WETTERLING CRIMES AGAINST CHIL-
 24 DREN AND SEXUALLY VIOLENT OFFENDER REGISTRA-
 25 TION PROGRAM.—Section 170101 of subtitle A of title

1 XVII of the Violent Crime Control and Law Enforcement
 2 Act of 1994 (42 U.S.C. 14071(a)) is amended—

3 (1) by striking the section heading and insert-
 4 ing the following:

5 **“SEC. 170101. JACOB WETTERLING CRIMES AGAINST CHIL-**
 6 **DREN AND SEXUALLY VIOLENT OFFENDER**
 7 **REGISTRATION PROGRAM.”;**

8 and

9 (2) in subsection (a)(3)—

10 (A) in clause (vii), by striking “or” at the
 11 end;

12 (B) by redesignating clause (viii) as clause
 13 (ix); and

14 (C) by inserting after clause (vii) the fol-
 15 lowing:

16 “(viii) production or distribution of
 17 child pornography, as described in section
 18 2251, 2252, or 2252A of title 18, United
 19 States Code; or”.

20 (b) **AUTHORIZATION OF APPROPRIATIONS.**—There
 21 are authorized to be appropriated to the Department of
 22 Justice, for each of fiscal years 2004 through 2007, such
 23 sums as may be necessary to carry out the amendments
 24 made by this section.

1 **SEC. 4. GRANT PROGRAM FOR NEW TECHNOLOGIES TO IM-**
2 **PROVE AMBER ALERT COMMUNICATIONS**
3 **PLANS.**

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

9 (b) ACTIVITIES.—Activities funded by grants under
10 the program under subsection (a) may include the develop-
11 ment and implementation of new technologies to improve
12 AMBER Alert communications.

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

17 (d) DISTRIBUTION OF GRANT AMOUNTS ON GEO-
18 GRAPHIC BASIS.—The Attorney General shall, to the max-
19 imum extent practicable, ensure the distribution of grants
20 under the program under subsection (a) on an equitable
21 basis throughout the various regions of the United States.

22 (e) ADMINISTRATION.—The Attorney General shall
23 prescribe requirements, including application require-
24 ments, for grants under the program under subsection (a).

25 (f) AUTHORIZATION OF APPROPRIATIONS.—

1 (1) IN GENERAL.—There is authorized to be
2 appropriated to the Department of Justice
3 \$5,000,000 for each of fiscal years 2004 through
4 2007, to carry out this section.

5 (2) AVAILABILITY.—Amounts appropriated pur-
6 suant to the authorization of appropriations in para-
7 graph (1) shall remain available until expended.

8 **SEC. 5. NATIONAL RESEARCH COUNCIL STUDY AND RE-**
9 **PORT CONCERNING ON-LINE PORNOGRAPHY.**

10 (a) STUDY.—The National Research Council of the
11 National Academy of Sciences shall conduct a study of—

12 (1) the extent to which it is possible for Inter-
13 net service providers to monitor Internet traffic to
14 detect illicit child pornography sites on the Internet,
15 and the extent to which they do so;

16 (2) the extent to which purveyors use credit
17 cards to facilitate the sale of illegal child pornog-
18 raphy on the Internet;

19 (3) which credit card issuers have in place a
20 system to facilitate the identification of purveyors
21 who use credit cards to facilitate the sale of illicit
22 child pornography; and

23 (4) options for encouraging greater reporting of
24 such illicit transactions to law enforcement officials.

1 (b) REPORT TO CONGRESS.—Not later than 12
2 months after the date of enactment of this Act, the Na-
3 tional Research Council shall submit a report to the Con-
4 gress on the study conducted under subsection (a).

5 **SEC. 6. SEVERABILITY.**

6 If any provision of this Act, an amendment made by
7 this Act, or the application of such provision or amend-
8 ment to any person or circumstance is held to be unconsti-
9 tutional, the remainder of this Act, the amendments made
10 by this Act, and the application of the provisions of such
11 to any person or circumstance shall not be affected there-
12 by.

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