Suspend the Rules and Pass the Bill, H.R. 5075, With an Amendment
(The amendment strikes all after the enacting clause and inserts a
new text)

115TH CONGRESS
2D Session

H. R. 5075

To encourage, enhance, and integrate Ashanti Alert plans throughout the
United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

February 20, 2018

Mr. Taylor (for himself, Mr. Cicilline, Mr. Raskin, and Mr. Smith of
Texas) introduced the following bill; which was referred to the Committee
on the Judiciary

A BILL

To encourage, enhance, and integrate Ashanti Alert plans
throughout the United States, and for other purposes.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Ashanti Alert Act of

2018”.

SEC. 2. DEFINITIONS.

In this Act:
(1) **MISSING ADULT.**—The term “missing adult” means an individual who—

(A) is older than the age for which an AMBER alert may be issued in the State in which the individual is identified as a missing person;

(B) is identified by a law enforcement agency as a missing person; and

(C) meets the requirements to be designated as a missing adult, as determined by the State in which the individual is identified as a missing person.

(2) **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.

(3) **ASHANTI ALERT.**—The term “Ashanti Alert” means an alert issued through the Ashanti Alert communications network, related to a missing adult.

**SEC. 3. ASHANTI ALERT COMMUNICATIONS NETWORK.**

(a) **IN GENERAL.**—The Attorney General shall, subject to the availability of appropriations, establish a national communications network, to be known as the
Ashanti Alert communications network, within the Department of Justice to provide assistance to regional and local search efforts for missing adults through the initiation, facilitation, and promotion of local elements of the network (referred to in this Act as “Ashanti Alert plans”), in coordination with States, units of local government, law enforcement agencies, and other concerned entities with expertise in providing services to adults.

(b) Integration with Blue Alert Communications Network.—In establishing the Ashanti Alert communications network under subsection (a), the Attorney General shall integrate the Ashanti Alert communications network into the Blue Alert communications network established under the Rafael Ramos and Wenjian Liu National Blue Alert Act of 2015 (34 U.S.C. 50501 et seq.), to maximize the efficiency of both networks.

SEC. 4. ASHANTI 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 Ashanti Alert communications network. The individual so designated shall be known as the Ashanti Alert Coordinator of the Department of Justice (referred to in this Act as the “Coordinator”).
(b) Duties of the Coordinator.—In acting as the national coordinator of the Ashanti Alert communications network, the Coordinator shall—

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

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

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

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

(i) whether the mental capacity of an adult who is missing, and the circumstances of his or her disappearance, warrant the issuance of an Ashanti Alert; and
(ii) whether the individual who reports that an adult is missing is an appropriate and credible source on which to base the issuance of an Ashanti Alert;

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

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

(3) develop proposed protocols for efforts to recover missing adults and to reduce the number of adults who are reported missing, including protocols for procedures that are needed from the time of initial notification of a law enforcement agency that the adult is missing through the time of the return of the adult 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 Ashanti Alert communications network with initiating, facilitating, and promoting Ashanti 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 adult 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 Ashanti 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 adults 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, and other appropriate offices of the Department of Justice in carrying out activities under this Act.

(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 5 and in carrying out other activities under this Act, 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 Ashanti 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 Ashanti Alert plans;

(2) a list of States that are in the process of establishing Ashanti Alert plans;

(3) for each State that has established such a plan, to the extent the data is available—

   (A) the number of Ashanti Alerts issued;

   (B) the number of individuals located successfully;

   (C) the average period of time between the issuance of an Ashanti Alert and the location of the individual for whom such Alert was issued;

   (D) the State agency or authority issuing Ashanti Alerts, and the process by which Ashanti 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 an Ashanti Alert; and

   (G) the extent to which missing individuals for whom Ashanti Alerts were issued crossed State lines;

(4) actions States have taken to protect the privacy and dignity of the individuals for whom Ashanti 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. 5. MINIMUM STANDARDS FOR ISSUANCE AND DISSEMINATION OF ALERTS THROUGH ASHANTI 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 Ashanti 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 4, 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 adult (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 Ashanti Alert communications network be limited to the geographic areas which the missing adult could reasonably reach, considering the missing adult’s circumstances and physical and mental condition, the modes of transportation available to the missing adult, and the circumstances of the disappearance.

(4) OTHER REQUIREMENTS.—The minimum standards shall include requirements that the missing person—

(A) suffers from a proven mental or physical disability, as documented by a source determined credible to an appropriate law enforcement entity; or
(B) is missing under circumstances that indicate, as determined by an appropriate law enforcement entity—

(i) that the person’s physical safety may be endangered; or

(ii) that the person’s disappearance may not have been voluntary, including an abduction or kidnapping.

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

(A) ensure that alerts issued through the Ashanti 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 adults.

(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 Ashanti Alert communications network.
SEC. 6. 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 Ashanti Alert plans, including broadcasters, first responders, dispatchers, public safety communications personnel, and radio station personnel—

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

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

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Attorney General $3,000,000 to carry out the Ashanti Alert communications network as authorized under this Act for each of fiscal years 2019 through 2022.

SEC. 8. EMERGENCY FEDERAL LAW ENFORCEMENT ASSISTANCE.

Section 609Y(a) of the Justice Assistance Act of 1984 (34 U.S.C. 50112(a)) is amended by striking “September 30, 2021” and inserting “September 30, 2022”.

SEC. 9. PROVISIONS REPEAL.