

September 24 through September 30, 2017; and

(B) historically Black colleges and universities in general;

(2) celebrates the 150th anniversary of those 9 institutions;

(3) encourages Congress and the people of the United States to recognize the beneficial impact historically Black colleges and universities have had on the United States; and

(4) respectfully requests that the Secretary of the Senate make available 5 enrolled copies of this resolution to the Office of the President or Chancellor of each of those 9 historically Black colleges and universities.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 1864. Mr. MCCONNELL (for Mr. GRASSLEY (for himself, Ms. KLOBUCHAR, Mr. TILLIS, and Mr. SCHUMER)) proposed an amendment to the bill H.R. 195, to amend title 44, United States Code, to restrict the distribution of free printed copies of the Federal Register to Members of Congress and other officers and employees of the United States, and for other purposes.

SA 1865. Mr. MCCONNELL (for Mr. GRASSLEY) proposed an amendment to the bill S. 2070, to amend the Violent Crime Control and Law Enforcement Act of 1994, to reauthorize the Missing Alzheimer's Disease Patient Alert Program, and to promote initiatives that will reduce the risk of injury and death relating to the wandering characteristics of some children with autism.

SA 1866. Mr. MCCONNELL (for Ms. WARREN) proposed an amendment to the resolution S. Res. 336, recognizing the seriousness of Polycystic Ovary Syndrome and expressing support for the designation of the month of September 2018 as "Polycystic Ovary Syndrome Awareness Month".

SA 1867. Mr. MCCONNELL (for Ms. WARREN) proposed an amendment to the resolution S. Res. 336, supra.

## TEXT OF AMENDMENTS

**SA 1864.** Mr. MCCONNELL (for Mr. GRASSLEY (for himself, Ms. KLOBUCHAR, Mr. TILLIS, and Mr. SCHUMER)) proposed an amendment to the bill H.R. 195, to amend title 44, United States Code, to restrict the distribution of free printed copies of the Federal Register to Members of Congress and other officers and employees of the United States, and for other purposes; as follows:

At the end, add the following:

### **TITLE II—KEVIN AND AVONTE'S LAW OF 2017**

#### **SEC. 201. SHORT TITLE.**

This title may be cited as the "Kevin and Avonte's Law of 2017".

#### **Subtitle A—Missing Alzheimer's Disease Patient Alert Program Reauthorization**

#### **SEC. 211. SHORT TITLE.**

This subtitle may be cited as the "Missing Americans Alert Program Act of 2017".

#### **SEC. 212. REAUTHORIZATION OF THE MISSING ALZHEIMER'S DISEASE PATIENT ALERT PROGRAM.**

(a) AMENDMENTS.—Section 240001 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12621) is amended—

(1) in the section header, by striking "ALZHEIMER'S DISEASE PATIENT" and inserting "AMERICANS";

(2) by striking subsection (a) and inserting the following:

"(a) GRANT PROGRAM TO REDUCE INJURY AND DEATH OF MISSING AMERICANS WITH DEMENTIA AND DEVELOPMENTAL DISABILITIES.—Subject to the availability of appropriations to carry out this section, the Attorney General, through the Bureau of Justice Assistance and in consultation with the Secretary of Health and Human Services—

"(1) shall award competitive grants to health care agencies, State and local law enforcement agencies, or public safety agencies and nonprofit organizations to assist such entities in planning, designing, establishing, or operating locally based, proactive programs to prevent wandering and locate missing individuals with forms of dementia, such as Alzheimer's Disease, or developmental disabilities, such as autism, who, due to their condition, wander from safe environments, including programs that—

"(A) provide prevention and response information, including online training resources, and referrals to families or guardians of such individuals who, due to their condition, wander from a safe environment;

"(B) provide education and training, including online training resources, to first responders, school personnel, clinicians, and the public in order to—

"(i) increase the safety and reduce the incidence of wandering of persons, who, due to their dementia or developmental disabilities, may wander from safe environments;

"(ii) facilitate the rescue and recovery of individuals who, due to their dementia or developmental disabilities, wander from safe environments; and

"(iii) recognize and respond to and appropriately interact with endangered missing individuals with dementia or developmental disabilities who, due to their condition, wander from safe environments;

"(C) provide prevention and response training and emergency protocols for school administrators, staff, and families or guardians of individuals with dementia, such as Alzheimer's Disease, or developmental disabilities, such as autism, to help reduce the risk of wandering by such individuals; and

"(D) develop, operate, or enhance a notification or communications systems for alerts, advisories, or dissemination of other information for the recovery of missing individuals with forms of dementia, such as Alzheimer's Disease, or with developmental disabilities, such as autism; and

"(2) shall award grants to health care agencies, State and local law enforcement agencies, or public safety agencies to assist such agencies in designing, establishing, and operating locative tracking technology programs for individuals with forms of dementia, such as Alzheimer's Disease, or children with developmental disabilities, such as autism, who have wandered from safe environments.";

(3) in subsection (b)—

(A) by inserting "competitive" after "to receive a";

(B) by inserting "agency or" before "organization" each place it appears; and

(C) by adding at the end the following: "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."; and

(4) by striking subsections (c) and (d) and inserting the following:

"(c) PREFERENCE.—In awarding grants under subsection (a)(1), the Attorney General shall give preference to law enforcement or public safety agencies that partner with nonprofit organizations that appropriately use person-centered plans minimizing restrictive interventions and that have a direct link to individuals, and families of individuals, with

forms of dementia, such as Alzheimer's Disease, or developmental disabilities, such as autism.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$2,000,000 for each of fiscal years 2018 through 2022.

"(e) GRANT ACCOUNTABILITY.—All grants awarded by the Attorney General under this section shall be subject to the following accountability provisions:

"(1) AUDIT REQUIREMENT.—

"(A) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

"(B) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this section to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

"(C) MANDATORY EXCLUSION.—A recipient of grant funds under this section that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this section during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

"(D) PRIORITY.—In awarding grants under this section, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this section.

"(E) REIMBURSEMENT.—If an entity is awarded grant funds under this section during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

"(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

"(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

"(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

"(A) DEFINITION OF NONPROFIT ORGANIZATION.—For purposes of this paragraph and the grant programs under this section, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

"(B) PROHIBITION.—The Attorney General may not award a grant under this section to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

"(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this section and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved

in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

“(3) CONFERENCE EXPENDITURES.—

“(A) LIMITATION.—No amounts made available to the Department of Justice under this section may be used by the Attorney General, or by any individual or entity awarded discretionary funds through a cooperative agreement under this section, to host or support any expenditure for conferences that uses more than \$20,000 in funds made available by the Department of Justice, unless the head of the relevant agency or department, provides prior written authorization that the funds may be expended to host the conference.

“(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

“(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

“(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification—

“(A) indicating whether—

“(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

“(ii) all mandatory exclusions required under paragraph (1)(C) have been issued; and

“(iii) all reimbursements required under paragraph (1)(E) have been made; and

“(B) that includes a list of any grant recipients excluded under paragraph (1) from the previous year.

“(f) PREVENTING DUPLICATIVE GRANTS.—

“(1) IN GENERAL.—Before the Attorney General awards a grant to an applicant under this section, the Attorney General shall compare potential grant awards with other grants awarded by the Attorney General to determine if grant awards are or have been awarded for a similar purpose.

“(2) REPORT.—If the Attorney General awards grants to the same applicant for a similar purpose the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—

“(A) a list of all such grants awarded, including the total dollar amount of any such grants awarded; and

“(B) the reason the Attorney General awarded multiple grants to the same applicant for a similar purpose.”.

(b) ANNUAL REPORT.—Not later than 2 years after the date of enactment of this Act and every year thereafter, the Attorney General shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a report on the Missing Americans Alert Program, as amended by subsection (a), which shall address—

(1) the number of individuals who benefited from the Missing Americans Alert Program, including information such as the number of individuals with reduced unsafe wandering, the number of people who were trained through the program, and the estimated number of people who were impacted by the program;

(2) the number of State, local, and tribal law enforcement or public safety agencies that applied for funding under the Missing Americans Alert Program;

(3) the number of State, local, and tribal law enforcement or public safety agencies that received funding under the Missing Americans Alert Program, including—

(A) the number of State, local, and tribal law enforcement or public safety agencies that used such funding for training; and

(B) the number of State, local, and tribal law enforcement or public safety agencies that used such funding for designing, establishing, or operating locative tracking technology;

(4) the companies, including the location (city and State) of the headquarters and local offices of each company, for which their locative tracking technology was used by State, local, and tribal law enforcement or public safety agencies;

(5) the nonprofit organizations, including the location (city and State) of the headquarters and local offices of each organization, that State, local, and tribal law enforcement or public safety agencies partnered with and the result of each partnership;

(6) the number of missing children with autism or another developmental disability with wandering tendencies or adults with Alzheimer's being served by the program who went missing and the result of the search for each such individual; and

(7) any recommendations for improving the Missing Americans Alert Program.

(c) TABLE OF CONTENTS.—The table of contents in section 2 of the Violent Crime Control and Law Enforcement Act of 1994 is amended by striking the item relating to section 240001 and inserting the following:

“Sec. 240001. Missing Americans Alert Program.”.

#### Subtitle B—Education and Outreach

### SEC. 231. ACTIVITIES BY THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.

Section 404(b)(1)(H) of the Missing Children's Assistance Act (34 U.S.C. 11293(b)(1)(H)) is amended by inserting “, including cases involving children with developmental disabilities such as autism” before the semicolon.

#### Subtitle C—Privacy Protections

### SEC. 241. DEFINITIONS.

In this subtitle:

(1) CHILD.—The term “child” means an individual who is less than 18 years of age.

(2) INDIAN TRIBE.—The term “Indian tribe” has the meaning given that term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e)).

(3) LAW ENFORCEMENT AGENCY.—The term “law enforcement agency” means an agency of a State, unit of local government, or Indian tribe that is authorized by law or by a government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of criminal law.

(4) NON-INVASIVE AND NON-PERMANENT.—The term “non-invasive and non-permanent” means, with regard to any technology or device, that the procedure to install the technology or device does not create an external or internal marker or implant a device, such as a microchip, or other trackable items.

(5) STATE.—The term “State” means each of the 50 States, the District of Columbia,

the Commonwealth of Puerto Rico, the United States Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands.

(6) UNIT OF LOCAL GOVERNMENT.—The term “unit of local government” means a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level.

### SEC. 242. STANDARDS AND BEST PRACTICES FOR USE OF NON-INVASIVE AND NON-PERMANENT TRACKING DEVICES.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General, in consultation with the Secretary of Health and Human Services and leading research, advocacy, self-advocacy, and service organizations, shall establish standards and best practices relating to the use of non-invasive and non-permanent tracking technology, where a guardian or parent has determined that a non-invasive and non-permanent tracking device is the least restrictive alternative, to locate individuals as described in subsection (a)(2) of section 240001 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12621), as added by this title.

(2) REQUIREMENTS.—In establishing the standards and best practices required under paragraph (1), the Attorney General shall—

(A) determine—

(i) the criteria used to determine which individuals would benefit from the use of a tracking device;

(ii) the criteria used to determine who should have direct access to the tracking system; and

(iii) which non-invasive and non-permanent types of tracking devices can be used in compliance with the standards and best practices; and

(B) establish standards and best practices the Attorney General determines are necessary to the administration of a tracking system, including procedures to—

(i) safeguard the privacy of the data used by the tracking device such that—

(I) access to the data is restricted to law enforcement and health agencies determined necessary by the Attorney General; and

(II) collection, use, and retention of the data is solely for the purpose of preventing injury to or death of the individual wearing the tracking device;

(ii) establish criteria to determine whether use of the tracking device is the least restrictive alternative in order to prevent risk of injury or death before issuing the tracking device, including the previous consideration of less restrictive alternatives;

(iii) provide training for law enforcement agencies to recognize signs of abuse during interactions with applicants for tracking devices;

(iv) protect the civil rights and liberties of the individuals who use tracking devices, including their rights under the Fourth Amendment to the Constitution of the United States;

(v) establish a complaint and investigation process to address—

(I) incidents of noncompliance by recipients of grants under subsection (a)(2) of section 240001 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12621), as added by this title, with the best practices established by the Attorney General or other applicable law; and

(II) use of a tracking device over the objection of an individual; and

(vi) determine the role that State agencies should have in the administration of a tracking system.

(3) **EFFECTIVE DATE.**—The standards and best practices established pursuant to paragraph (1) shall take effect 90 days after publication of such standards and practices by the Attorney General.

(b) **REQUIRED COMPLIANCE.**—

(1) **IN GENERAL.**—Each entity that receives a grant under subsection (a)(2) of section 240001 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12621), as added by this title, shall comply with any standards and best practices relating to the use of tracking devices established by the Attorney General in accordance with subsection (a).

(2) **DETERMINATION OF COMPLIANCE.**—The Attorney General, in consultation with the Secretary of Health and Human Services, shall determine whether an entity that receives a grant under subsection (a)(2) of section 240001 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12621), as added by this title, acts in compliance with the standards and best practices described in paragraph (1).

(c) **APPLICABILITY OF STANDARDS AND BEST PRACTICES.**—The standards and best practices established by the Attorney General under subsection (a) shall apply only to the grant programs authorized under subsection (a)(2) of section 240001 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12621), as added by this title.

(d) **LIMITATIONS ON PROGRAM.**—

(1) **DATA STORAGE.**—Any tracking data provided by tracking devices issued under this program may not be used by a Federal entity to create a database.

(2) **VOLUNTARY PARTICIPATION.**—Nothing in this title may be construed to require that a parent or guardian use a tracking device to monitor the location of a child or adult under that parent or guardian's supervision if the parent or guardian does not believe that the use of such device is necessary or in the interest of the child or adult under supervision.

**SA 1865.** Mr. McCONNELL (for Mr. GRASSLEY) proposed an amendment to the bill S. 2070, to amend the Violent Crime Control and Law Enforcement Act of 1994, to reauthorize the Missing Alzheimer's Disease Patient Alert Program, and to promote initiatives that will reduce the risk of injury and death relating to the wandering characteristics of some children with autism; as follows:

On page 8, line 11, strike “part” and insert “section”.

On page 8, line 18, strike “part” and insert “section”.

On page 15, between lines 9 and 10, insert the following:

(4) **NON-INVASIVE AND NON-PERMANENT.**—The term “non-invasive and non-permanent” means, with regard to any technology or device, that the procedure to install the technology or device does not create an external or internal marker or implant a device, such as a microchip, or other trackable items.

On page 15, line 10, strike “(4)” and insert “(5)”.

On page 15, line 15, strike “(5)” and insert “(6)”.

On page 15, strike lines 20 through 25.

On page 17, beginning on line 20, strike “injury or death to the individual” and insert “injury to or death of the individual”.

On page 19, line 24, strike “requirement” and insert “standards and best practices”.

**SA 1866.** Mr. McCONNELL (for Ms. WARREN) proposed an amendment to the resolution S. Res. 336, recognizing

the seriousness of Polycystic Ovary Syndrome and expressing support for the designation of the month of September 2018 as “Polycystic Ovary Syndrome Awareness Month”; as follows:

On page 4, line 5, insert “and” after the semicolon.

On page 4, strike lines 6 through 7.

On page 4, line 8, strike “(D)” and insert “(C)”.

On page 4, line 15, strike “are afflicted with PCOS;” and insert “have PCOS; and”.

On page 4, strike lines 16 through 19.

On page 4, line 20, strike “(6)” and insert “(5)”.

**SA 1867.** Mr. McCONNELL (for Ms. WARREN) proposed an amendment to the resolution S. Res. 336, recognizing the seriousness of Polycystic Ovary Syndrome and expressing support for the designation of the month of September 2018 as “Polycystic Ovary Syndrome Awareness Month”; as follows:

In the seventh whereas clause of the preamble, strike “which” and insert “and”.

In the thirteenth whereas clause of the preamble, strike “up to 80 percent of” and insert “many”.

In the fifteenth whereas clause of the preamble, strike the semicolon at the end and insert “, which does not include the costs associated with treatment of comorbidities;”.

Strike the sixteenth whereas clause of the preamble.

## MEASURES DISCHARGED, THE CALENDAR, AND MEASURES RECEIVED FROM THE HOUSE

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Energy and Natural Resources Committee be discharged from further consideration of the following bills: S. 1438 and H.R. 1927; and that the Senate proceed to the immediate consideration of those bills and the following bills en bloc: Calendar No. 49, S. 35; Calendar No. 54, S. 432; Calendar No. 55, S. 466; Calendar No. 62, H.R. 267; Calendar No. 64, H.R. 560; Calendar No. 72, H.R. 699; Calendar No. 88, H.R. 863; Calendar No. 125, S. 167; Calendar No. 148, H.R. 381; Calendar No. 170, H.R. 954; H.R. 1242, received from the House; H.R. 1306, received from the House; and H.R. 2611, received from the House.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. McCONNELL. I further ask unanimous consent that, where applicable, the committee-reported amendments be agreed to, and the bills, as amended, if amended, be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

## GATEWAY ARCH NATIONAL PARK DESIGNATION ACT

The bill (S. 1438) to redesignate the Jefferson National Expansion Memorial in the State of Missouri as the “Gateway Arch National Park,” was ordered to be engrossed for a third reading and was read the third time.

## ESTABLISHING WITHIN THE NATIONAL PARK SERVICE THE AFRICAN AMERICAN CIVIL RIGHTS NETWORK

The bill (H.R. 1927) to amend title 54, United States Code, to establish within the National Park Service the African American Civil Rights Network, and for other purposes, was ordered to a third reading and was read the third time.

## BLACK HILLS NATIONAL CEMETERY BOUNDARY EXPANSION ACT

The Senate proceeded to consider the bill (S. 35) to transfer administrative jurisdiction over certain Bureau of Land Management land from the Secretary of the Interior to the Secretary of Veterans Affairs for inclusion in the Black Hills National Cemetery, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Black Hills National Cemetery Boundary Expansion Act”.

### SEC. 2. DEFINITIONS.

In this Act:

(1) **CEMETERY.**—The term “Cemetery” means the Black Hills National Cemetery in Sturgis, South Dakota.

(2) **FEDERAL LAND.**—The term “Federal land” means the approximately 200 acres of Bureau of Land Management land adjacent to the Cemetery, generally depicted as “Proposed National Cemetery Expansion” on the map entitled “Proposed Expansion of Black Hills National Cemetery—South Dakota” and dated June 16, 2016.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

### SEC. 3. TRANSFER AND WITHDRAWAL OF BUREAU OF LAND MANAGEMENT LAND FOR CEMETERY USE.

(a) **CONDUCT OF DUE DILIGENCE ACTIVITIES BY THE SECRETARY OF VETERANS AFFAIRS.**—

(1) **IN GENERAL.**—Before the transfer of administrative jurisdiction and withdrawal of the Federal land under subsections (b) and (c), respectively, and subject to paragraph (2), the Secretary of Veterans Affairs shall complete any appropriate environmental, cultural resource, and other due diligence activities on the Federal land that would enable the Secretary of Veterans Affairs to confirm that the Federal land is suitable for cemetery purposes.

(2) **NOTICE; REQUIRED COORDINATION.**—The Secretary of Veterans Affairs shall—

(A) before conducting any due diligence activities under paragraph (1), notify the Secretary of the activities to be conducted;

(B) as the Secretary of Veterans Affairs determines to be necessary in the conduct of the due diligence activities under paragraph (1), coordinate the activities with the Secretary; and

(C) if the Secretary of Veterans Affairs determines, on completion of the due diligence activities under paragraph (1), that the Federal land is suitable for cemetery purposes, submit written notice of the determination to the Secretary.

(b) **TRANSFER OF ADMINISTRATIVE JURISDICTION.**—

(1) **TRANSFER.**—

(A) **IN GENERAL.**—On receipt by the Secretary of written notice of a determination that the Federal land is suitable for cemetery purposes under subsection (a)(2)(C), except as provided in subparagraph (B), and subject to valid existing