

114TH CONGRESS  
1ST SESSION

# H. R. 1472

To establish a modernized national Integrated Public Alert and Warning System, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2015

Mr. BARLETTA (for himself, Mr. CARSON of Indiana, Mr. SHUSTER, and Mr. DEFAZIO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To establish a modernized national Integrated Public Alert and Warning System, 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 “Integrated Public Alert  
5 and Warning System Modernization Act of 2015”.

6 **SEC. 2. INTEGRATED PUBLIC ALERT AND WARNING SYS-**  
7 **TEM MODERNIZATION.**

8 (a) INTEGRATED PUBLIC ALERT AND WARNING SYS-  
9 TEM MODERNIZATION.—

1           (1) IN GENERAL.—To provide timely and effec-  
2           tive disaster warnings under this section, the Presi-  
3           dent, acting through the Administrator of the Fed-  
4           eral Emergency Management Agency, shall, except  
5           as provided in paragraph (4)—

6                   (A) modernize the integrated public alert  
7                   and warning system of the United States (in  
8                   this section referred to as the “public alert and  
9                   warning system”) to ensure that the President  
10                  under all conditions is able to alert and warn  
11                  governmental authorities and the civilian popu-  
12                  lation in areas endangered by disasters; and

13                   (B) implement the public alert and warn-  
14                  ing system.

15           (2) IMPLEMENTATION REQUIREMENTS.—In car-  
16           rying out paragraph (1), the Administrator shall,  
17           consistent with the recommendations in the final re-  
18           port of the Integrated Public Alert and Warning  
19           System Advisory Committee (established under sub-  
20           section (b))—

21                   (A) establish or adopt, as appropriate,  
22                   common alerting and warning protocols, stand-  
23                   ards, terminology, and operating procedures for  
24                   the public alert and warning system;

1 (B) include in the public alert and warning  
2 system the capability to adapt the distribution  
3 and content of communications on the basis of  
4 geographic location, risks, or personal user  
5 preferences, as appropriate;

6 (C) include in the public alert and warning  
7 system the capability to alert, warn, and pro-  
8 vide the equivalent amount of information to in-  
9 dividuals with disabilities and individuals with  
10 access and functional needs;

11 (D) ensure that training, tests, and exer-  
12 cises are conducted for the public alert and  
13 warning system and that the system is incor-  
14 porated into other training and exercise pro-  
15 grams of the Department of Homeland Secu-  
16 rity, as appropriate;

17 (E) establish and integrate into the Na-  
18 tional Incident Management System a com-  
19 prehensive and periodic training program to in-  
20 struct and educate Federal, State, tribal, and  
21 local government officials in the use of the  
22 Common Alerting Protocol enabled Emergency  
23 Alert System; and

24 (F) ensure that the public alert and warn-  
25 ing system is resilient, secure, and can with-

1 stand acts of terrorism and other external at-  
2 tacks.

3 (3) SYSTEM REQUIREMENTS.—Consistent with  
4 paragraph (1), the public alert and warning system  
5 shall—

6 (A) incorporate multiple communications  
7 technologies;

8 (B) be designed to adapt to, and incor-  
9 porate, future technologies for communicating  
10 directly with the public;

11 (C) to the extent technically feasible, be  
12 designed to provide alerts to the largest portion  
13 of the affected population, including non-  
14 resident visitors and tourists and individuals  
15 with disabilities and access and functional  
16 needs, and improve the ability of remote areas  
17 to receive alerts;

18 (D) promote local and regional public and  
19 private partnerships to enhance community pre-  
20 paredness and response;

21 (E) provide redundant alert mechanisms if  
22 practicable so as to reach the greatest number  
23 of people regardless of whether they have access  
24 to, or utilize, any specific medium of commu-  
25 nication or any particular device; and

1 (F) include a mechanism to ensure the  
2 protection of individual privacy.

3 (4) LIMITATION ON AUTHORITY.—Nothing in  
4 this subsection authorizes or requires the Federal  
5 Emergency Management Agency or any other gov-  
6 ernment entity to require any action on the part of  
7 the Federal Communications Commission, the De-  
8 partment of Commerce, the Office of Emergency  
9 Communications, or any nongovernmental entity,  
10 nor impact any existing obligations of such entities.

11 (5) IMPLEMENTATION PLAN.—Not later than  
12 180 days after the date of submission of the report  
13 of the Integrated Public Alert and Warning System  
14 Advisory Committee, the Administrator shall submit  
15 to the Committee on Transportation and Infrastruc-  
16 ture and the Committee on Homeland Security of  
17 the House of Representatives and the Committee on  
18 Homeland Security and Governmental Affairs of the  
19 Senate a detailed plan to implement the public alert  
20 and warning system. The plan shall include a  
21 timeline for implementation, a spending plan, and  
22 recommendations for any additional authority that  
23 may be necessary to fully implement this subsection.

24 (6) FUNDING.—There is authorized to be ap-  
25 propriated \$12,824,000 of the amount made avail-

1       able pursuant to section 699 of the Post Katrina  
2       Emergency Management Reform Act of 2006 (Pub-  
3       lic Law 109–295; 6 U.S.C. 811) for each of fiscal  
4       years 2016, 2017, and 2018 to carry out the provi-  
5       sions of this section.

6       (b) INTEGRATED PUBLIC ALERT AND WARNING SYS-  
7       TEM ADVISORY COMMITTEE.—

8               (1) ESTABLISHMENT.—Not later than 90 days  
9       after the date of enactment of this Act, the Adminis-  
10       trator of the Federal Emergency Management Agen-  
11       cy shall establish an advisory committee to be known  
12       as the Integrated Public Alert and Warning System  
13       Advisory Committee (in this subsection referred to  
14       as the “Advisory Committee”).

15              (2) MEMBERSHIP.—The Advisory Committee  
16       shall be composed of the following members (or their  
17       designees) to be appointed by the Administrator as  
18       soon as practicable after the date of enactment of  
19       this Act:

20                      (A) The Chairman of the Federal Commu-  
21                      nications Commission.

22                      (B) The Administrator of the National  
23                      Oceanic and Atmospheric Administration of the  
24                      Department of Commerce.

1           (C) The Assistant Secretary for Commu-  
2           nications and Information of the Department of  
3           Commerce.

4           (D) The Director of the Office of Dis-  
5           ability Integration and Coordination of the Fed-  
6           eral Emergency Management Agency.

7           (E) Representatives of State and local gov-  
8           ernments, representatives of emergency man-  
9           agement agencies, and representatives of emer-  
10          gency response providers, selected from among  
11          individuals nominated by national organizations  
12          representing governments and personnel.

13          (F) Representatives from federally recog-  
14          nized Indian tribes and national Indian organi-  
15          zations.

16          (G) Individuals who have the requisite  
17          technical knowledge and expertise to serve on  
18          the Advisory Committee, including representa-  
19          tives of—

- 20                   (i) communications service providers;  
21                   (ii) vendors, developers, and manufac-  
22                   turers of systems, facilities, equipment,  
23                   and capabilities for the provision of com-  
24                   munications services;  
25                   (iii) third-party service bureaus;

1 (iv) the broadcasting industry, includ-  
2 ing commercial and noncommercial radio  
3 and television stations;

4 (v) the commercial mobile radio serv-  
5 ice industry;

6 (vi) the cable industry;

7 (vii) the satellite industry; and

8 (viii) national organizations rep-  
9 resenting individuals with disabilities and  
10 access and functional needs and national  
11 organizations representing the elderly.

12 (H) Qualified representatives of such other  
13 stakeholders and interested and affected parties  
14 as the Administrator considers appropriate.

15 (3) CHAIRPERSON.—The Administrator shall  
16 serve as the Chairperson of the Advisory Committee.

17 (4) MEETINGS.—

18 (A) INITIAL MEETING.—The initial meet-  
19 ing of the Advisory Committee shall take place  
20 not later than 120 days after the date of enact-  
21 ment of this Act.

22 (B) OTHER MEETINGS.—After the initial  
23 meeting, the Advisory Committee shall meet, at  
24 least annually, at the call of the Chairperson.



1 (C) NOTICE; OPEN MEETINGS.—Meetings  
2 held by the Advisory Committee shall be duly  
3 noticed at least 14 days in advance and shall be  
4 open to the public.

5 (D) INTERESTED PERSONS.—Interested  
6 persons shall be permitted to attend, appear be-  
7 fore, or file statements with the Advisory Com-  
8 mittee, in accordance with subsection (c) of sec-  
9 tion 552b of title 5, United States Code.

10 (E) MEETING MINUTES.—The Advisory  
11 Committee shall keep detailed minutes of each  
12 meeting, which shall contain a record of the  
13 persons present, a complete and accurate de-  
14 scription of matters discussed and conclusions  
15 reached, and copies of all reports received,  
16 issued, or approved by the Advisory Committee.

17 (F) AVAILABILITY OF INFORMATION.—The  
18 records, reports, transcripts, minutes, appen-  
19 dixes, working papers, drafts, studies, agenda,  
20 or other documents which were made available  
21 to or prepared for or by the Advisory Com-  
22 mittee shall be available for public inspection  
23 and copying, subject to section 552 of title 5,  
24 United States Code, at a single location in the  
25 office of the Federal Emergency Management

1 Agency until the Advisory Committee ceases to  
2 exist.

3 (5) RULES.—

4 (A) QUORUM.—One-third of the members  
5 of the Advisory Committee shall constitute a  
6 quorum for conducting business of the Advisory  
7 Committee.

8 (B) SUBCOMMITTEES.—To assist the Advi-  
9 sory Committee in carrying out its functions,  
10 the Chairperson may establish appropriate sub-  
11 committees composed of members of the Advi-  
12 sory Committee and other subject matter ex-  
13 perts as the Chairperson considers necessary.

14 (C) ADDITIONAL RULES.—The Advisory  
15 Committee may adopt such other rules as are  
16 necessary to carry out its duties.

17 (6) CONSULTATION WITH NONMEMBERS.—The  
18 Advisory Committee and the program offices for the  
19 integrated public alert and warning system for the  
20 United States shall regularly meet with groups that  
21 are not represented on the Advisory Committee to  
22 consider new and developing technologies that may  
23 be beneficial to the public alert and warning system.  
24 Such groups may include—

1 (A) the Defense Advanced Research  
2 Projects Agency;

3 (B) entities engaged in federally funded re-  
4 search; and

5 (C) academic institutions engaged in rel-  
6 evant work and research.

7 (7) RECOMMENDATIONS.—The Advisory Com-  
8 mittee shall develop recommendations for an inte-  
9 grated public alert and warning system, including—

10 (A) recommendations for common alerting  
11 and warning protocols, standards, terminology,  
12 and operating procedures for the public alert  
13 and warning system; and

14 (B) recommendations to provide for a pub-  
15 lic alert and warning system that—

16 (i) has the capability to adapt the dis-  
17 tribution and content of communications  
18 on the basis of geographic location, risks,  
19 or personal user preferences, as appro-  
20 priate;

21 (ii) has the capability to alert and  
22 warn individuals with disabilities and indi-  
23 viduals with limited English proficiency;

24 (iii) incorporates multiple communica-  
25 tions technologies;

1 (iv) is designed to adapt to, and incor-  
2 porate, future technologies for commu-  
3 nicating directly with the public;

4 (v) is designed to provide alerts to the  
5 largest portion of the affected population  
6 feasible, including nonresident visitors and  
7 tourists, and improve the ability of remote  
8 areas to receive alerts;

9 (vi) promotes local and regional public  
10 and private partnerships to enhance com-  
11 munity preparedness and response;

12 (vii) provides redundant alert mecha-  
13 nisms if practicable in order to reach the  
14 greatest number of people regardless of  
15 whether they have access to, or utilize, any  
16 specific medium of communication or any  
17 particular device; and

18 (viii) promotes the participation of  
19 representatives from traditionally under-  
20 served and underrepresented communities,  
21 to ensure that alerts and warnings reach  
22 such populations.

23 (8) INITIAL AND ANNUAL REPORT.—Not later  
24 than 1 year after the date of enactment of this Act,  
25 the Advisory Committee shall submit to the Admin-

1        administrator, the Committee on Transportation and In-  
2        frastructure and the Committee on Homeland Secu-  
3        rity of the House of Representatives, and the Com-  
4        mittee on Homeland Security and Governmental Af-  
5        fairs of the Senate a report containing the rec-  
6        ommendations of the Advisory Committee.

7            (9) FEDERAL ADVISORY COMMITTEE ACT.—  
8        Neither the Federal Advisory Committee Act (5  
9        U.S.C. App.) nor any rule, order, or regulation  
10       issued under that Act shall apply to the Advisory  
11       Committee.

12           (10) TERMINATION.—The Advisory Committee  
13       shall terminate not later than 6 years after the date  
14       of enactment of this Act.

15           (c) LIMITATION ON STATUTORY CONSTRUCTION.—  
16       Nothing in this section shall be construed to provide the  
17       Federal Emergency Management Agency with regulatory  
18       authority with respect to any nongovernment entity.

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