HOUSE AMENDMENT TO SENATE AMENDMENT

In the House of Representatives, U.S.,

March 22, 2018.

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 1625) entitled "An Act to amend the State Department Basic Authorities Act of 1956 to include severe forms of trafficking in persons within the definition of transnational organized crime for purposes of the rewards program of the Department of State, and for other purposes.", with the following

HOUSE AMENDMENT TO SENATE AMENDMENT:

In lieu of the matter proposed to be inserted by the Senate, insert the following:

1 SECTION 1. SHORT TITLE.

- 2 This Act may be cited as the "Consolidated Appropria-
- 3 tions Act, 2018".

4 SEC. 2. TABLE OF CONTENTS.

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Explanatory statement.
- Sec. 5. Statement of appropriations.
- Sec. 6. Availability of funds.
- Sec. 7. Adjustments to compensation.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2018

- Title I-Agricultural Programs
- Title II-Farm Production and Conservation Programs
- Title III—Rural Development Programs
- Title IV—Domestic Food Programs
- Title V-Foreign Assistance and Related Programs
- Title VI-Related Agencies and Food and Drug Administration



Title V—Generalized System of Preferences

Title VI-Judicial Reduction Authority Extension

Title VII—Budgetary Effects

DIVISION N—BUILD ACT

DIVISION O-WILDFIRE SUPPRESSION FUNDING AND FOREST MANAGEMEN ACTIVITIES ACT

DIVISION P-RAY VAUNTS ACT OF 2018

DIVISION Q—KEVIN AND AVONTE'S LAW

DIVISION R-TARGET ACT

DIVISION S-OTHER MATTER

Title I—Child Protection Improvements Act

Title II—Save America's Pastime Act

Title III-Keep Young Athletes Safe Act

Title IV—Consent of Congress to Amendments to the Constitution of the State of Arizona

Title V-Stop School Violence Act

Title VI-Fix NICS Act

Title VII—State Sexual Risk Avoidance Education Program

Title VIII—Small Business Credit Availability Act

Title IX—Small Business Access to Capital After a Natural Disaster Act

Title X—Taylor Force Act

Title XI—FARM Act

Title XII—Tipped Employees

Title XIII—Revisions to Pass-Through Period and Payment Rules

DIVISION T-REVENUE PROVISIONS

DIVISION U-TAX TECHNICAL CORRECTIONS

DIVISION V-CLOUD ACT

1 SEC. 3. REFERENCES.

- 2 Except as expressly provided otherwise, any reference
- 3 to "this Act" contained in any division of this Act shall
- 4 be treated as referring only to the provisions of that divi-
- 5 sion.

6 SEC. 4. EXPLANATORY STATEMENT.

- 7 The explanatory statement regarding this Act, printed
- 8 in the House section of the Congressional Record on or
- 9 about March 22, 2018, and submitted by the Chairman of

I	1062(a) of the National Defens	se Authorization Act for Fis-
2	cal Year 2000.	
3	SEC. 622. RELATIONSHIP TO	MIDDLE CLASS TAX RELIEF
4	AND JOB CREATI	ON ACT OF 2012.
5	Nothing in this title ha	ll be construed to limit, re-
6	strict, or circumvent in any w	ay the implementation of the
7	nationwide public safety bread	lband network defined in sec
8	tion 6001 of tille VI of the A	Iiddle Class Tax Relief and
9	Job Creation Act of 2012 47	U.S.C. 1401) or any rules
10	implementing that network w	nder title VI of that Act (4)
11	U.S.C. 1401 et seq.).	
12	SEC. 623. NO ADDITIONAL FUN	DS AUTHORIZED.
13	No additional funds are c	uthorized to be appropriated
14	to carry out this title, or the di	nendments made by this tille
15	This title, and the amendm	nts made by this title, shal
16	be carried out using amounts	herwise authorized.
17	DIVISION Q	-KEVIN AND
18	AVONTE	E'S LAW
19	SECTION 1. SHORT TITLE.	
20	This division may be cite	d as the "Kevin and Avonte's
21	Law of 2018".	

1	TITLE I—MISSING ALZHEIMER'S
2	DISEASE PATIENT ALERT
3	PROGRAM REAUTHORIZATION
4	SEC. 101. SHORT TITLE.
5	This title may be cited as the "Missing Americans
6	Alert Program Act of 2018".
7	SEC. 102. REAUTHORIZATION OF THE MISSING ALZ-
8	HEIMER'S DISEASE PATIENT ALERT PRO-
9	GRAM.
10	(a) Amendments.—Section 240001 of the Violent
11	Crime Control and Law Enforcement Act of 1994 (34
12	U.S.C. 12621) is amended—
13	(1) in the section header, by striking "ALZ-
14	HEIMER'S DISEASE PATIENT" and inserting
15	"AMERICANS";
16	(2) by striking subsection (a) and inserting the
17	following:
18	"(a) Grant Program To Reduce Injury and
19	DEATH OF MISSING AMERICANS WITH DEMENTIA AND DE-
20	VELOPMENTAL DISABILITIES.—Subject to the availability
21	of appropriations to carry out this section, the Attorney
22	General, through the Bureau of Justice Assistance and in
23	consultation with the Secretary of Health and Human
24	Services-

1	"(1) shall award competitive grants to health
2	care agencies, State and local law enforcement agen-
3	cies, or public safety agencies and nonprofit organiza-
4	tions to assist such entities in planning, designing,
5	establishing, or operating locally based, proactive pro-
6	grams to prevent wandering and locate missing indi-
7	viduals with forms of dementia, such as Alzheimer's
8	Disease, or developmental disabilities, such as autism,
9	who, due to their condition, wander from safe envi-
10	ronments, including programs that—
11	"(A) provide prevention and response infor-
12	mation, including online training resources, and
13	referrals to families or guardians of such indi-
14	viduals who, due to their condition, wander from
15	a safe environment;
16	"(B) provide education and training, in-
17	cluding online training resources, to first re-
18	sponders, school personnel, clinicians, and the
19	public in order to—
20	"(i) increase the safety and reduce the
21	incidence of wandering of persons, who, due
22	to their dementia or developmental disabil-
23	ities, may wander from safe environments;
24	"(ii) facilitate the rescue and recovery
25	of individuals who, due to their dementia or

1	developmental disabilities, wander from safe
2	environments; and
3	"(iii) recognize and respond to and ap-
4	propriately interact with endangered miss-
5	ing individuals with dementia or develop-
6	mental disabilities who, due to their condi-
7	tion, wander from safe environments;
8	"(C) provide prevention and response train-
9	ing and emergency protocols for school adminis-
10	trators, staff, and families or guardians of indi-
11	viduals with dementia, such as Alzheimer's Dis-
12	ease, or developmental disabilities, such as au-
13	tism, to help reduce the risk of wandering by
14	such individuals; and
15	"(D) develop, operate, or enhance a notifi-
16	cation or communications systems for alerts,
17	advisories, or dissemination of other information
18	for the recovery of missing individuals with
19	forms of dementia, such as Alzheimer's Disease,
20	or with developmental disabilities, such as au-
21	tism; and
22	"(2) shall award grants to health care agencies,
23	State and local law enforcement agencies, or public
24	safety agencies to assist such agencies in designing,
25	establishing and operating locative tracking tech-

1	nology programs for individuals with forms of demen-
2	tia, such as Alzheimer's Disease, or children with de-
3	velopmental disabilities, such as autism, who have
4	wandered from safe environments.";
5	(3) in subsection (b)—
6	(A) by inserting "competitive" after "to re-
7	ceive a'';
8	(B) by inserting "agency or" before "orga-
9	nization" each place it appears; and
10	(C) by adding at the end the following:
11	"The Attorney General shall periodically solicit
12	applications for grants under this section by
13	publishing a request for applications in the Fed-
14	eral Register and by posting such a request on
15	the website of the Department of Justice."; and
16	(4) by striking subsections (c) and (d) and in-
17	serting the following:
18	"(c) Preference.—In awarding grants under sub-
19	section (a)(1), the Attorney General shall give preference to
20	law enforcement or public safety agencies that partner with
21	nonprofit organizations that appropriately use person-cen-
22	tered plans minimizing restrictive interventions and that
23	have a direct link to individuals, and families of individ-
24	uals, with forms of dementia, such as Alzheimer's Disease,
25	or developmental disabilities, such as autism.

1	"(d) Authorization of Appropriations.—There
2	are authorized to be appropriated to carry out this section
3	\$2,000,000 for each of fiscal years 2018 through 2022.
4	"(e) GRANT ACCOUNTABILITY.—All grants awarded by
5	the Attorney General under this section shall be subject to
6	the following accountability provisions:
7	"(1) Audit requirement.—
8	"(A) DEFINITION.—In this paragraph, the
9	term 'unresolved audit finding' means a finding
10	in the final audit report of the Inspector General
11	of the Department of Justice that the audited
12	grantee has utilized grant funds for an unau-
13	thorized expenditure or otherwise unallowable
14	cost that is not closed or resolved within 12
15	months from the date when the final audit report
16	is issued.
17	"(B) AUDITS.—Beginning in the first fiscal
18	year beginning after the date of enactment of
19	this subsection, and in each fiscal year there-
20	after, the Inspector General of the Department of
21	Justice shall conduct audits of recipients of
22	grants under this section to prevent waste, fraud,
23	and abuse of funds by grantees. The Inspector
24	General shall determine the appropriate number
25	of grantees to be undited each neur

1	"(C) Mandatory exclusion.—A recipient
2	of grant funds under this section that is found
3	to have an unresolved audit finding shall not be
4	eligible to receive grant funds under this section
5	during the first 2 fiscal years beginning after the
6	end of the 12-month period described in subpara-
7	graph (A).
8	"(D) PRIORITY.—In awarding grants under
9	this section, the Attorney General shall give pri-
10	ority to eligible applicants that did not have an
11	unresolved audit finding during the 3 fiscal
12	years before submitting an application for a
13	grant under this section.
14	"(E) REIMBURSEMENT.—If an entity is
15	awarded grant funds under this section during
16	the 2-fiscal-year period during which the entity
17	is barred from receiving grants under subpara-
18	graph (C), the Attorney General shall—
19	"(i) deposit an amount equal to the
20	amount of the grant funds that were im-
21	properly awarded to the grantee into the
22	General Fund of the Treasury; and
23	"(ii) seek to recoup the costs of the re-
24	payment to the fund from the grant recipi-

1	ent that was erroneously awarded grant
2	funds.
3	"(2) Nonprofit organization require-
4	MENTS.—
5	"(A) DEFINITION OF NONPROFIT ORGANIZA-
6	TION.—For purposes of this paragraph and the
7	grant programs under this section, the term
8	'nonprofit organization' means an organization
9	that is described in section 501(c)(3) of the Inter-
10	nal Revenue Code of 1986 and is exempt from
11	taxation under section 501(a) of such Code.
12	"(B) PROHIBITION.—The Attorney General
13	may not award a grant under this section to a
14	nonprofit organization that holds money in off-
15	shore accounts for the purpose of avoiding pay-
16	ing the tax described in section 511(a) of the In-
17	ternal Revenue Code of 1986.
18	"(C) Disclosure.—Each nonprofit organi-
19	zation that is awarded a grant under this section
20	and uses the procedures prescribed in regulations
21	to create a rebuttable presumption of reasonable-
22	ness for the compensation of its officers, direc-
23	tors, trustees, and key employees, shall disclose to
24	the Attorney General, in the application for the
25	grant, the process for determining such com-

pensation, 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, bev-

1	erages, audio-visual equipment, honoraria for
2	speakers, and entertainment.
3	"(C) REPORT.—The Deputy Attorney Gen-
4	eral shall submit an annual report to the Com-
5	mittee on the Judiciary of the Senate and the
6	Committee on the Judiciary of the House of Rep-
7	resentatives on all conference expenditures ap-
8	proved under this paragraph.
9	"(4) Annual Certification.—Beginning in the
10	first fiscal year beginning after the date of enactment
11	of this subsection, the Attorney General shall submit,
12	to the Committee on the Judiciary and the Committee
13	on Appropriations of the Senate and the Committee
14	on the Judiciary and the Committee on Appropria-
15	tions of the House of Representatives, an annual cer-
16	tification—
17	"(A) indicating whether—
18	"(i) all audits issued by the Office of
19	the Inspector General under paragraph (1)
20	have been completed and reviewed by the
21	appropriate Assistant Attorney General or
22	Director;
23	"(ii) all mandatory exclusions required
24	under paragraph (1)(C) have been issued;
25	and

1	"(iii) all reimbursements required
2	under paragraph $(1)(E)$ have been made;
3	and
4	"(B) that includes a list of any grant re-
5	cipients excluded under paragraph (1) from the
6	previous year.
7	"(f) Preventing Duplicative Grants.—
8	"(1) In GENERAL.—Before the Attorney General
9	awards a grant to an applicant under this section,
10	the Attorney General shall compare potential grant
11	awards with other grants awarded by the Attorney
12	General to determine if grant awards are or have
13	been awarded for a similar purpose.
14	"(2) REPORT.—If the Attorney General awards
15	grants to the same applicant for a similar purpose
16	the Attorney General shall submit to the Committee
17	on the Judiciary of the Senate and the Committee on
18	the Judiciary of the House of Representatives a report
19	that includes—
20	"(A) a list of all such grants awarded, in-
21	cluding the total dollar amount of any such
22	grants awarded; and
23	"(B) the reason the Attorney General
24	awarded multiple grants to the same applicant
25	for a similar purpose.".

1	(b) Annual Report.—Not later than 2 years after the
2	date of enactment of this Act and every year thereafter, the
3	Attorney General shall submit to the Committee on the Ju-
4	diciary and the Committee on Appropriations of the Senate
5	and the Committee on the Judiciary and the Committee on
6	Appropriations of the House of Representatives a report on
7	the Missing Americans Alert Program, as amended by sub-
8	section (a), which shall address—
9	(1) the number of individuals who benefitted
10	from the Missing Americans Alert Program, including
11	information such as the number of individuals with
12	reduced unsafe wandering, the number of people who
13	were trained through the program, and the estimated
14	number of people who were impacted by the program;
15	(2) the number of State, local, and tribal law en-
16	forcement or public safety agencies that applied for
17	funding under the Missing Americans Alert Program;
18	(3) the number of State, local, and tribal local
19	law enforcement or public safety agencies that re-
20	ceived funding under the Missing Americans Alert
21	Program, including—
22	(A) the number of State, local, and tribal
23	law enforcement or public safety agencies that
24	used such funding for training; and

1	(B) the number of State, local, and tribal
2	law enforcement or public safety agencies that
3	used such funding for designing, establishing, or
4	operating locative tracking technology;
5	(4) the companies, including the location (city
6	and State) of the headquarters and local offices of
7	each company, for which their locative tracking tech-
8	nology was used by State, local, and tribal law en-
9	forcement or public safety agencies;
10	(5) the nonprofit organizations, including the lo-
11	cation (city and State) of the headquarters and local
12	offices of each organization, that State, local, and
13	tribal law enforcement or public safety agencies
14	partnered with and the result of each partnership;
15	(6) the number of missing children with autism
16	or another developmental disability with wandering
17	tendencies or adults with Alzheimer's being served by
18	the program who went missing and the result of the
19	search for each such individual; and
20	(7) any recommendations for improving the
21	Missing Americans Alert Program.
22	(c) Table of Contents.—The table of contents in
23	section 2 of the Violent Crime Control and Law Enforce-
24	ment Act of 1994 is amended by striking the item relating
25	to section 240001 and inserting the following:
	"Sec. 240001. Missing Americans Alert Program.".

1	TITLE II—EDUCATION AND
2	OUTREACH
3	SEC. 201. ACTIVITIES BY THE NATIONAL CENTER FOR MISS-
4	ING AND EXPLOITED CHILDREN.
5	Section 404(b)(1)(H) of the Missing Children's Assist-
6	ance Act (34 U.S.C. 11293(b)(1)(H)) is amended by insert-
7	ing ", including cases involving children with develop-
8	mental disabilities such as autism" before the semicolon.
9	TITLE III—PRIVACY
10	PROTECTIONS
11	SEC. 301. DEFINITIONS.
12	In this title:
13	(1) CHILD.—The term "child" means an indi-
14	vidual who is less than 18 years of age.
15	(2) Indian tribe" has
16	the meaning given that term in section 4(e) of the In-
17	dian Self-Determination and Education Assistance
18	Act (25 U.S.C. 5304(e)).
19	(3) LAW ENFORCEMENT AGENCY.—The term
20	"law enforcement agency" means an agency of a
21	State, unit of local government, or Indian tribe that
22	is authorized by law or by a government agency to
23	engage in or supervise the prevention, detection, in-
24	vestigation, or prosecution of any violation of crimi-
25	nal law.

1	(4) Non-invasive and non-permanent.—The
2	term "non-invasive and non-permanent" means, with
3	regard to any technology or device, that the procedure
4	to install the technology or device does not create an
5	external or internal marker or implant a device, such
6	as a microchip, or other trackable items.
7	(5) STATE.—The term "State" means each of the
8	50 States, the District of Columbia, the Common-
9	wealth of Puerto Rico, the United States Virgin Is-
10	lands, American Samoa, Guam, and the Common-
11	wealth of the Northern Mariana Islands.
12	(6) Unit of local government.—The term
13	"unit of local government" means a county, munici-
14	pality, town, township, village, parish, borough, or
15	other unit of general government below the State level.
16	SEC. 302. STANDARDS AND BEST PRACTICES FOR USE OF
17	NON-INVASIVE AND NON-PERMANENT TRACK-
18	ING DEVICES.
19	(a) Establishment.—
20	(1) In General.—Not later than 180 days after
21	the date of enactment of this Act, the Attorney Gen-
22	eral, in consultation with the Secretary of Health and
23	Human Services and leading research, advocacy, self-
24	advocacy, and service organizations, shall establish
25	standards and best practices relating to the use of

1	non-invasive and non-permanent tracking technology,
2	where a guardian or parent has determined that a
3	non-invasive and non-permanent tracking device is
4	the least restrictive alternative, to locate individuals
5	as described in subsection (a)(2) of section 240001 of
6	the Violent Crime Control and Law Enforcement Act
7	of 1994 (34 U.S.C. 12621), as added by this Act.
8	(2) REQUIREMENTS,—In establishing the stand-
9	ards and best practices required under paragraph (1),
10	the Attorney General shall—
11	(Λ) determine—
12	(i) the criteria used to determine which
13	individuals would benefit from the use of a
14	tracking device;
15	(ii) the criteria used to determine who
16	should have direct access to the tracking
17	system; and
18	(iii) which non-invasive and non-per-
19	manent types of tracking devices can be
20	used in compliance with the standards and
21	best practices; and
22	(B) establish standards and best practices
23	the Attorney General determines are necessary to
24	the administration of a tracking system, includ-
25	ing procedures to—

1	(i) safeguard the 1	privacy of the data
2	used by the tracking dev	ice such that—
3	(I) access to t	he data is restricted
4	to law enforcement	and health agencies
5	determined necessar	ry by the Attorney
6	General; and	
7	(II) collection,	, use, and retention
8	of the data is solel	y for the purpose of
9	preventing injury t	to or death of the in-
10) dividual wearing t	he tracking device;
11	(ii) establish cri	teria to determine
12	2 whether use of the tra	ucking device is the
13	3 least restrictive alternat	tive in order to pre-
14	4 vent risk of injury or	death before issuing
15	the tracking device, inc	cluding the previous
16	6 consideration of less res	strictive alternatives;
17	7 (iii) provide train	ing for law enforce-
18	8 ment agencies to recog	mize signs of abuse
19	9 during interactions u	with applicants for
20	0 tracking devices;	
21	1 (iv) protect the c	rivil rights and lib-
22	2 erties of the individua	ls who use tracking
23	devices, including then	ir rights under the
24	4 Fourth Amendment to	the Constitution of
25	5 the United States and	title VII of the Civil

1	Rights Act of 1964 (42 U.S.C. 2000e et
2	seq.);
3	(v) establish a complaint and inves-
4	tigation process to address—
5	(I) incidents of noncompliance by
6	recipients of grants under subsection
7	(a)(2) of section 240001 of the Violent
8	Crime Control and Law Enforcement
9	Act of 1994 (34 U.S.C. 12621), as
10	added by this Act, with the best prac-
11	tices established by the Attorney Gen-
12	eral or other applicable law; and
13	(II) use of a tracking device over
14	the objection of an individual; and
15	(vi) determine the role that State agen-
16	cies should have in the administration of a
17	tracking system.
18	(3) EFFECTIVE DATE.—The standards and best
19	practices established pursuant to paragraph (1) shall
20	take effect 90 days after publication of such standards
21	and practices by the Attorney General.
22	(b) REQUIRED COMPLIANCE.—
23	(1) In GENERAL.—Each entity that receives a
24	grant under subsection (a)(2) of section 240001 of the
25	Violent Crime Control and Law Enforcement Act of

1	1994 (34 U.S.C. 12621), as added by this Act, shall
2	comply with any standards and best practices relat-
3	ing to the use of tracking devices established by the
4	Attorney General in accordance with subsection (a).
5	(2) Determination of compliance.—The At-
6	torney General, in consultation with the Secretary of
7	Health and Human Services, shall determine whether
8	an entity that receives a grant under subsection
9	(a)(2) of section 240001 of the Violent Crime Control
10	and Law Enforcement Act of 1994 (34 U.S.C. 12621),
11	as added by this Act, acts in compliance with the
12	standards and best practices described in paragraph
13	(1).
14	(c) Applicability of Standards and Best Prac-
15	TICES.—The standards and best practices established by the
16	Attorney General under subsection (a) shall apply only to
17	the grant programs authorized under subsection (a)(2) of
18	section 240001 of the Violent Crime Control and Law En-
19	forcement Act of 1994 (34 U.S.C. 12621), as added by this
20	Act.
21	(d) Limitations on Program.—
22	(1) DATA STORAGE.—Any tracking data pro-
23	vided by tracking devices issued under this program
24	may not be used by a Federal entity to create a data-
25	base.

1	(2) VOLUNTARY PARTICIPATION.—Nothing in
2	this Act may be construed to require that a parent or
3	guardian use a tracking device to monitor the loca-
4	tion of a child or adult under that parent or guard-
5	ian's supervision if the parent or guardian does not
6	believe that the use of such device is necessary or in
7	the interest of the child or adult under supervision.
8	DIVISION R—TARGET ACT
9	SECTION 1. SHORT TITLES.
10	This division may be cited as the "Targeted Rewards
11	for the Global Eradication of Human Trafficking" or the
12	"TARGET Act".
13	SEC. 2. FINDINGS; SENSE OF CONGRESS.
14	(a) FINDINGS.—Congress finds the following:
15	(1) Trafficking in persons is a major
16	transnational crime, as recognized by the Trafficking
17	Victims Protection Act of 2000 (22 U.S.C. 7101 et
18	seq.; division A of Public Law 106-386).
19	(2) Trafficking in persons is increasingly per-
20	petrated by organized, sophisticated criminal enter-
21	prises.
22	(3) Combating trafficking in persons requires a
23	global approach to identifying and apprehending the
24	world's worst human trafficking rings.