

115TH CONGRESS  
2D SESSION

# H. R. 5075

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

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## 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

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## A BILL

To encourage, enhance, and integrate Ashanti Alert plans throughout 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 “Ashanti Alert Act of  
5 2018”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **MISSING ADULT.**—The term “missing  
9 adult” means an individual who—

1 (A) is reported to, or identified by, a law  
2 enforcement agency as a missing person; and

3 (B) meets the requirements to be des-  
4 ignated as a missing adult, as determined by  
5 the State in which the individual is reported or  
6 identified as a missing person.

7 (2) STATE.—The term “State” means each of  
8 the 50 States, the District of Columbia, the Com-  
9 monwealth of Puerto Rico, the United States Virgin  
10 Islands, Guam, American Samoa, and the Common-  
11 wealth of the Northern Mariana Islands.

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

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

17 (a) IN GENERAL.—The Attorney General shall, sub-  
18 ject to the availability of appropriations, establish a na-  
19 tional communications network, to be known as the  
20 Ashanti Alert communications network, within the De-  
21 partment of Justice to provide assistance to regional and  
22 local search efforts for missing adults through the initi-  
23 ation, facilitation, and promotion of local elements of the  
24 network (referred to in this Act as “Ashanti Alert plans”),  
25 in coordination with States, units of local government, law

1 enforcement agencies, and other concerned entities with  
2 expertise in providing services to adults.

3 (b) COORDINATION WITH AMBER ALERT NET-  
4 WORK.—In establishing the Ashanti Alert communications  
5 network under subsection (a), the Attorney General shall  
6 ensure that, when feasible, the Ashanti Alert communica-  
7 tions network is able to operate in coordination with the  
8 AMBER Alert communications network, established under  
9 subtitle A of title III of the PROTECT Act (42 U.S.C.  
10 5791 et seq.), to maximize the efficiency of both networks.

11 **SEC. 4. ASHANTI ALERT COORDINATOR.**

12 (a) NATIONAL COORDINATOR WITHIN DEPARTMENT  
13 OF JUSTICE.—The Attorney General shall designate an  
14 individual of the Department of Justice to act as the na-  
15 tional coordinator of the Ashanti Alert communications  
16 network. The individual so designated shall be known as  
17 the Ashanti Alert Coordinator of the Department of Jus-  
18 tice (referred to in this Act as the “Coordinator”).

19 (b) DUTIES OF THE COORDINATOR.—In acting as the  
20 national coordinator of the Ashanti Alert communications  
21 network, the Coordinator shall—

22 (1) work with States to encourage the develop-  
23 ment of additional Ashanti Alert plans in the net-  
24 work;

1           (2) establish voluntary guidelines for States to  
2 use in developing Ashanti Alert plans that will pro-  
3 mote compatible and integrated Ashanti Alert plans  
4 throughout the United States, including—

5           (A) a list of the resources necessary to es-  
6 tablish an Ashanti Alert plan;

7           (B) criteria for evaluating whether a situa-  
8 tion warrants issuing an Ashanti Alert, taking  
9 into consideration the need for the use of such  
10 Alerts to be limited in scope because the effec-  
11 tiveness of the Ashanti Alert communications  
12 network may be affected by overuse, including  
13 criteria to determine—

14           (i) whether the mental capacity of an  
15 adult who is missing, and the cir-  
16 cumstances of his or her disappearance,  
17 warrant the issuance of an Ashanti Alert;  
18 and

19           (ii) whether the individual who reports  
20 that an adult is missing is an appropriate  
21 and credible source on which to base the  
22 issuance of an Ashanti Alert;

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

1 (D) recommendations on how to protect  
2 the privacy, dignity, independence, and auton-  
3 omy of any missing adult who may be the sub-  
4 ject of an Ashanti Alert;

5 (3) develop proposed protocols for efforts to re-  
6 cover missing adults and to reduce the number of  
7 adults who are reported missing, including protocols  
8 for procedures that are needed from the time of ini-  
9 tial notification of a law enforcement agency that  
10 the adult is missing through the time of the return  
11 of the adult to family, guardian, or domicile, as ap-  
12 propriate, including—

13 (A) public safety communications protocol;

14 (B) case management protocol;

15 (C) command center operations;

16 (D) reunification protocol; and

17 (E) incident review, evaluation, debriefing,  
18 and public information procedures;

19 (4) work with States to ensure appropriate re-  
20 gional coordination of various elements of the net-  
21 work;

22 (5) establish an advisory group to assist States,  
23 units of local government, law enforcement agencies,  
24 and other entities involved in the Ashanti Alert com-

1       munications network with initiating, facilitating, and  
2       promoting Ashanti Alert plans, which shall include—

3               (A) to the maximum extent practicable,  
4               representation from the various geographic re-  
5               gions of the United States; and

6               (B) members who are—

7                       (i) representatives of adult citizen ad-  
8                       vocacy groups, law enforcement agencies,  
9                       and public safety communications;

10                      (ii) broadcasters, first responders, dis-  
11                      patchers, and radio station personnel; and

12                      (iii) representatives of any other indi-  
13                      viduals or organizations that the Coordi-  
14                      nator determines are necessary to the suc-  
15                      cess of the Ashanti Alert communications  
16                      network; and

17       (6) act as the nationwide point of contact for—

18               (A) the development of the network; and

19               (B) regional coordination of alerts for  
20       missing adults through the network.

21       (c) COORDINATION.—

22               (1) COORDINATION WITH OTHER AGENCIES.—

23       The Coordinator shall coordinate and consult with  
24       the Secretary of Transportation, the Federal Com-  
25       munications Commission, the Assistant Secretary for

1 Aging of the Department of Health and Human  
2 Services, and other appropriate offices of the De-  
3 partment of Justice in carrying out activities under  
4 this Act.

5 (2) STATE AND LOCAL COORDINATION.—The  
6 Coordinator shall consult with local broadcasters and  
7 State and local law enforcement agencies in estab-  
8 lishing minimum standards under section 5 and in  
9 carrying out other activities under this Act, as ap-  
10 propriate.

11 (d) ANNUAL REPORTS.—Not later than one year  
12 after the date of enactment of this Act, and annually  
13 thereafter, the Coordinator shall submit to Congress a re-  
14 port on the activities of the Coordinator and the effective-  
15 ness and status of the Ashanti Alert plans of each State  
16 that has established or is in the process of establishing  
17 such a plan. Each such report shall include—

18 (1) a list of States that have established  
19 Ashanti Alert plans;

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

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

24 (A) the number of Ashanti Alerts issued;

1 (B) the number of individuals located suc-  
2 cessfully;

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

6 (D) the State agency or authority issuing  
7 Ashanti Alerts, and the process by which  
8 Ashanti Alerts are disseminated;

9 (E) the cost of establishing and operating  
10 such a plan;

11 (F) the criteria used by the State to deter-  
12 mine whether to issue an Ashanti Alert; and

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

16 (4) actions States have taken to protect the pri-  
17 vacy and dignity of the individuals for whom Ashanti  
18 Alerts are issued;

19 (5) ways that States have facilitated and im-  
20 proved communication about missing individuals be-  
21 tween families, caregivers, law enforcement officials,  
22 and other authorities; and

23 (6) any other information the Coordinator de-  
24 termines to be appropriate.

1 **SEC. 5. MINIMUM STANDARDS FOR ISSUANCE AND DIS-**  
2 **SEMINATION OF ALERTS THROUGH ASHANTI**  
3 **ALERT COMMUNICATIONS NETWORK.**

4 (a) **ESTABLISHMENT OF MINIMUM STANDARDS.—**

5 Subject to subsection (b), the Coordinator shall establish  
6 minimum standards for—

7 (1) the issuance of alerts through the Ashanti  
8 Alert communications network; and

9 (2) the extent of the dissemination of alerts  
10 issued through the network.

11 (b) **LIMITATIONS.—**

12 (1) **VOLUNTARY PARTICIPATION.—**The min-  
13 imum standards established under subsection (a) of  
14 this section, and any other guidelines and programs  
15 established under section 4, shall be adoptable on a  
16 voluntary basis only.

17 (2) **DISSEMINATION OF INFORMATION.—**The  
18 minimum standards shall, to the maximum extent  
19 practicable (as determined by the Coordinator in  
20 consultation with State and local law enforcement  
21 agencies), provide that appropriate information re-  
22 lating to the special needs of a missing adult (in-  
23 cluding health care needs) are disseminated to the  
24 appropriate law enforcement, public health, and  
25 other public officials.

1           (3) GEOGRAPHIC AREAS.—The minimum stand-  
2           ards shall, to the maximum extent practicable (as  
3           determined by the Coordinator in consultation with  
4           State and local law enforcement agencies), provide  
5           that the dissemination of an alert through the  
6           Ashanti Alert communications network be limited to  
7           the geographic areas which the missing adult could  
8           reasonably reach, considering the missing adult’s cir-  
9           cumstances and physical and mental condition, the  
10          modes of transportation available to the missing  
11          adult, and the circumstances of the disappearance.

12          (4) AGE REQUIREMENTS.—The minimum  
13          standards shall not include any specific age require-  
14          ment for an individual to be classified as a missing  
15          adult for purposes of the Ashanti Alert communica-  
16          tions network. Age requirements for determinations  
17          of whether an individual is a missing adult shall be  
18          determined by each State, and may vary from State  
19          to State.

20          (5) PRIVACY AND CIVIL LIBERTIES PROTEC-  
21          TIONS.—The minimum standards shall—

22                 (A) ensure that alerts issued through the  
23                 Ashanti Alert communications network comply  
24                 with all applicable Federal, State, and local pri-  
25                 vacy laws and regulations; and

1 (B) include standards that specifically pro-  
2 vide for the protection of the civil liberties and  
3 sensitive medical information of missing adults.

4 (6) STATE AND LOCAL VOLUNTARY COORDINA-  
5 TION.—In carrying out the activities under sub-  
6 section (a), the Coordinator may not interfere with  
7 the current system of voluntary coordination be-  
8 tween local broadcasters and State and local law en-  
9 forcement agencies for purposes of the Ashanti Alert  
10 communications network.

11 **SEC. 6. TRAINING AND OTHER RESOURCES.**

12 (a) TRAINING AND EDUCATIONAL PROGRAMS.—The  
13 Coordinator shall make available to States, units of local  
14 government, law enforcement agencies, and other con-  
15 cerned entities that are involved in initiating, facilitating,  
16 or promoting Ashanti Alert plans, including broadcasters,  
17 first responders, dispatchers, public safety communica-  
18 tions personnel, and radio station personnel—

19 (1) training and educational programs related  
20 to the Ashanti Alert communications network and  
21 the capabilities, limitations, and anticipated behav-  
22 iors of missing adults, which shall be updated regu-  
23 larly to encourage the use of new tools, technologies,  
24 and resources in Ashanti Alert plans; and

1           (2) informational materials, including bro-  
2           chures, videos, posters, and web sites to support and  
3           supplement such training and educational programs.

4 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS FOR THE**  
5           **ASHANTI ALERT COMMUNICATIONS NET-**  
6           **WORK.**

7           There are authorized to be appropriated to the Attor-  
8           ney General \$500,000 to carry out the Ashanti Alert com-  
9           munications network as authorized under this Act.

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