

she was, and unfortunately, her family didn't know where she was.

It's a story that we hear all too often, that a loved one is confused with dementia or Alzheimer's can be missing.

And that's why the Missing Alzheimer's Disease Patient Alert Program today that we're talking about will help protect our most vulnerable at-risk seniors.

□ 1830

This is a program that has potential, saving and preserving the lives of some of our most vulnerable and threatened elderly citizens. It enlists the capacities of many different agencies, private-public sector. It does not seek to create new agencies. It simply focuses attention and effort on a growing problem.

So, Mr. Speaker, today, I'd like to urge the passage of this measure so we can bring the next Betty Ledgerwood home to her family safely. Thank you so much.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. I want to thank the gentleman from Georgia for yielding the time, and the gentlelady, Ms. WATERS from California, for bringing this important legislation.

My father had Alzheimer's and my mother has some form of dementia now. My father passed away at age 80, and there was a day when he disappeared from the nursing home and they couldn't find him. It took a couple of hours. They did find him walking in the neighborhood. He had no idea where he was going. I was amazed that he was not hurt or hit by a car or anything. He obviously had no idea where he was going.

This type of program is so prescient because there are so many people who have been talked about who are either suffering from this illness or will be suffering from this illness, and the needs of the police departments to identify them and to have an opportunity to maintain contact and save them before something bad happens to them.

There was a lady in Memphis named Elizabeth Ferguson. She was 86 years old. In May 2008 she went missing. She suffered from dementia. She drove away from her Memphis home after heading to a doctor's appointment. Her daughter went around and posted signs and tried to find her mother. Seven months later, she was found in a car, 24 miles away from her house. She had died in the elements. Her remains were near the car. She wandered out in some vacant fields.

So this bill is very important to people's lives. I commend Congresswoman WATERS for bringing it. It's the type of activity that sometimes people don't recognize that Congress does to help people in their everyday lives. I thank you for bringing this proposal and for the time offered me.

Mr. POE of Texas. I yield back the balance of my time.

Mr. JOHNSON of Georgia. I will, Mr. Speaker, say that I can't think of any legislation that is more timely than this, and more needed, to protect our elderly from all sorts of harm. These are people who have worked productively, given their lives, and now have fallen victim to a disease that we are still searching for cures for. And they need special protection, especially as our aged population increases.

And so I look forward to this measure passing, and I want to thank Congresswoman WATERS for her thoughtfulness in producing this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JOHNSON) that the House suspend the rules and pass the bill, H.R. 908.

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

A motion to reconsider was laid on the table.

#### ELDER ABUSE VICTIMS ACT OF 2009

Mr. JOHNSON of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 448) to protect seniors in the United States from elder abuse by establishing specialized elder abuse prosecution and research programs and activities to aid victims of elder abuse, to provide training to prosecutors and other law enforcement related to elder abuse prevention and protection, to establish programs that provide for emergency crisis response teams to combat elder abuse, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 448

*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 "Elder Abuse Victims Act of 2009".

#### TITLE I—ELDER ABUSE VICTIMS

#### SEC. 101. ANALYSIS, REPORT, AND RECOMMENDATIONS RELATED TO ELDER JUSTICE PROGRAMS.

(a) IN GENERAL.—Subject to the availability of appropriations to carry out this section, the Attorney General, in consultation with the Secretary of Health and Human Services, shall carry out the following:

(1) STUDY.—Conduct a study of laws and practices relating to elder abuse, neglect, and exploitation, which shall include—

(A) a comprehensive description of State laws and practices relating to elder abuse, neglect, and exploitation;

(B) a comprehensive analysis of the effectiveness of such State laws and practices; and

(C) an examination of State laws and practices relating to specific elder abuse, neglect, and exploitation issues, including—

(i) the definition of—

(I) "elder";

(II) "abuse";

(III) "neglect";

(IV) "exploitation"; and

(V) such related terms the Attorney General determines to be appropriate;

(ii) mandatory reporting laws, with respect to—

(I) who is a mandated reporter;

(II) to whom must they report and within what time frame; and

(III) any consequences for not reporting;

(iii) evidentiary, procedural, sentencing, choice of remedies, and data retention issues relating to pursuing cases relating to elder abuse, neglect, and exploitation;

(iv) laws requiring reporting of all nursing home deaths to the county coroner or to some other individual or entity;

(v) fiduciary laws, including guardianship and power of attorney laws;

(vi) laws that permit or encourage banks and bank employees to prevent and report suspected elder abuse, neglect, and exploitation;

(vii) laws relating to fraud and related activities in connection with mail, telemarketing, or the Internet;

(viii) laws that may impede research on elder abuse, neglect, and exploitation;

(ix) practices relating to the enforcement of laws relating to elder abuse, neglect, and exploitation; and

(x) practices relating to other aspects of elder justice.

(2) DEVELOPMENT OF PLAN.—Develop objectives, priorities, policies, and a long-term plan for elder justice programs and activities relating to—

(A) prevention and detection of elder abuse, neglect, and exploitation;

(B) intervention and treatment for victims of elder abuse, neglect, and exploitation;

(C) training, evaluation, and research related to elder justice programs and activities; and

(D) improvement of the elder justice system in the United States.

(3) REPORT.—Not later than 2 years after the date of enactment of this Act, submit to the chairman and ranking member of the Special Committee on Aging of the Senate, and the Speaker and minority leader of the House of Representatives, and the Secretary of Health and Human Services, and make available to the States, a report that contains—

(A) the findings of the study conducted under paragraph (1);

(B) a description of the objectives, priorities, policies, and a long-term plan developed under paragraph (2); and

(C) a list, description, and analysis of the best practices used by States to develop, implement, maintain, and improve elder justice systems, based on such findings.

(b) GAO RECOMMENDATIONS.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall review existing Federal programs and initiatives in the Federal criminal justice system relevant to elder justice and shall submit to Congress—

(1) a report on such programs and initiatives; and

(2) any recommendations the Comptroller General determines are appropriate to improve elder justice in the United States.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$6,000,000 for each of the fiscal years 2009 through 2015.

#### SEC. 102. VICTIM ADVOCACY GRANTS.

(a) GRANTS AUTHORIZED.—The Attorney General, after consultation with the Secretary of Health and Human Services, may award grants to eligible entities to study the special needs of victims of elder abuse, neglect, and exploitation.

(b) AUTHORIZED ACTIVITIES.—Funds awarded pursuant to subsection (a) shall be used for pilot programs that—

(1) develop programs for and provide training to health care, social, and protective services providers, law enforcement, fiduciaries (including guardians), judges and court personnel, and victim advocates; and

(2) examine special approaches designed to meet the needs of victims of elder abuse, neglect, and exploitation.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$3,000,000 for each of the fiscal years 2009 through 2015.

**SEC. 103. SUPPORTING LOCAL PROSECUTORS AND COURTS IN ELDER JUSTICE MATTERS.**

(a) GRANTS AUTHORIZED.—Subject to the availability of appropriations under this section, the Attorney General, after consultation with the Secretary of Health and Human Services, shall award grants to eligible entities to provide training, technical assistance, policy development, multidisciplinary coordination, and other types of support to local prosecutors and courts handling elder justice-related cases, including—

(1) funding specially designated elder justice positions or units in local prosecutors' offices and local courts; and

(2) funding the creation of a Center for the Prosecution of Elder Abuse, Neglect, and Exploitation to advise and support local prosecutors and courts nationwide in the pursuit of cases involving elder abuse, neglect, and exploitation.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$6,000,000 for each of the fiscal years 2009 through 2015.

**SEC. 104. SUPPORTING STATE PROSECUTORS AND COURTS IN ELDER JUSTICE MATTERS.**

(a) IN GENERAL.—Subject to the availability of appropriations under this section, the Attorney General, after consultation with the Secretary of Health and Human Services, shall award grants to eligible entities to provide training, technical assistance, multidisciplinary coordination, policy development, and other types of support to State prosecutors and courts, employees of State Attorneys General, and Medicaid Fraud Control Units handling elder justice-related matters.

(b) CREATING SPECIALIZED POSITIONS.—Grants under this section may be made for—

(1) the establishment of specially designated elder justice positions or units in State prosecutors' offices and State courts; and

(2) the creation of a position to coordinate elder justice-related cases, training, technical assistance, and policy development for State prosecutors and courts.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$6,000,000 for each of the fiscal years 2009 through 2015.

**SEC. 105. SUPPORTING LAW ENFORCEMENT IN ELDER JUSTICE MATTERS.**

(a) IN GENERAL.—Subject to the availability of appropriations under this section, the Attorney General, after consultation with the Secretary of Health and Human Services, the Postmaster General, and the Chief Postal Inspector for the United States Postal Inspection Service, shall award grants to eligible entities to provide training, technical assistance, multidisciplinary coordination, policy development, and other types of support to police, sheriffs, detectives, public safety officers, corrections personnel, and other first responders who handle elder justice-related matters, to fund specially designated elder justice positions or units designed to support first responders in elder justice matters.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$8,000,000 for each of the fiscal years 2009 through 2015.

**SEC. 106. EVALUATIONS.**

(a) GRANTS UNDER THIS TITLE.—

(1) IN GENERAL.—In carrying out the grant programs under this title, the Attorney General shall—

(A) require each recipient of a grant to use a portion of the funds made available through the grant to conduct a validated evaluation of the effectiveness of the activities carried out through the grant by such recipient; or

(B) as the Attorney General considers appropriate, use a portion of the funds available under this title for a grant program under this title to provide assistance to an eligible entity to conduct a validated evaluation of the effectiveness of the activities carried out through such grant program by each of the grant recipients.

(2) APPLICATIONS.—

(A) SUBMISSION.—To be eligible to receive a grant under this title, an entity shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may require, which shall include—

(i) a proposal for the evaluation required in accordance with paragraph (1)(A); and

(ii) the amount of assistance under paragraph (1)(B) the entity is requesting, if any.

(B) REVIEW AND ASSISTANCE.—

(i) IN GENERAL.—An employee of the Department of Justice, after consultation with an employee of the Department of Health and Human Services with expertise in evaluation methodology, shall review each application described in subparagraph (A) and determine whether the methodology described in the proposal under subparagraph (A)(i) is adequate to gather meaningful information.

(ii) DENIAL.—If the reviewing employee determines the methodology described in such proposal is inadequate, the reviewing employee shall recommend that the Attorney General deny the application for the grant, or make recommendations for how the application should be amended.

(iii) NOTICE TO APPLICANT.—If the Attorney General denies the application on the basis of such proposal, the Attorney General shall inform the applicant of the reasons the application was denied, and offer assistance to the applicant in modifying the proposal.

(b) OTHER GRANTS.—Subject to the availability of appropriations under this section, the Attorney General shall award grants to appropriate entities to conduct validated evaluations of grant activities that are funded by Federal funds not provided under this title, or other funds, to reduce elder abuse, neglect, and exploitation.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$7,000,000 for each of the fiscal years 2009 through 2015.

**SEC. 107. DEFINITIONS.**

In this title:

(1) ELDER.—The term “elder” means an individual age 60 or older.

(2) ELDER JUSTICE.—The term “elder justice” means—

(A) from a societal perspective, efforts to—

(i) prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation; and

(ii) protect elders with diminished capacity while maximizing their autonomy; and

(B) from an individual perspective, the recognition of an elder's rights, including the right to be free of abuse, neglect, and exploitation.

(3) ELIGIBLE ENTITIES.—The term “eligible entity” means a State or local government

agency, Indian tribe or tribal organization, or any other public or nonpublic private entity that is engaged in and has expertise in issues relating to elder justice or a field necessary to promote elder justice efforts.

**TITLE II—ELDER SERVE VICTIM GRANT PROGRAMS**

**SEC. 201. ESTABLISHMENT OF ELDER SERVE VICTIM GRANT PROGRAMS.**

(a) ESTABLISHMENT.—The Attorney General, acting through the Director of the Office of Victims of Crime of the Department of Justice (in this section referred to as the “Director”), shall, subject to appropriations, carry out a three-year grant program to be known as the Elder Serve Victim grant program (in this section referred to as the “Program”) to provide grants to eligible entities to establish programs to facilitate and coordinate programs described in subsection (e) for victims of elder abuse.

(b) ELIGIBILITY REQUIREMENTS FOR GRANTEES.—To be eligible to receive a grant under the Program, an entity must meet the following criteria:

(1) ELIGIBLE CRIME VICTIM ASSISTANCE PROGRAM.—The entity is a crime victim assistance program receiving a grant under the Victims of Crime Act of 1984 (42 U.S.C. 1401 et seq.) for the period described in subsection (c)(2) with respect to the grant sought under this section.

(2) COORDINATION WITH LOCAL COMMUNITY BASED AGENCIES AND SERVICES.—The entity shall demonstrate to the satisfaction of the Director that such entity has a record of community coordination or established contacts with other county and local services that serve elderly individuals.

(3) ABILITY TO CREATE ECRT ON TIMELY BASIS.—The entity shall demonstrate to the satisfaction of the Director the ability of the entity to create, not later than 6 months after receiving such grant, an Emergency Crisis Response Team program described in subsection (e)(1) and the programs described in subsection (e)(2).

For purposes of meeting the criteria described in paragraph (2), for each year an entity receives a grant under this section the entity shall provide a record of community coordination or established contacts described in such paragraph through memoranda of understanding, contracts, subcontracts, and other such documentation.

(c) ADMINISTRATIVE PROVISIONS.—

(1) CONSULTATION.—Each program established pursuant to this section shall be developed and carried out in consultation with the following entities, as appropriate:

(A) Relevant Federal, State, and local public and private agencies and entities, relating to elder abuse, neglect, and exploitation and other crimes against elderly individuals.

(B) Local law enforcement including police, sheriffs, detectives, public safety officers, corrections personnel, prosecutors, medical examiners, investigators, and coroners.

(C) Long-term care and nursing facilities.

(2) GRANT PERIOD.—Grants under the Program shall be issued for a three-year period.

(3) LOCATIONS.—The Program shall be carried out in six geographically and demographically diverse locations, taking into account—

(A) the number of elderly individuals residing in or near an area; and

(B) the difficulty of access to immediate short-term housing and health services for victims of elder abuse.

(d) PERSONNEL.—In providing care and services, each program established pursuant to this section may employ a staff to assist in creating an Emergency Crisis Response Teams under subsection (e)(1).

(e) USE OF GRANTS.—

(1) EMERGENCY CRISIS RESPONSE TEAM.—Each entity that receives a grant under this section shall use such grant to establish an Emergency Crisis Response Team program by not later than the date that is six months after the entity receives the grant. Under such program the following shall apply:

(A) Such program shall include immediate, short-term emergency services, including shelter, care services, food, clothing, transportation to medical or legal appointment as appropriate, and any other life services deemed necessary by the entity for victims of elder abuse.

(B) Such program shall provide services to victims of elder abuse, including those who have been referred to the program through the adult protective services agency of the local law enforcement or any other relevant law enforcement or referral agency.

(C) A victim of elder abuse may not receive short-term housing under the program for more than 30 consecutive days.

(D) The entity that established the program shall enter into arrangements with the relevant local law enforcement agencies so that the program receives quarterly reports from such agencies on elder abuse.

(2) ADDITIONAL SERVICES REQUIRED TO BE PROVIDED.—Not later than one year after the date an entity receives a grant under this section, such entity shall have established the following programs (and community collaborations to support such programs):

(A) COUNSELING.—A program that provides counseling and assistance for victims of elder abuse accessing health care, educational, pension, or other benefits for which seniors may be eligible under Federal or applicable State law.

(B) MENTAL HEALTH SCREENING.—A program that provides mental health screenings for victims of elder abuse to identify and seek assistance for potential mental health disorders such as depression or substance abuse.

(C) EMERGENCY LEGAL ADVOCACY.—A program that provides legal advocacy for victims of elder abuse and, as appropriate, their families.

(D) JOB PLACEMENT ASSISTANCE.—A program that provides job placement assistance and information on employment, training, or volunteer opportunities for victims of elder abuse.

(E) BEREAVEMENT COUNSELING.—A program that provides bereavement counseling for families of victims of elder abuse.

(F) OTHER SERVICES.—A program that provides such other care, services, and assistance as the entity considers appropriate for purposes of the program.

(f) TECHNICAL ASSISTANCE.—The Director shall enter into contracts with private entities with experience in elder abuse coordination or victim services to provide such technical assistance to grantees under this section as the entity determines appropriate.

(g) REPORTS TO CONGRESS.—Not later than 12 months after the commencement of the Program, and annually thereafter, the entity shall submit a report to the Chairman and Ranking Member of the Committee on the Judiciary of the House of Representatives, and the Chairman and Ranking Member of the Special Committee on Aging of the Senate. Each report shall include the following:

(1) A description and assessment of the implementation of the Program.

(2) An assessment of the effectiveness of the Program in providing care and services to seniors, including a comparative assessment of effectiveness for each of the locations designated under subsection (c)(3) for the Program.

(3) An assessment of the effectiveness of the coordination for programs described in

subsection (e) in contributing toward the effectiveness of the Program.

(4) Such recommendations as the entity considers appropriate for modifications of the Program in order to better provide care and services to seniors.

(h) DEFINITIONS.—For purposes of this section:

(1) ELDER ABUSE.—The term “elder abuse” means any type of violence or abuse, whether mental or physical, inflicted upon an elderly individual, and any type of criminal financial exploitation of an elderly individual.

(2) ELDERLY INDIVIDUAL.—The term “elderly individual” means an individual who is age 60 or older.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Department of Justice to carry out this section \$3,000,000 for each of the fiscal years 2009 through 2011.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. JOHNSON) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

#### GENERAL LEAVE

Mr. JOHNSON of Georgia. 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 Georgia?

There was no objection.

Mr. JOHNSON of Georgia. I yield myself such time as I may consume.

Mr. Speaker, the second elder justice bill we are considering today is the Elder Abuse Victims Act of 2009. The House passed this bill on suspension last September by a vote of 387–28, but the Senate did not have time to consider it before adjournment.

It is estimated that each year, as many as 5 million elders are abused, neglected, or exploited. And the incidence of elder abuse is likely to only get worse in coming years, as 76 million baby boomers reach retirement age.

The legal protections against elder abuse vary significantly from State to State. The problem of elder abuse is especially problematic as many abuse cases remain secret and are never reported. The National Center on Elder Abuse has estimated that only one in six cases is reported.

H.R. 448, the Elder Abuse Victims Act of 2009, sponsored by the gentleman from Pennsylvania, Mr. SESTAK, will help provide training, technical assistance, and other support, to State and local law enforcement officials to help them catch and prosecute those who would prey on our elders.

The bill will authorize funding for specialized elder justice police officers and units, as well as for special elder justice positions and units within State and local prosecutors' offices and courts.

It will also provide other services to elders who are victimized. In addition to training for health care, social, and

protective service providers, it establishes the Elder Serve Victim Grant Program with regional emergency crisis response teams. These teams will provide short-term emergency services to elder victims, including shelter, care services, food, clothing, transportation to medical or legal appointments, and other life services as warranted.

Finally, the bill requires the Attorney General and the GAO to examine State and Federal laws, practices, and initiatives, and to recommend ways to more effectively address this problem. This bill comes to the floor amended to more clearly define the role of the Comptroller General in conducting its study and reporting to Congress.

In addition to JOE SESTAK, I want to commend the gentleman from New York, PETER KING, for his leadership in making this a bipartisan initiative. I would also like to acknowledge our former colleague from Illinois, Rahm Emanuel, for his work on this issue.

I would like to insert in the RECORD at this point a letter from the American Bar Association supporting this legislation as a “significant step in addressing the inexcusable and growing national problem of elder abuse, neglect, and exploitation.”

AMERICAN BAR ASSOCIATION,  
Washington, DC, February 9, 2009.

Re the Elder Abuse Victims Act of 2009.

HOUSE OF REPRESENTATIVES,  
Washington, DC.

DEAR REPRESENTATIVE: The American Bar Association urges you to vote “yes” on H.R. 448, the Elder Abuse Victims Act of 2009, legislation that we understand will be brought to the floor of the House under Suspension of the Rules tomorrow. The ABA supports enactment of the legislation as a significant step in addressing the inexcusable and growing national problem of elder abuse, neglect and exploitation—a tragedy that is estimated to cause serious harm to as many as two million people each year. That estimate does not reflect abuse of residents of long-term care facilities and thus is likely quite low. Additionally, the problem is estimated to grow as the older population burgeons.

Elder justice is central to any viable notion of the rule of law and social justice. The serious problems faced daily by victims of elder abuse cannot be remedied unless the justice system is given the resources to address those problems effectively. Elder abuse is a criminal violation, yet historically the justice system has handed the issue off to social services personnel who cannot adequately address the problem on their own. Currently there are very limited resources and expertise available to prosecutors to address elder abuse. H.R. 448 would establish vitally necessary specialized elder abuse prosecution and research programs and activities to aid victims of elder abuse and to provide relevant training to prosecutors and others who work in law enforcement.

Thank you for your support.

Sincerely yours,

THOMAS M. SUSMAN,

Director, Governmental Affairs Office.

I urge my colleagues to support this, and I reserve the balance of my time.

Mr. POE of Texas. I yield myself such time as I may consume.

Mr. Speaker, I am pleased to support H.R. 448, the Elder Abuse Victims Act of 2009. As founder and co-Chair of the Congressional Victims Rights Caucus, I

believe it's important to advocate on behalf of all victims, especially our seniors. This is why I am a cosponsor of this important piece of legislation to protect our elders.

Elder abuse is a serious issue facing the country, and whether abuse is happening in homes or senior care facilities, we must do what we can as a Nation to protect these seniors. I believe that because seniors are often unable to defend themselves from mistreatment and abuse, that we must work together to prevent violence from occurring in the first place.

Currently, people over the age of 50 make up 12 percent of the Nation's murder victims and 7 percent of other serious and violent crime. Our eldest seniors, 80 years of age and over, are abused and neglected at three times the rate of all other senior citizens.

H.R. 448, the Elder Abuse Victims Act, sponsored by Representative SESTAK, helps protect our older Americans from this type of abuse. Specifically, the bill authorizes the Department of Justice to provide grants to State and local law enforcement agencies, prosecutors, and courts, to assist in the investigation and prosecution of elder victimization.

In addition to physical abuse, these grants also include identity theft, mail fraud, and telemarketing fraud as types of elder abuse. H.R. 448 authorizes the Department of Justice to also award grant funding to local law enforcement agencies and first responders that assist in locating the elderly that are missing. These grants will support programs that monitor older Americans in an effort to prevent them from facing future harm.

In addition, the bill instructs the Justice Department to carry out a study of State laws and procedures regarding elder abuse and neglect and exploitation. The study will give us a better idea of where we stand and what more we can do as a Nation to address this serious problem.

H.R. 448 also directs the Department to create a long-term plan on how to better prevent and detect elder abuse. The plan is also to focus on the treatment of victims, as well as to evaluate current elder abuse programs.

Mr. Speaker, everyone has a grandmother, and the thought of our grandmothers being neglected and abused is outrageous. Nothing made my blood boil more as a judge to see a case where some elderly person has been assaulted and their case was on trial.

Older Americans, whether they are our parents, our grandparents, or our neighbors, hold an important place in our society. They have lived long lives and given much to their communities and their families. The acts of abuse against them are intolerable, and they deserve the protection that we can give them under H.R. 448.

We passed a similar bill under suspension in the last Congress, and I urge my colleagues to support this legislation.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield such time as he may consume to the sponsor of this legislation, a former admiral, the gentleman from Pennsylvania (Mr. SESTAK).

Mr. SESTAK. The previous bill was on Alzheimer's. And, in my district, I had one of those patients. A few years ago, he was beat six times with a belt buckle. One of his neighbors had dementia, and he was defrauded of \$84,000 four months before he passed away. It's why I submitted the Elder Abuse Victims Act.

This incidence of elder abuse, whether it's physical, financial, moral, degrading—and I mean sexual—or these types of exploitations are only growing in numbers. In my State of Pennsylvania, the third oldest in the Nation, between 2006 and 2007, and then 2007 and 2008, the incidences increased 39 percent.

Yet, we are really not sure how many incidents there are. My colleague from Georgia cited numbers may be more than 5½ million. But we don't know. At least 84 percent of them are reported to be unreported.

The issue is that we truly need to step back and have a look, a comprehensive review of all the States and the agencies that are intent upon addressing this issue to some degree and come up with one uniform type of definition and standard by which we could begin to build up the correct reporting requirements we need in order to properly address this issue. Then we need to step over and recognize that we do well, and need to do even better, for our women.

We appropriate \$540 million towards violence against women, and \$6.9 billion for child abuse, but then recognize it's only a bit over \$100 million for senior abuse. And while we need to do more in those areas, we need to bring this one up to a higher level for our seniors.

I speak in support of this growing population of ours. I do so because it was well laid out by both sides of the aisle here that in addition to this one uniform comprehensive set of definitions and standards, that we then need the proper grants given to the law enforcement, as well as the prosecution, as well as the victim advocacy citizens that are trying to do their best to address this.

So, in conclusion, I speak in support of this bill because I think Hubert Humphrey probably had it best: The moral test of a government is how well it does not only for those in the dawn of life—the children—and those in the shadows of life—the sick and the disabled, the handicapped—but also those in the twilight of life, our seniors.

And so I request the support of all on this bill.

□ 1845

Mr. POE of Texas. Mr. Speaker, I yield myself such time as I may consume.

As a Nation, we are not judged by the way we treat the rich, the famous, the powerful, the important folks that live among us; but we as a community in this Nation are judged by the way we treat the most vulnerable among us, the weak, the innocent, the children, and the elderly. That is how we will be judged as a Nation. It is important that we then pass this legislation to help protect those innocent among us, and in this bill it happens to be the elderly. I urge adoption of this bill.

I yield back the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, prior to yielding back, I would like to glance over at the other side of the aisle and recognize my good friend, Judge POE, who is probably well familiar with elder abuse and this general topic, he having been a trial court judge down in Beaumont, Texas. Mr. Speaker, I strongly emphasize my support of this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JOHNSON) that the House suspend the rules and pass the bill, H.R. 448, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SESTAK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

## NATIONAL SILVER ALERT ACT OF 2009

Mr. JOHNSON of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 632) to encourage, enhance, and integrate Silver Alert plans throughout the United States, to authorize grants for the assistance of organizations to find missing adults, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 632

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

### TITLE I—SILVER ALERT COMMUNICATIONS NETWORK

#### SECTION 101. SHORT TITLE.

This title may be cited as the "National Silver Alert Act 2009".

#### SEC. 102. DEFINITIONS.

For purposes of this title:

(1) STATE.—The term "State" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(2) MISSING SENIOR.—The term "missing senior" refers to any individual who—

(A) is reported to, or identified by, a law enforcement agency as a missing person; and

(B) meets the requirements to be designated as a missing senior, as determined