

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

SEPTEMBER 8, 2008.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. CONYERS, from the Committee on the Judiciary,
submitted the following

R E P O R T

[To accompany H.R. 6064]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill
(H.R. 6064) to encourage, enhance, and integrate Silver Alert plans
throughout the United States, having considered the same, reports
favorably thereon with amendments and recommends that the bill
as amended do pass.

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THE AMENDMENTS

The amendments are as follows:
Strike all after the enacting clause and insert the following:

TITLE I—SILVER ALERT COMMUNICATIONS NETWORK

SECTION 101. SHORT TITLE.

This title may be cited as the “National Silver Alert Act”.

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 by the State in which the individual is reported or identified as a missing person.

SEC. 103. SILVER ALERT COMMUNICATIONS NETWORK.

The Attorney General shall, subject to the availability of appropriations under section 107, establish a national Silver Alert communications network within the Department of Justice to provide assistance to regional and local search efforts for missing seniors through the initiation, facilitation, and promotion of local elements of the network (known as Silver Alert plans) in coordination with States, units of local government, law enforcement agencies, and other concerned entities with expertise in providing services to seniors.

SEC. 104. SILVER ALERT COORDINATOR.

(a) **NATIONAL COORDINATOR WITHIN DEPARTMENT OF JUSTICE**.—The Attorney General shall designate an individual of the Department of Justice to act as the national coordinator of the Silver Alert communications network. The individual so designated shall be known as the Silver Alert Coordinator of the Department of Justice (referred to in this title as the “Coordinator”).

(b) **DUTIES OF THE COORDINATOR**.—In acting as the national coordinator of the Silver Alert communications network, the Coordinator shall—

(1) work with States to encourage the development of additional Silver Alert plans in the network;

(2) establish voluntary guidelines for States to use in developing Silver Alert plans that will promote compatible and integrated Silver Alert plans throughout the United States, including—

(A) a list of the resources necessary to establish a Silver Alert plan;

(B) criteria for evaluating whether a situation warrants issuing a Silver Alert, taking into consideration the need for the use of such Alerts to be limited in scope because the effectiveness of the Silver Alert communications network may be affected by overuse, including criteria to determine—

(i) whether the mental capacity of a senior who is missing, and the circumstances of his or her disappearance, warrant the issuance a Silver Alert; and

(ii) whether the individual who reports that a senior is missing is an appropriate and credible source on which to base the issuance of a Silver Alert;

(C) a description of the appropriate uses of the Silver Alert name to readily identify the nature of search efforts for missing seniors; and

(D) recommendations on how to protect the privacy, dignity, independence, and autonomy of any missing senior who may be the subject of a Silver Alert;

(3) develop proposed protocols for efforts to recover missing seniors and to reduce the number of seniors who are reported missing, including protocols for procedures that are needed from the time of initial notification of a law enforcement agency that the senior is missing through the time of the return of the senior to family, guardian, or domicile, as appropriate, including—

(A) public safety communications protocol;

(B) case management protocol;

(C) command center operations;

(D) reunification protocol; and

- (E) incident review, evaluation, debriefing, and public information procedures;
 - (4) work with States to ensure appropriate regional coordination of various elements of the network;
 - (5) establish an advisory group to assist States, units of local government, law enforcement agencies, and other entities involved in the Silver Alert communications network with initiating, facilitating, and promoting Silver Alert plans, which shall include—
 - (A) to the maximum extent practicable, representation from the various geographic regions of the United States; and
 - (B) members who are—
 - (i) representatives of senior citizen advocacy groups, law enforcement agencies, and public safety communications;
 - (ii) broadcasters, first responders, dispatchers, and radio station personnel; and
 - (iii) representatives of any other individuals or organizations that the Coordinator determines are necessary to the success of the Silver Alert communications network; and
 - (6) act as the nationwide point of contact for—
 - (A) the development of the network; and
 - (B) regional coordination of alerts for missing seniors through the network.
 - (c) COORDINATION.—
 - (1) COORDINATION WITH OTHER AGENCIES.—The Coordinator shall coordinate and consult with the Secretary of Transportation, the Federal Communications Commission, the Assistant Secretary for Aging of the Department of Health and Human Services, the head of the Missing Alzheimer's Disease Patient Alert Program, and other appropriate offices of the Department of Justice in carrying out activities under this title.
 - (2) STATE AND LOCAL COORDINATION.—The Coordinator shall consult with local broadcasters and State and local law enforcement agencies in establishing minimum standards under section 105 and in carrying out other activities under this title, as appropriate.
 - (d) ANNUAL REPORTS.—Not later than one year after the date of enactment of this Act, and annually thereafter, the Coordinator shall submit to Congress a report on the activities of the Coordinator and the effectiveness and status of the Silver Alert plans of each State that has established or is in the process of establishing such a plan. Each such report shall include—
 - (1) a list of States that have established Silver Alert plans;
 - (2) a list of States that are in the process of establishing Silver Alert plans;
 - (3) for each State that has established such a plan, to the extent the data is available—
 - (A) the number of Silver Alerts issued;
 - (B) the number of individuals located successfully;
 - (C) the average period of time between the issuance of a Silver Alert and the location of the individual for whom such Alert was issued;
 - (D) the State agency or authority issuing Silver Alerts, and the process by which Silver Alerts are disseminated;
 - (E) the cost of establishing and operating such a plan;
 - (F) the criteria used by the State to determine whether to issue a Silver Alert; and
 - (G) the extent to which missing individuals for whom Silver Alerts were issued crossed State lines;
 - (4) actions States have taken to protect the privacy and dignity of the individuals for whom Silver Alerts are issued;
 - (5) ways that States have facilitated and improved communication about missing individuals between families, caregivers, law enforcement officials, and other authorities; and
 - (6) any other information the Coordinator determines to be appropriate.
- SEC. 105. MINIMUM STANDARDS FOR ISSUANCE AND DISSEMINATION OF ALERTS THROUGH SILVER ALERT COMMUNICATIONS NETWORK.**
- (a) ESTABLISHMENT OF MINIMUM STANDARDS.—Subject to subsection (b), the Coordinator shall establish minimum standards for—
 - (1) the issuance of alerts through the Silver Alert communications network; and
 - (2) the extent of the dissemination of alerts issued through the network.
 - (b) LIMITATIONS.—

(1) **VOLUNTARY PARTICIPATION.**—The minimum standards established under subsection (a) of this section, and any other guidelines and programs established under section 104, shall be adoptable on a voluntary basis only.

(2) **DISSEMINATION OF INFORMATION.**—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 appropriate information relating to the special needs of a missing senior (including health care needs) are disseminated to the appropriate law enforcement, public health, and other public officials.

(3) **GEOGRAPHIC AREAS.**—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 Silver Alert communications network be limited to the geographic areas which the missing senior could reasonably reach, considering the missing senior's circumstances and physical and mental condition, the modes of transportation available to the missing senior, and the circumstances of the disappearance.

(4) **AGE REQUIREMENTS.**—The minimum standards shall not include any specific age requirement for an individual to be classified as a missing senior for purposes of the Silver Alert communication network. Age requirements for determinations of whether an individual is a missing senior shall be determined by each State, and may vary from State to State.

(5) **PRIVACY AND CIVIL LIBERTIES PROTECTIONS.**—The minimum standards shall—

(A) ensure that alerts issued through the Silver Alert communications network comply with all applicable Federal, State, and local privacy laws and regulations; and

(B) include standards that specifically provide for the protection of the civil liberties and sensitive medical information of missing seniors.

(6) **STATE AND LOCAL VOLUNTARY COORDINATION.**—In carrying out the 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 Silver Alert communications network.

SEC. 106. TRAINING AND OTHER RESOURCES.

(a) **TRAINING AND EDUCATIONAL PROGRAMS.**—The Coordinator shall make available to States, units of local government, law enforcement agencies, and other concerned entities that are involved in initiating, facilitating, or promoting Silver Alert plans, including broadcasters, first responders, dispatchers, public safety communications personnel, and radio station personnel—

(1) training and educational programs related to the Silver Alert communication network and the capabilities, limitations, and anticipated behaviors of missing seniors, which shall be updated regularly to encourage the use of new tools, technologies, and resources in Silver Alert plans; and

(2) informational materials, including brochures, videos, posters, and web sites to support and supplement such training and educational programs.

(b) **COORDINATION.**—The Coordinator shall coordinate—

(1) with the Assistant Secretary for Aging of the Department of Health and Human Services in developing the training and educational programs and materials under subsection (a); and

(2) with the head of the Missing Alzheimer's Disease Patient Alert Program within the Department of Justice, to determine if any existing material with respect to training programs or educational materials developed or used as part of such Patient Alert Program are appropriate and may be used for the programs under subsection (a).

SEC. 107. AUTHORIZATION OF APPROPRIATIONS FOR THE SILVER ALERT COMMUNICATIONS NETWORK.

There are authorized to be appropriated to the Department of Justice such sums as may be necessary to carry out the Silver Alert communications network as authorized under this title.

SEC. 108. GRANT PROGRAM FOR SUPPORT OF SILVER ALERT PLANS.

(a) **GRANT PROGRAM.**—Subject to the availability of appropriations to carry out this section, the Attorney General shall carry out a program to provide grants to States for the development and enhancement of programs and activities for the support of Silver Alert plans and the Silver Alert communications network.

(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 Silver Alert plans;

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

(3) the development and implementation of new technologies to improve Silver Alert communications; and

(4) such other activities as the Attorney General considers appropriate for supporting the Silver Alert communications network.

(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 GRANTS 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 to the Department of Justice \$5,000,000 for each of the fiscal years 2009 through 2013 to carry out this section and, in addition, \$5,000,000 for each of the fiscal years 2009 through 2013 to carry out subsection (b)(3).

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

SEC. 109. SAMMY KIRK VOLUNTARY ELECTRONIC MONITORING PROGRAM.

(a) **PROGRAM AUTHORIZED.**—The Attorney General, after consultation with the Secretary of Health and Human Services, is authorized to award grants to States and units of local government to carry out programs to provide voluntary electronic monitoring services to elderly individuals to assist in the location of such individuals if such individuals are reported as missing.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$2,000,000 for each of the fiscal years 2009 through 2014.

(c) **DESIGNATION.**—The grant program authorized under this section shall be referred to as the “Sammy Kirk Voluntary Electronic Monitoring Program”.

TITLE II—KRISTEN’S ACT REAUTHORIZATION

SEC. 201. SHORT TITLE.

This title may be cited as “Kristen’s Act Reauthorization of 2008”.

SEC. 202. FINDINGS.

Congress finds the following:

(1) Every year thousands of adults become missing due to advanced age, diminished mental capacity, or foul play. Often there is no information regarding the whereabouts of these adults and many of them are never reunited with their families.

(2) Missing adults are at great risk of both physical harm and sexual exploitation.

(3) In most cases, families and local law enforcement officials have neither the resources nor the expertise to undertake appropriate search efforts for a missing adult.

(4) The search for a missing adult requires cooperation and coordination among Federal, State, and local law enforcement agencies and assistance from distant communities where the adult may be located.

(5) Federal assistance is urgently needed to help with coordination among such agencies.

SEC. 203. GRANTS FOR THE ASSISTANCE OF ORGANIZATIONS TO FIND MISSING ADULTS.

(a) **GRANTS.**—

(1) **GRANT PROGRAM.**—Subject to the availability of appropriations to carry out this section, the Attorney General shall make competitive grants to public agencies or nonprofit private organizations, or combinations thereof, to—

(A) maintain a national resource center and information clearinghouse for missing and unidentified adults;

(B) maintain a national, interconnected database for the purpose of tracking missing adults who are determined by law enforcement to be en-

dangered due to age, diminished mental capacity, or the circumstances of disappearance, when foul play is suspected or circumstances are unknown;

(C) coordinate public and private programs that locate or recover missing adults or reunite missing adults with their families;

(D) provide assistance and training to law enforcement agencies, State and local governments, elements of the criminal justice system, nonprofit organizations, and individuals in the prevention, investigation, prosecution, and treatment of cases involving missing adults;

(E) provide assistance to families in locating and recovering missing adults; and

(F) assist in public notification and victim advocacy related to missing adults.

(2) APPLICATIONS.—The Attorney General shall periodically solicit applications for grants under this section by publishing a request for applications in the Federal Register and by posting such a request on the website of the Department of Justice.

(b) OTHER DUTIES.—The Attorney General shall—

(1) coordinate programs relating to missing adults that are funded by the Federal Government; and

(2) encourage coordination between State and local law enforcement and public agencies and nonprofit private organizations receiving a grant pursuant to subsection (a).

SEC. 204. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title \$4,000,000 for each of fiscal years 2009 through 2019.

Amend the title so as to read:

A bill 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.

PURPOSE AND SUMMARY

H.R. 6064 consists of two separate proposals to improve capabilities to locate older adults who have “gone missing” as a result of dementia, diminished capacity, foul play, or other unusual circumstances. Title I, the “National Silver Alert Act,” establishes a national Silver Alert program, based on the successful Amber Alert program for children. It authorizes the Attorney General to provide grants to States for local Silver Alert plans and communications networks. It also authorizes the Attorney General to award grants under the Sammy Kirk Electronic Monitoring Program to States and local governments for programs providing voluntary electronic monitoring services to elderly individuals. Title II, the “Kristen’s Act Reauthorization of 2008,” reauthorizes an existing grant program, and directs the Attorney General to make competitive grants to public agencies and nonprofit private organizations for maintenance of a national resource center and information clearinghouse, a national database for tracking missing adults, training, and other related activities.

BACKGROUND AND NEED FOR THE LEGISLATION

Thousands of vulnerable older adults go missing each year as a result of dementia, diminished capacity, foul play, or other unusual circumstances. The Alzheimer’s Foundation of America estimates that over five million Americans suffer from Alzheimer’s disease, and that sixty percent of these are likely to wander from their homes. Alzheimer’s disease and other dementia-related illnesses often leave their victims disoriented and confused and unable to find their way home. According to the Alzheimer’s Association, up

to 50% of wanderers risk serious illness, injury, or death if not found within 24 hours.¹ The problem can be exacerbated greatly by national disasters, such as Hurricane Katrina, that can, in a matter of hours, increase the number of missing persons by the thousands.

At least eight States, along with non-profit organizations such as the National Center for Missing Adults, Project Lifesaver International, and the Alzheimer's Foundation of America, have developed programs to address various aspects of the problem of missing adults, but the need for a coordinated national approach, similar to the Amber Alert Program for children, still exists. In addition, financial support is needed for existing and new local and State programs.

The Missing Alzheimer's Disease Patient Alert Program, administered by the Department of Justice, is the only Federal program that currently provides grant funding to locate vulnerable elderly individuals who go missing. Authorization for this program ceased in 1998, though Congress has continued to appropriate some monies for it through fiscal year 2008, when it appropriated \$940,000.² Another Federal law, Kristen's Act, had authorized annual grants in the amount of \$1 million for fiscal years 2001 through 2004 to assist law enforcement agencies in locating missing adults and for other purposes. During fiscal years 2002 through 2006, Kristen's Act grants were made through the Edward Byrne Discretionary Grants Program. In 2006, Congress appropriated \$150,000 for this purpose.³

HEARINGS

The Subcommittee on Crime, Terrorism, and Homeland Security held 1 day of hearings on H.R. 6064, and related bills H.R. 5898, the "Silver Alert Grant Program Act of 2008," and H.R. 423, "Kristen's Act Reauthorization of 2007," on July 15, 2008. Testimony was received from the Honorable Lloyd Doggett, the Honorable Gus Bilirakis, and the Honorable Sue Wilkins Myrick, with additional letters submitted by the Alzheimer's Foundation of America and Project Lifesaver.

COMMITTEE CONSIDERATION

On July 30, 2008, the Committee met in open session and ordered the bill, H.R. 6064, favorably reported with an amendment, by voice vote, a quorum being present.

COMMITTEE VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the Committee advises that there were no recorded votes during the Committee's consideration of H.R. 6064.

¹ Alzheimer's Association, *Issue Kit: Public Policy Response to Wandering Behavior*, Washington Public Policy Office, Alzheimer's Association, Sept. 2006.

² H. Rept. 107-278 (FY 2002); H. Rept. 108-10 (FY 2003); H. Rept. 108-401 (FY 2004); H. Rept. 108-792 (FY 2005); H. Rept. 109-272 (FY 2006); P.L. 110-5 (FY 2007); U.S. House, Committee on Appropriations, Joint Explanatory Statement to Accompany FY 2008 Consolidated Appropriations Amendment to H.R. 2764 (P.L. 110-161), Division B (FY 2008).

³ H. Rept. 107-278 (FY 2002); H. Rept. 108-10 (FY 2003); H. Rept. 108-401 (FY 2004); H. Rept. 108-792 (FY 2005); H. Rept. 109-272 (FY 2006).

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the Committee sets forth, with respect to the bill, H.R. 6064, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 4, 2008.

Hon. JOHN CONYERS, Jr., *Chairman,*
Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has completed the enclosed cost estimate for H.R. 6064, the National Silver Alert Act.

The CBO staff contacts for this estimate are Mark Grabowicz (for federal costs), who can be reached at 226–2860, and Melissa Merrell (for the impact on State and local governments), who can be reached at 225–3220.

Sincerely,

PETER R. ORSZAG,
DIRECTOR.

Enclosure

cc: Honorable Lamar S. Smith.
Ranking Member

H.R. 6064—National Silver Alert Act.

SUMMARY

H.R. 6064 would direct the Department of Justice (DOJ) to establish a national communications network to assist efforts to locate missing senior citizens. The bill would authorize the appropriation of \$10 million annually over the 2009–2013 period for DOJ to make grants to States for activities to support the network, to be known as the Silver Alert program. In addition, the legislation would authorize the appropriation of \$2 million annually over the 2009–2014 period and another \$4 million annually over the 2009–2019 period for DOJ to make grants to State and local governments and other organizations for programs to locate missing adults.

Assuming appropriation of the necessary amounts, CBO estimates that implementing H.R. 6064 would cost \$59 million over the 2009–2013 period, with remaining amounts spent in subsequent years. Enacting the legislation would not affect direct spending or revenues.

H.R. 6064 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on State, local, or tribal governments.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of H.R. 6064 is shown in the following table. The costs of this legislation fall within budget function 750 (administration of justice).

By Fiscal Year, in Millions of Dollars						
	2009	2010	2011	2012	2013	2009–2013
CHANGES IN SPENDING SUBJECT TO APPROPRIATION						
DOJ Grant Programs						
Authorization Level	16	16	16	16	16	80
Estimated Outlays	4	8	12	14	16	54
DOJ Costs for Silver Alert Program						
Estimated Authorization Level	1	1	1	1	1	5
Estimated Outlays	1	1	1	1	1	5
Total Changes						
Estimated Authorization Level	17	17	17	17	17	85
Estimated Outlays	5	9	13	15	17	59

BASIS OF ESTIMATE

Assuming appropriation of the necessary amounts, CBO estimates that implementing H.R. 6064 would cost \$59 million over the 2009–2013 period, with additional amounts spent in subsequent years. Based on information from DOJ, we estimate that it would cost about \$1 million annually to establish and administer the Silver Alert program. CBO assumes that the authorized and estimated amounts will be appropriated near the start of each fiscal year and that spending will follow historical spending patterns for similar activities.

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

H.R. 6064 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on State, local, or tribal governments. Assuming appropriation of authorized amounts, State and local governments would benefit from grants for training, education, and equipment to locate missing senior citizens. Any costs to those governments, including matching funds, would be incurred voluntarily.

ESTIMATE PREPARED BY:

Federal Costs: Mark Grabowicz (226–2860)
 Impact on State, Local, and Tribal Governments: Melissa Merrell (225–3220)
 Impact on the Private Sector: MarDestinee C. Perez (226–2940)

ESTIMATE APPROVED BY:

Theresa Gullo
Deputy Assistant Director for Budget Analysis

PERFORMANCE GOALS AND OBJECTIVES

The Committee states that pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, H.R. 6064 establishes a national Silver Alert program to assist local efforts regarding missing adults, authorizes to the Department of Justice such sums as necessary to carry out the Silver Alert communications network, and authorizes the Attorney General to award grants to States, public agencies and nonprofit private organizations for local Silver Alert plans and networks, training, a national resources clearing-house and database for missing adults, and for other purposes.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article I, section 8 of the Constitution.

ADVISORY ON EARMARKS

In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 6064 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

SECTION-BY-SECTION ANALYSIS

The following discussion describes the bill as reported by the Committee.

TITLE I—SILVER ALERT COMMUNICATIONS NETWORK

Sec. 101. Short Title. Section 101 sets forth the short title of Title I of the bill as the “National Silver Alert Act.”

Sec. 102. Definitions. Section 102 defines the terms “State” and “missing senior.”

Sec. 103. Silver Alert Communications Network. Section 103 requires the Attorney General to establish a national Silver Alert communications network within the Department of Justice to provide assistance to regional and local search efforts for missing seniors.

Sec. 104. Silver Alert Coordinator. Section 104 requires the Attorney General to designate a national Silver Alert communications network coordinator. The Coordinator is to work with the States to encourage the development of additional local Silver Alert plans, and is to establish voluntary guidelines for States that will promote compatible and integrated Silver Alert plans throughout the United States. Among other things, these voluntary guidelines are to include criteria for issuing a Silver Alert, taking into consideration the need to limit the use of such Alerts so that the effectiveness of the network will not be negatively affected by overuse.

This section requires the Coordinator to develop proposed protocols and procedures to recover missing seniors and to work with States to ensure coordination of various elements of the network.

The Coordinator is to establish an advisory group to assist States, units of local government, law enforcement agencies, and other entities involved in the Silver Alert program.

This section requires the Coordinator to coordinate and consult with numerous entities, including the Secretary of Transportation, the Federal Communications Commission, the Assistant Secretary for Aging of the Department of Health and Human Services, the head of the Missing Alzheimer's Disease Patient Alert Program, other offices of the Department of Justice, local broadcasters, and State and local law enforcement agencies in establishing minimum standards and in carrying out other activities under this title.

The Coordinator is required to submit an annual report to Congress on the Coordinator's activities and the effectiveness and status of the Silver Alert plans for each State that has established or is in the process of establishing such a plan.

Sec. 105. Minimum Standards for Issuance and Dissemination of Alerts Through Silver Alert Communications Network. Section 105 requires the Coordinator to establish voluntary minimum standards for the issuance and dissemination of alerts. The minimum standards are not to include a specific age requirement; the age requirements for defining an individual as a missing senior will instead be determined by each State, and may vary from State to State. The minimum standards will ensure that alerts comply with all applicable Federal, State, and local privacy laws and regulations, and will include standards that protect senior citizens' civil liberties and sensitive medical information.

Sec. 106. Training and Other Resources. Section 106 requires the Coordinator to develop, in coordination with others, training and education programs and informational materials, and to make them available to States, units of local government, law enforcement agencies and other concerned entities that are involved in initiating, facilitating, or promoting Silver Alert plans.

Sec. 107. Authorization of Appropriations for the Silver Alert Communications Network. Section 107 authorizes to the Department of Justice such sums as may be necessary to carry out the Silver Alert communications network.

Sec. 108. Grant Program for Support of Silver Alert Plans. Section 108 authorizes the Attorney General to issue grants to States for the development or enhancement of programs and activities that support Silver Alert plans and the Silver Alert communications network. The Federal share of the grants shall not exceed 50 percent. This section authorizes \$10 million for fiscal years 2009 through 2013, with amounts appropriated to remain available until expended.

Sec. 109. The Sammy Kirk Electronic Monitoring Program. Section 109 authorizes \$2 million for fiscal years 2009 through 2014, for the Attorney General to award grants to States and units of local government to carry out programs to provide voluntary electronic monitoring services to elderly individuals to assist in locating and recovering them if they are later reported missing. This section is named after Mr. Sammy Kirk, a 76-year-old man, believed to be suffering from Alzheimer's disease, who walked away from his home in Houston, Texas in August 2005. He was found dead 3 days later near a bayou.

TITLE II—KRISTEN’S ACT REAUTHORIZATION

Sec. 201. Short Title. Section 201 sets forth the short title of Title II of the bill as “Kristen’s Act Reauthorization of 2007.”

Sec. 202. Findings. Section 202 sets forth findings underlying the need for the title.

Sec. 203. Grants for the Assistance of Organizations to Find Missing Adults. Section 203 authorizes the Attorney General to make competitive grants to public agencies or nonprofit organizations to maintain a national resource center and information clearinghouse for missing and unidentified adults; to maintain a national, interconnected database for tracking missing adults; to coordinate public and private programs that locate missing persons; to provide assistance and training to agencies, entities and organizations; to provide assistance to families in locating and recovering missing adults; and to assist in public notification and victim advocacy related to missing adults. The Attorney General is to coordinate federally funded programs relating to missing adults, and encourage coordination between State and local law enforcement and public agencies and nonprofit private organizations receiving grants.

Sec. 204. Authorization of Appropriations. Section 204 authorizes \$4 million for each fiscal year 2008 through 2018.

