

112TH CONGRESS
1ST SESSION

H. R. 3563

To amend the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to modernize and implement the national integrated public alert and warning system to disseminate homeland security information and other information, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 6, 2011

Mr. BILIRAKIS (for himself and Ms. RICHARDSON) introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Homeland Security Act of 2002 to direct the Secretary of Homeland Security to modernize and implement the national integrated public alert and warning system to disseminate homeland security information and other information, 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 Warning System Modernization Act of 2011”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) numerous proven and tested technologies
4 exist to enable the Federal Government to enhance
5 its public alert and warning system;

6 (2) the expected benefits of these enhancements
7 include—

8 (A) greater security, reliability, and redun-
9 dancy of the system;

10 (B) rapid alert dissemination;

11 (C) an improved ability to notify remote lo-
12 cations;

13 (D) the ability to geographically target and
14 deliver alerts and warnings to multiple devices;
15 and

16 (E) the ability to permit State homeland
17 security grants to be utilized for the purposes
18 of modernizing public alert and warning sys-
19 tems;

20 (3) there is a need to test the viability of deliv-
21 ering messages through diverse communications
22 modes to effectively alert and warn the public;

23 (4) there is a need to modernize and improve
24 the ability of the Federal Government to provide
25 residents of the United States with timely and effec-
26 tive warnings; and

1 (5) although significant Federal integration ef-
2 forts are underway, the aggregation, dissemination,
3 and reporting system necessary for effective public
4 alert and warning will require an integrated national
5 network for reliable, secure, and authentic dissemi-
6 nation of emergency alerts and warnings to and
7 from all Federal, State, local, and tribal entities that
8 alert the public when appropriate.

9 **SEC. 3. NATIONAL INTEGRATED PUBLIC ALERT AND WARN-**
10 **ING SYSTEM MODERNIZATION.**

11 (a) IN GENERAL.—

12 (1) AMENDMENT.—Title V of the Homeland
13 Security Act of 2002 (6 U.S.C. 311 et seq.) is
14 amended by adding at the end of the following new
15 section:

16 **“SEC. 526. NATIONAL INTEGRATED PUBLIC ALERT AND**
17 **WARNING SYSTEM MODERNIZATION.**

18 “(a) IN GENERAL.—In order to provide timely and
19 effective warnings and disseminate homeland security in-
20 formation and other information, the Secretary shall mod-
21 ernize and implement the national integrated public alert
22 and warning system (in this section referred to as ‘the
23 public alert and warning system’).

24 “(b) IMPLEMENTATION REQUIREMENTS.—In car-
25 rying out subsection (a), the Secretary shall—

1 “(1) establish or adapt, as appropriate, common
2 alerting and warning protocols, standards, termi-
3 nology, and operating procedures for the public alert
4 and warning system;

5 “(2) include in the public alert and warning
6 system the capability to adapt the dissemination of
7 homeland security information and other informa-
8 tion and the content of communications on the basis
9 of geographic location, risks, or personal user pref-
10 erences, as appropriate;

11 “(3) include in the public alert and warning
12 system the capability to alert, warn, and provide the
13 equivalent amount of information to individuals with
14 disabilities and access and functional needs;

15 “(4) ensure the conduct of training, tests, and
16 exercise for the public alert and warning system, and
17 that the system is incorporated into other training
18 and exercise programs of the Department, as appro-
19 priate;

20 “(5) ensure that the public alert and warning
21 system uses the National Terrorism Advisory Sys-
22 tem, including ensuring that the National Terrorism
23 Advisory System participates in tests of the public
24 alert and warning system;

1 “(6) conduct periodic nationwide tests of the
2 public alert and warning system; and

3 “(7) consult, coordinate, and cooperate, to the
4 extent practicable, with other Federal agencies and
5 departments and with State, local, and tribal govern-
6 ments, the private sector, and other key stakeholders
7 to leverage existing alert and warning capabilities.

8 “(c) SYSTEM REQUIREMENTS.—The Secretary shall
9 ensure that the system—

10 “(1) incorporates redundant and diverse modes
11 to disseminate homeland security information and
12 other information in warning messages to the public
13 so as to reach the greatest number of individuals;

14 “(2) can be adapted to incorporate future tech-
15 nologies;

16 “(3) is resilient, secure, and can withstand acts
17 of terrorism and other external attacks;

18 “(4) promotes State, local, tribal, and regional
19 partnerships to enhance coordination;

20 “(5) is designed to provide alerts that are ac-
21 cessible to the largest portion of the affected popu-
22 lation feasible, including nonresident visitors and
23 tourists and individuals with disabilities and access
24 and functional needs, and improves the ability of re-
25 mote areas to receive alerts; and

1 “(6) includes mechanisms to ensure the protec-
2 tion of individual privacy.

3 “(d) REPORT.—Not later than one year after the
4 date on which the system established under subsection (a)
5 is fully functional and every six months thereafter, the
6 Secretary shall submit to the Committee on Homeland Se-
7 curity of the House of Representatives and the Committee
8 on Homeland Security and Governmental Affairs of the
9 Senate, a report on the functionality and performance of
10 the integrated public alert and warning system, includ-
11 ing—

12 “(1) an assessment of the accomplishments and
13 deficiencies of the system;

14 “(2) recommendations for improvements to the
15 system;

16 “(3) information on the feasibility and effective-
17 ness of disseminating homeland security information
18 and other information, notices, and alerts prior to
19 and following an incident requiring use of the sys-
20 tem.

21 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
22 is authorized to be appropriated to the Secretary to carry
23 out this section \$13,400,000 for each of fiscal years 2012
24 through 2016.”.

1 (2) CLERICAL AMENDMENT.—The table of con-
2 tents in section 1(b) of such Act is amended by add-
3 ing at the end of the items relating to such title the
4 following:

“Sec. 526. National integrated public alert and warning system moderniza-
tion.”.

5 (b) LIMITATION ON STATUTORY CONSTRUCTION.—
6 Nothing in this Act (including the amendment made by
7 this Act) shall be construed to affect the authority of the
8 Department of Commerce, the Federal Communications
9 Commission, or the Robert T. Stafford Disaster Relief and
10 Emergency Assistance Act.

11 (c) HOMELAND SECURITY GRANTS.—Section
12 2008(a) of the Homeland Security Act of 2002 (6 U.S.C.
13 609(a)) is amended—

14 (1) in paragraph (12), by striking “and” at the
15 end;

16 (2) by redesignating paragraph (13) as para-
17 graph (14); and

18 (3) by inserting after paragraph (12) the fol-
19 lowing new paragraph:

20 “(13) improving public alert and warning capa-
21 bilities; and”.

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