

116TH CONGRESS
1ST SESSION

S. 732

To amend the PROTECT Act to expand the national AMBER Alert system to territories of the United States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 7, 2019

Mr. SCHATZ (for himself and Ms. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the PROTECT Act to expand the national AMBER Alert system to territories of the United States, 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 “AMBER Alert Nation-
5 wide Act of 2019”.

6 **SEC. 2. COOPERATION WITH DEPARTMENT OF HOMELAND**
7 **SECURITY.**

8 Subtitle A of title III of the PROTECT Act (34
9 U.S.C. 20501 et seq.) is amended—

10 (1) in section 301—

1 (A) in subsection (b)—

2 (i) in paragraph (1), by inserting
3 “(including airports, maritime ports, bor-
4 der crossing areas and checkpoints, and
5 ports of exit from the United States)”
6 after “gaps in areas of interstate travel”;
7 and

8 (ii) in paragraphs (2) and (3), by in-
9 serting “, territories of the United States,
10 and tribal governments” after “States”;
11 and

12 (B) in subsection (d), by inserting “, the
13 Secretary of Homeland Security,” after “Sec-
14 retary of Transportation”; and

15 (2) in section 302—

16 (A) in subsection (b), in paragraphs (2),
17 (3), and (4) by inserting “, territorial, tribal,”
18 after “State”; and

19 (B) in subsection (c)—

20 (i) in paragraph (1), by inserting “,
21 the Secretary of Homeland Security,” after
22 “Secretary of Transportation”; and

23 (ii) in paragraph (2), by inserting “,
24 territorial, tribal,” after “State”.

1 **SEC. 3. AMBER ALERTS ALONG MAJOR TRANSPORTATION**
2 **ROUTES.**

3 (a) IN GENERAL.—Section 303 of the PROTECT
4 Act (34 U.S.C. 20503) is amended—

5 (1) in the section heading, by inserting “**AND**
6 **MAJOR TRANSPORTATION ROUTES**” after
7 “**ALONG HIGHWAYS**”;

8 (2) in subsection (a)—

9 (A) by inserting “(referred to in this sec-
10 tion as the ‘Secretary’)” after “Secretary of
11 Transportation”; and

12 (B) by inserting “and at airports, mari-
13 time ports, border crossing areas and check-
14 points, and ports of exit from the United
15 States” after “along highways”;

16 (3) in subsection (b)—

17 (A) in paragraph (1)—

18 (i) by striking “other motorist infor-
19 mation systems to notify motorists” and
20 inserting “other information systems to no-
21 tify motorists, aircraft passengers, ship
22 passengers, and travelers”; and

23 (ii) by inserting “, aircraft passengers,
24 ship passengers, and travelers” after “nec-
25 essary to notify motorists”; and

26 (B) in paragraph (2)—

1 (i) in subparagraph (A), by striking
2 “other motorist information systems to no-
3 tify motorists” and inserting “other infor-
4 mation systems to notify motorists, air-
5 craft passengers, ship passengers, and
6 travelers”;

7 (ii) in subparagraph (D), by inserting
8 “, aircraft passengers, ship passengers,
9 and travelers” after “support the notifica-
10 tion of motorists”;

11 (iii) in subparagraph (E), by inserting
12 “, aircraft passengers, ship passengers,
13 and travelers” after “motorists”, each
14 place it appears;

15 (iv) in subparagraph (F), by inserting
16 “, aircraft passengers, ship passengers,
17 and travelers” after “motorists”; and

18 (v) in subparagraph (G), by inserting
19 “, aircraft passengers, ship passengers,
20 and travelers” after “motorists”;

21 (4) in subsection (c), by striking “other motor-
22 ist information systems to notify motorists”, each
23 place it appears, and inserting “other information
24 systems to notify motorists, aircraft passengers, ship
25 passengers, and travelers”;

1 (5) by amending subsection (d) to read as fol-
2 lows:

3 “(d) FEDERAL SHARE.—

4 “(1) IN GENERAL.—Except as provided in para-
5 graph (2), the Federal share of the cost of any ac-
6 tivities funded by a grant under this section may not
7 exceed 80 percent.

8 “(2) WAIVER.—If the Secretary determines
9 that American Samoa, Guam, the Northern Mariana
10 Islands, Puerto Rico, or the Virgin Islands of the
11 United States is unable to comply with the require-
12 ment under paragraph (1), the Secretary shall waive
13 such requirement.”;

14 (6) in subsection (g)—

15 (A) by striking “In this section” and in-
16 serting “In this subtitle”; and

17 (B) by striking “or Puerto Rico” and in-
18 serting “American Samoa, Guam, Puerto Rico,
19 the Northern Mariana Islands, the Virgin Is-
20 lands of the United States, and any other terri-
21 tory of the United States”; and

22 (7) in subsection (h), by striking “fiscal year
23 2004” and inserting “each of fiscal years 2019
24 through 2023”.

1 (b) TECHNICAL AND CONFORMING AMENDMENT.—
 2 The table of contents in section 1(b) of the PROTECT
 3 Act (Public Law 108–21) is amended by striking the item
 4 relating to section 303 and inserting the following:

“Sec. 303. Grant program for notification and communications systems along
 highways and major transportation routes for recovery of ab-
 ducted children.”.

5 **SEC. 4. AMBER ALERT COMMUNICATION PLANS IN THE**
 6 **TERRITORIES.**

7 Section 304 of the PROTECT Act (34 U.S.C. 20504)
 8 is amended—

9 (1) in subsection (b)(4), by inserting “a terri-
 10 torial government or” after “with”;

11 (2) by amending subsection (c) to read as fol-
 12 lows:

13 “(c) FEDERAL SHARE.—

14 “(1) IN GENERAL.—Except as provided in para-
 15 graph (2), the Federal share of the cost of any ac-
 16 tivities funded by a grant under this section may not
 17 exceed 50 percent.

18 “(2) WAIVER.—If the Attorney General deter-
 19 mines that American Samoa, Guam, the Northern
 20 Mariana Islands, Puerto Rico, the Virgin Islands of
 21 the United States, or an Indian tribe is unable to
 22 comply with the requirement under paragraph (1),
 23 the Attorney General shall waive such require-
 24 ment.”; and

1 (3) in subsection (d), by inserting “, including
2 territories of the United States” before the period at
3 the end.

4 **SEC. 5. GOVERNMENT ACCOUNTABILITY OFFICE REPORT.**

5 (a) IN GENERAL.—Not later than 5 years after the
6 date of the enactment of this Act, the Comptroller General
7 shall conduct a study assessing—

8 (1) the implementation of the amendments
9 made by this Act;

10 (2) any challenges related to integrating the
11 territories of the United States into the AMBER
12 Alert system;

13 (3) the readiness, educational, technological,
14 and training needs of territorial law enforcement
15 agencies in responding to cases involving missing,
16 abducted, or exploited children; and

17 (4) any other related matters the Attorney Gen-
18 eral or the Secretary of Transportation determines
19 appropriate.

20 (b) REPORT REQUIRED.—The Comptroller General
21 shall submit a report on the findings of the study required
22 under subsection (a) to—

23 (1) the Committee on the Judiciary and the
24 Committee on Environment and Public Works of the
25 Senate;

1 (2) the Committee on the Judiciary and the
2 Committee on Transportation and Infrastructure of
3 the House of Representatives; and

4 (3) each of the delegates or resident commis-
5 sioner to the House of Representatives from Amer-
6 ican Samoa, Guam, the Northern Mariana Islands,
7 Puerto Rico, and the Virgin Islands of the United
8 States.

9 (c) PUBLIC AVAILABILITY.—The Comptroller Gen-
10 eral shall make the report required under subsection (b)
11 available on a public Government website.

12 (d) OBTAINING OFFICIAL DATA.—

13 (1) IN GENERAL.—The Comptroller General
14 may secure information necessary to conduct the
15 study under subsection (a) directly from any Federal
16 agency and from any territorial government receiv-
17 ing grant funding under the PROTECT Act. Upon
18 request of the Comptroller General, the head of a
19 Federal agency or territorial government shall fur-
20 nish the requested information to the Comptroller
21 General.

22 (2) AGENCY RECORDS.—Notwithstanding para-
23 graph (1), nothing in this subsection shall require a
24 Federal agency or any territorial government to
25 produce records subject to a common law evidentiary

1 privilege. Records and information shared with the
2 Comptroller General shall continue to be subject to
3 withholding under sections 552 and 552a of title 5,
4 United States Code. The Comptroller General is ob-
5 ligated to give the information the same level of con-
6 fidentiality and protection required of the Federal
7 agency or territorial government. The Comptroller
8 General may be requested to sign a nondisclosure or
9 other agreement as a condition of gaining access to
10 sensitive or proprietary data to which the Comp-
11 troller General is entitled.

12 (3) PRIVACY OF PERSONAL INFORMATION.—
13 The Comptroller General, and any Federal agency
14 and any territorial government that provides infor-
15 mation to the Comptroller General, shall take such
16 actions as are necessary to ensure the protection of
17 the personal information of a minor.

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