

115TH CONGRESS
2D SESSION

H. R. 6350

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

IN THE HOUSE OF REPRESENTATIVES

JULY 12, 2018

Ms. BORDALLO (for herself, Ms. PLASKETT, Mr. SABLAN, and Mrs. RADEWAGEN) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Transportation and Infrastructure, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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 2018”.

1 **SEC. 2. COOPERATION WITH DEPARTMENT OF HOMELAND**
2 **SECURITY.**

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

5 (1) in section 301—

6 (A) in subsection (b)(1), by inserting after
7 “gaps in areas of interstate travel” the fol-
8 lowing: “(including airports, maritime ports,
9 border crossing areas and checkpoints, and
10 ports of exit from the United States)”; and

11 (B) in subsection (d), by inserting after
12 “Secretary of Transportation” the following: “,
13 the Secretary of Homeland Security,”; and

14 (2) in section 302(c), by inserting after “Sec-
15 retary of Transportation” the following: “, the Sec-
16 retary of Homeland Security,”.

17 **SEC. 3. AMBER ALERTS ALONG MAJOR TRANSPORTATION**
18 **ROUTES.**

19 Section 303 of the PROTECT Act (34 U.S.C. 20503)
20 is amended—

21 (1) in subsection (b), by inserting after “Sec-
22 retary of Transportation” the following: “(referred
23 to in this section as the ‘Secretary’)”;

24 (2) in the heading, by inserting after “**ALONG**
25 **HIGHWAYS**” the following: “**AND MAJOR TRANS-**
26 **PORTATION ROUTES**”;

1 (3) in subsection (a), by inserting after “along
2 highways” the following: “and at airports, maritime
3 ports, border crossing areas and checkpoints, and
4 ports of exit from the United States”;

5 (4) in subsection (b)—

6 (A) in paragraph (1)—

7 (i) by striking “other motorist infor-
8 mation systems to notify motorists” and
9 inserting “other information systems to no-
10 tify motorists, aircraft passengers, ship
11 passengers, and travelers”; and

12 (ii) by inserting after “necessary to
13 notify motorists” the following: “, aircraft
14 passengers, ship passengers, and trav-
15 elers”;

16 (B) in paragraph (2)—

17 (i) in subparagraph (A), by striking
18 “other motorist information systems to no-
19 tify motorists” and inserting “or other in-
20 formation systems to notify motorists, air-
21 craft passengers, ship passengers, and
22 travelers”;

23 (ii) in subparagraph (D), by inserting
24 after “support the notification of motor-

1 ists” the following: “, aircraft passengers,
2 ship passengers, and travelers”;

3 (iii) in subparagraph (E), by inserting
4 after “motorists”, each place it appears,
5 the following: “, aircraft passengers, ship
6 passengers, and travelers”;

7 (iv) in subparagraph (F), by inserting
8 after “motorists” the following: “, aircraft
9 passengers, ship passengers, and trav-
10 elers”; and

11 (v) in subparagraph (G), by inserting
12 after “motorists” the following: “, aircraft
13 passengers, ship passengers, and trav-
14 elers”;

15 (5) in subsection (c), by striking “other motor-
16 ist information systems to notify motorists”, each
17 place it appears, and inserting “other information
18 systems to notify motorists, aircraft passengers, ship
19 passengers, and travelers”;

20 (6) by amending subsection (d) to read as fol-
21 lows:

22 “(d) FEDERAL SHARE.—

23 “(1) IN GENERAL.—Except as provided in para-
24 graph (2), the Federal share of the cost of any ac-

tivities funded by a grant under this section may not exceed 80 percent.

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

(7) in subsection (g)—

(A) by striking “In this section” and inserting “In this subtitle”; and

(B) by striking “or Puerto Rico” and inserting “American Samoa, Guam, Puerto Rico, the Northern Mariana Islands, the Virgin Islands of the United States, and any other territory of the United States”; and

(8) in subsection (h), by striking “2004” and inserting “fiscal years 2018 through 2022”.

SEC. 4. AMBER ALERT COMMUNICATION PLANS IN THE TERRITORIES.

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

(1) in subsection (b), by inserting in paragraph (4) after “with” the following “a territorial government or”;

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

3 “(c) 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 50 percent.

8 “(2) WAIVER.—If the Attorney General deter-
9 mines that a territory (American Samoa, Guam, the
10 Northern Mariana Islands, Puerto Rico, or the Vir-
11 gin Islands of the United States) or an Indian tribe
12 is unable to comply with the requirement under
13 paragraph (1), the Attorney General shall waive
14 such requirement.”; and

15 (3) in subsection (d), by inserting before the pe-
16 riod at the end the following: “, including territories
17 of the United States”.

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

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

22 (1) the implementation of the amendments
23 made by this Act;

1 (2) any challenges related to integrating the
2 territories of the United States into the AMBER
3 Alert system;

4 (3) the readiness, education, technological, and
5 training needs of territorial law enforcement agen-
6 cies in responding to cases involving missing, ab-
7 ducted, or exploited children; and

8 (4) any other related matters the Attorney Gen-
9 eral or the Secretary of Transportation determines
10 appropriate.

11 (b) REPORT REQUIRED.—The Comptroller General
12 shall submit a report on the findings of the study required
13 under subsection (a) to—

14 (1) the Committees on the Judiciary of the Sen-
15 ate and the House of Representatives;

16 (2) the Committee on Environment and Public
17 Works of the Senate;

18 (3) the Committee on Transportation and In-
19 frastructure of the House of Representatives;

20 (4) the Committee on Energy and Natural Re-
21 sources of the Senate;

22 (5) the Committee on Natural Resources of the
23 House of Representatives; and

24 (6) each of the delegates or resident commis-
25 sioner to the House of Representatives from Amer-

1 ican Samoa, Guam, the Northern Mariana Islands,
2 Puerto Rico, and the Virgin Islands of the United
3 States.

4 (c) PUBLIC AVAILABILITY.—The Comptroller Gen-
5 eral shall make the report required under subsection (b)
6 available on a public government website.

7 (d) OBTAINING OFFICIAL DATA.—

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

17 (2) AGENCY RECORDS.—Notwithstanding para-
18 graph (1), nothing in this subsection (d) shall re-
19 quire a Federal agency or any territorial government
20 to produce records subject to a common law evi-
21 dentiary privilege. Records and information shared
22 with the Comptroller General shall continue to be
23 subject to withholding under sections 552 and 552a
24 of title 5, United States Code. The Comptroller Gen-
25 eral is obligated to give the information the same

1 level of confidentiality and protection required of the
2 Federal agency or territorial government. The
3 Comptroller General may be requested to sign a
4 nondisclosure or other agreement as a condition of
5 gaining access to sensitive or proprietary data to
6 which it is entitled.

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

13 **SEC. 6. FUNDING FROM UNOBLIGATED BALANCES.**

14 Of the remaining, unobligated balance of funds made
15 available to the Secretary of Transportation or remaining,
16 de-obligated balance returned to the Secretary by a State
17 under the heading “Federal-Aid Highways—Miscella-
18 neous Highway and Highway Safety Programs” in Divi-
19 sion F of the Consolidated Appropriations Act, 2004
20 (Public Law 108–199; 118 Stat. 289), for the purposes
21 described in section 303(h) of the PROTECT Act (34
22 U.S.C. 20503(h))—

23 (1) \$1,500,000, and obligation authority associ-
24 ated with such funds, shall be transferred to the At-
25 torney General for grants to territories of the United

1 States under section 304 of that Act (34 U.S.C.
2 20504), provided further that, upon transfer, such
3 obligation authority shall be available until used; and
4 (2) any remaining unobligated balances shall be
5 available to the Secretary of Transportation for
6 grants to territories of the United States under sec-
7 tion 303 of that Act.

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