

118TH CONGRESS
1ST SESSION

H. R. 4025

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2023

Mr. TONY GONZALES of Texas introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To encourage, enhance, and integrate Emi-Coke 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 “Emi-Coke Account-
5 ability Act of 2023”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

8 (1) the term “trafficked person” means any in-
9 dividual who—

1 (A) is reported to, or identified by, a law
2 enforcement agency as a missing person (with-
3 out regard to the immigration status of that in-
4 dividual); and

5 (B) meets the requirements to be des-
6 ignated as a trafficked person, as determined
7 by the State in which the individual is reported
8 or identified as a missing person; and

9 (2) the term “State” means each of the 50
10 States, the District of Columbia, the Commonwealth
11 of Puerto Rico, the United States Virgin Islands,
12 Guam, American Samoa, and the Commonwealth of
13 the Northern Mariana Islands.

14 **SEC. 3. EMI-COKE ALERT COMMUNICATIONS NETWORK.**

15 (a) IN GENERAL.—The Attorney General shall, sub-
16 ject to the availability of appropriations, establish a na-
17 tional Emi-Coke Alert communications network within the
18 Department of Justice to provide assistance to regional
19 and local search efforts in the case of a high speed chase
20 wherein there is a reasonable suspicion that a driver in-
21 volved in the chase in engaged in unlawfully bringing in
22 an alien to the United States through the initiation, facili-
23 tation, and promotion of local elements of the network
24 (known as Emi-Coke Alert plans) in coordination with

1 States, units of local government, and law enforcement
2 agencies.

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

12 **SEC. 4. EMI-COKE ALERT COORDINATOR.**

13 (a) NATIONAL COORDINATOR WITHIN DEPARTMENT
14 OF JUSTICE.—The Attorney General shall designate an
15 individual within the Department of Justice to act as the
16 national coordinator of the Emi-Coke Alert communica-
17 tions network. The individual so designated shall be known
18 as the Emi-Coke Alert Coordinator of the Department of
19 Justice (referred to in this Act as the “Coordinator”).

20 (b) DUTIES OF THE COORDINATOR.—In acting as the
21 national coordinator of the Emi-Coke Alert communica-
22 tions network, the Coordinator shall—

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

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

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

7 (B) criteria for evaluating whether a situa-
8 tion warrants issuing an Emi-Coke Alert, tak-
9 ing into consideration the need for the use of
10 Emi-Coke Alerts to be limited in scope because
11 the effectiveness of the Emi-Coke Alert commu-
12 nications network may be affected by overuse,
13 including criteria to determine—

14 (i) whether the mental capacity of a
15 person who is missing, and the cir-
16 cumstances of the disappearance of the
17 person, warrant the issuance of an Emi-
18 Coke Alert; and

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

23 (C) a description of the appropriate uses of
24 the Emi-Coke Alert name to readily identify the

1 nature of search efforts for trafficked persons;
2 and

3 (D) recommendations on how to protect
4 the privacy, dignity, independence, and auton-
5 omy of any trafficked person who may be the
6 subject of an Emi-Coke Alert;

7 (3) develop proposed protocols for efforts to re-
8 cover trafficked persons and to reduce the number
9 of persons who are reported missing, including pro-
10 tocols for procedures that are needed from the time
11 of initial notification of a law enforcement agency
12 that a person is missing through the time of the re-
13 turn of the person to family, guardian, or domicile,
14 as appropriate, including—

15 (A) public safety communications protocol;

16 (B) case management protocol;

17 (C) command center operations;

18 (D) reunification protocol; and

19 (E) incident review, evaluation, debriefing,
20 and public information procedures;

21 (4) work with States to ensure appropriate re-
22 gional coordination of various elements of the Emi-
23 Coke Alert communications network;

24 (5) establish an advisory group to assist States,
25 units of local government, law enforcement agencies,

1 and other entities involved in the Emi-Coke Alert
2 communications network with initiating, facilitating,
3 and promoting Emi-Coke Alert plans, which shall in-
4 clude—

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

8 (B) members who are—

9 (i) representatives of human traf-
10 ficking awareness advocacy groups, law en-
11 forcement agencies, and public safety com-
12 munications;

13 (ii) broadcasters, first responders, dis-
14 patchers, and radio station personnel; and

15 (iii) representatives of any other indi-
16 viduals or organizations that the Coordi-
17 nator determines are necessary to the suc-
18 cess of the Emi-Coke Alert communica-
19 tions network; and

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

21 (A) the development of the Emi-Coke Alert
22 communications network; and

23 (B) regional coordination of alerts for traf-
24 ficked persons through the Emi-Coke Alert
25 communications network.

1 (c) COORDINATION.—

2 (1) COORDINATION WITH OTHER AGENCIES.—

3 The Coordinator shall coordinate and consult with
4 the Secretary of Transportation, the Federal Com-
5 munications Commission, and other appropriate of-
6 fices of the Department of Justice in carrying out
7 activities under this Act.

8 (2) STATE AND LOCAL COORDINATION.—The

9 Coordinator shall consult with local broadcasters and
10 State and local law enforcement agencies in estab-
11 lishing minimum standards under section 5 and in
12 carrying out other activities under this Act, as ap-
13 propriate.

14 (d) ANNUAL REPORTS.—

15 (1) IN GENERAL.—Not later than 1 year after
16 the date of enactment of this Act, and annually
17 thereafter, the Coordinator shall submit to Congress
18 a report on the activities of the Coordinator and the
19 effectiveness and status of the Emi-Coke Alert plans
20 of each State that has established or is in the pro-
21 cess of establishing such a plan.

22 (2) CONTENTS.—Each report submitted under
23 paragraph (1) shall include—

24 (A) a list of States that have established
25 Emi-Coke Alert plans;

1 (B) a list of States that are in the process
2 of establishing Emi-Coke Alert plans;

3 (C) for each State that has established an
4 Emi-Coke Alert plan, to the extent the data is
5 available—

6 (i) the number of Emi-Coke Alerts
7 issued;

8 (ii) the number of individuals located
9 successfully;

10 (iii) the average period of time be-
11 tween the issuance of an Emi-Coke Alert
12 and the location of the individual for whom
13 such Alert was issued;

14 (iv) the State agency or authority
15 issuing Emi-Coke Alerts, and the process
16 by which Emi-Coke Alerts are dissemi-
17 nated;

18 (v) the cost of establishing and oper-
19 ating the Emi-Coke Alert plan;

20 (vi) the criteria used by the State to
21 determine whether to issue an Emi-Coke
22 Alert; and

23 (vii) the extent to which missing indi-
24 viduals for whom Emi-Coke Alerts were
25 issued crossed State lines;

1 (D) actions States have taken to protect
2 the privacy and dignity of the individuals for
3 whom Emi-Coke Alerts are issued;

4 (E) ways that States have facilitated and
5 improved communication about missing individ-
6 uals between families, caregivers, law enforce-
7 ment officials, and other authorities; and

8 (F) any other information the Coordinator
9 determines to be appropriate.

10 **SEC. 5. MINIMUM STANDARDS FOR ISSUANCE AND DIS-**
11 **SEMINATION OF ALERTS THROUGH EMI-**
12 **COKE ALERT COMMUNICATIONS NETWORK.**

13 (a) ESTABLISHMENT OF MINIMUM STANDARDS.—
14 Subject to subsection (b), the Coordinator shall establish
15 minimum standards for—

16 (1) the issuance of alerts through the Emi-Coke
17 Alert communications network; and

18 (2) the extent of the dissemination of alerts
19 issued through the Emi-Coke Alert network.

20 (b) LIMITATIONS.—

21 (1) VOLUNTARY PARTICIPATION.—The min-
22 imum standards established under subsection (a) of
23 this section, and any other guidelines and programs
24 established under section 4, shall be adoptable on a
25 voluntary basis only.

1 (2) DISSEMINATION OF INFORMATION.—The
2 minimum standards shall, to the maximum extent
3 practicable (as determined by the Coordinator in
4 consultation with State and local law enforcement
5 agencies), provide that appropriate information re-
6 lating to the special needs of a trafficked person (in-
7 cluding health care needs) is disseminated to the ap-
8 propriate law enforcement, public health, and other
9 public officials.

10 (3) GEOGRAPHIC AREAS.—The minimum stand-
11 ards shall, to the maximum extent practicable (as
12 determined by the Coordinator in consultation with
13 State and local law enforcement agencies), provide
14 that the dissemination of an alert through the Emi-
15 Coke Alert communications network be limited to
16 the geographic areas which the trafficked person
17 could reasonably reach, considering the cir-
18 cumstances and physical and mental condition of the
19 trafficked person, the modes of transportation avail-
20 able to the trafficked person, and the circumstances
21 of the disappearance.

22 (4) AGE REQUIREMENTS.—The minimum
23 standards shall not include any specific age require-
24 ment for an individual to be classified as a trafficked
25 person for purposes of the Emi-Coke Alert commu-

1 nication network. Age requirements for determina-
2 tions of whether an individual is a trafficked person
3 shall be determined by each State, and may vary
4 from State to State.

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

7 (A) ensure that alerts issued through the
8 Emi-Coke Alert communications network com-
9 ply with all applicable Federal, State, and local
10 privacy laws and regulations; and

11 (B) include standards that specifically pro-
12 vide for the protection of the civil liberties and
13 sensitive medical information of trafficked per-
14 sons.

15 (6) STATE AND LOCAL VOLUNTARY COORDINA-
16 TION.—In carrying out the activities under sub-
17 section (a), the Coordinator may not interfere with
18 the current system of voluntary coordination be-
19 tween local broadcasters and State and local law en-
20 forcement agencies for purposes of the Emi-Coke
21 Alert communications network.

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

23 (a) TRAINING AND EDUCATIONAL PROGRAMS.—The
24 Coordinator shall make available to States, units of local
25 government, law enforcement agencies, and other con-

1 cerned entities that are involved in initiating, facilitating,
2 or promoting Emi-Coke Alert plans, including broad-
3 casters, first responders, dispatchers, public safety com-
4 munications personnel, and radio station personnel—

5 (1) training and educational programs related
6 to the Emi-Coke Alert communication network and
7 the capabilities, limitations, and anticipated behav-
8 iors of trafficked persons, which shall be updated
9 regularly to encourage the use of new tools, tech-
10 nologies, and resources in Emi-Coke Alert plans; and

11 (2) informational materials, including bro-
12 chures, videos, posters, and websites to support and
13 supplement such training and educational programs.

14 (b) COORDINATION.—The Coordinator shall coordi-
15 nate with the Secretary of Transportation, the Federal
16 Communications Commission, and other appropriate of-
17 fices of the Department of Justice in developing the train-
18 ing and educational programs and materials under sub-
19 section (a).

20 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS FOR THE**
21 **EMI-COKE ALERT COMMUNICATIONS NET-**
22 **WORK.**

23 There are authorized to be appropriated to the De-
24 partment of Justice \$500,000 to carry out the Emi-Coke

1 Alert communications network as authorized under this
2 Act.

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