

108TH CONGRESS
1ST SESSION

H. R. 2537

To develop and coordinate a national emergency warning system.

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 2003

Mrs. MALONEY (for herself, Mr. FROST, and Mr. MCINTYRE) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, 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 develop and coordinate a national emergency warning system.

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 “Emergency Warning
5 Act of 2003”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1 (1) Effective public warnings save lives, prevent
2 economic losses, reduce uncertainty and fear, and
3 quicken recovery.

4 (2) Effective public warnings empower citizens
5 to take appropriate actions when they are at risk
6 from natural hazards, technological accidents, and
7 acts of terrorism.

8 (3) Over ninety percent of public warnings
9 issued are related to weather events and natural dis-
10 asters.

11 (4) The Secretary of Commerce, acting through
12 the National Oceanic and Atmospheric Administra-
13 tion's National Weather Service, is the sole official
14 voice of the United States for issuing warnings dur-
15 ing life-threatening weather situations.

16 (5) The Secretary of Transportation, through
17 the Research and Special Programs Administration
18 of the Department of Transportation, is charged
19 with—

20 (A) protecting the public from the risks to
21 life and property related to the transportation
22 of hazardous materials (including chemicals and
23 spent nuclear materials) by air, water, rail, and
24 highway;

1 (B) assuring safety from the risks of pipe-
2 line transport;

3 (C) providing civil sector preparedness and
4 first-responder training for the Nation's trans-
5 portation emergencies; and

6 (D) coordinating the restoration of essen-
7 tial transportation systems after emergencies.

8 (6) Other Federal civilian agencies, including
9 the Transportation Security Administration, the
10 United States Coast Guard, and the Federal Emer-
11 gency Management Agency are tasked with gath-
12 ering, coordinating, and disseminating information
13 and assistance relating to threats to security on the
14 land, on the sea, and in the air.

15 (7) The National Telecommunications Informa-
16 tion Administration and the Federal Communica-
17 tions Commission possess expertise concerning new
18 technologies to improve the speed and breadth of
19 communications to the general public concerning
20 threats from weather, natural disasters, acts of ter-
21 rorism, and other threats.

22 (8) Metropolitan and State authorities, in part-
23 nership with the National Weather Service and other
24 Federal agencies, have the primary responsibility for
25 providing emergency warnings and rely on national

1 procedures, standards, and systems for delivering
2 such warnings.

3 (9) The current patchwork of warning mecha-
4 nisms often fails—

5 (A) to provide all necessary information re-
6 garding threats and appropriate responses; and

7 (B) to reach all those at risk, particularly
8 those in isolated places.

9 (10) National procedures, standards, and sys-
10 tems for public warnings, including technology pro-
11 tocols for the delivery of such warnings, will signifi-
12 cantly improve the effectiveness of public warnings
13 at saving lives, reducing injuries, and reducing the
14 costs of disasters and terrorist acts to the American
15 people.

16 **SEC. 3. PURPOSE.**

17 The purpose of this Act is to ensure that an effective
18 public warning system exists to alert Americans to specific
19 risks from natural disasters, man-made disasters, and
20 other hazardous events, including chemical and biological
21 threats and other acts of terrorism.

22 **SEC. 4. DEVELOPMENT OF NATIONAL ALL-HAZARD WARN-**
23 **ING SYSTEM.**

24 (a) IN GENERAL.—Not later than 1 year after the
25 date of enactment of this Act, the Secretary of Commerce

1 and the Secretary of Homeland Security, working in co-
2 ordination with appropriate Federal agencies, shall estab-
3 lish comprehensive national standards and systems for
4 providing effective public warnings.

5 (b) DEVELOPMENT OF EMERGENCY WARNING NET-
6 WORK.—In carrying out subsection (a) the Secretary of
7 Commerce, in coordination with the Secretary of Home-
8 land Security, the Secretary of Transportation, the Sec-
9 retary of Defense, representatives of other Federal depart-
10 ments and agencies, representatives of State and local gov-
11 ernments, representatives of the private sector, media, and
12 academia involved in the collection, issuance, dissemina-
13 tion, and distribution of public warnings, as well as other
14 interested public and private entities, shall—

15 (1) develop and implement benchmarks for as-
16 sessing current all-hazard warning capabilities, in-
17 cluding such capabilities of the National Oceanic
18 and Atmospheric Administration’s National Weather
19 Service, the United States Geological Survey’s Na-
20 tional Earthquake Information Center, and the De-
21 partment of Transportation’s Office of Pipeline
22 Safety;

23 (2) conduct research and pilot programs on
24 ways to determine and improve the effectiveness of
25 all-hazard warnings;

1 (3) develop specifications for a national back-
2 bone, modeled after the National Oceanic and At-
3 mospheric Administration’s National Weather Radio,
4 to be used to collect all-hazard warnings from des-
5 ignated authorities and route them to appropriate
6 dissemination systems;

7 (4) work with the Assistant Secretary of Com-
8 merce for Communications and Information to use
9 the full range of communications technologies to
10 provide warnings, including, as appropriate—

11 (A) traditional telephones, including special
12 alert rings to warn individuals in their homes or
13 businesses;

14 (B) wireless technology, including cellular
15 telephones and pagers; and

16 (C) the Internet, including electronic mail;

17 (5) work with the Federal Communications
18 Commission to provide warnings to the public
19 through automatic alert televisions and radios;

20 (6) educate the public about all-hazard warn-
21 ings; and

22 (7) engage in other necessary or appropriate ac-
23 tivities to carry out the purpose of this Act.

1 (c) TERMINOLOGY, PROTOCOLS, AND TERRORISM
2 WARNINGS.—In carrying out subsection (a) the Secretary
3 of Homeland Security shall—

4 (1) develop and recommend standards and
5 guidelines for universal all-hazard warning termi-
6 nology and protocols in coordination with the Sec-
7 retary of Commerce, the Secretary of Transpor-
8 tation, the Secretary of Defense, representatives of
9 other Federal departments and agencies, representa-
10 tives of State and local governments, representatives
11 of the private sector, media, and academia involved
12 in the collection, issuance, dissemination, and dis-
13 tribution of public warnings, as well as other inter-
14 ested public and private entities; and

15 (2) issue warnings related to acts of terrorism
16 and other public safety threats within its jurisdiction
17 via the public warning system developed in accord-
18 ance with the standards and systems established
19 under subsection (a).

20 (d) EFFECT ON INTELLIGENCE SOURCES.—The Sec-
21 retary of Commerce and the Secretary of Homeland Secu-
22 rity shall coordinate their respective and joint activities
23 under this section with the Director of Central Intelligence
24 to ensure that the procedures, standards, and systems es-

1 tablished under this Act do not adversely affect the protec-
2 tion of sources and methods.

3 (e) **REPORTS TO CONGRESS.**—The Secretary of Com-
4 merce and the Secretary of Homeland Security shall sub-
5 mit a joint report to the Congress on the status of public
6 warning capability in the United States not later than 6
7 months after the date of enactment of this Act and every
8 6 months thereafter.

9 (f) **ADVISORY COMMITTEES.**—The Secretary of Com-
10 merce and the Secretary of Homeland Security may utilize
11 1 or more advisory committees in carrying out their re-
12 spective and joint responsibilities under this Act.

13 **SEC. 5. DEFINITIONS.**

14 In this Act:

15 (1) **ALL-HAZARD.**—The term “all-hazard”
16 means an emergency or disaster resulting from—

17 (A) a natural disaster;

18 (B) an accident; or

19 (C) an intentional or negligent act.

20 (2) **EFFECTIVE PUBLIC WARNING.**—The term
21 “effective public warning” means practical, com-
22 prehensible, and timely information given to all indi-
23 viduals threatened by an all-hazard event sufficient
24 to enable them to act to protect their safety and
25 well-being in a timely manner.

1 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated for the pur-
3 pose of carrying out the provisions of this Act—

4 (1) \$10,000,000 for fiscal year 2004; and

5 (2) such sums as may be necessary for each of
6 the fiscal years 2005 through 2008.

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