

111TH CONGRESS  
2D SESSION

# H. R. 6235

To encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

---

## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2010

Mr. MCMAHON (for himself, Mr. HOYER, Mr. CUMMINGS, Mr. HALL of New York, Mr. PATRICK J. MURPHY of Pennsylvania, Mrs. MALONEY, Ms. BORDALLO, Mrs. CHRISTENSEN, Mr. FALEOMAVAEGA, and Mr. PIERLUISI) introduced the following bill; which was referred to the Committee on the Judiciary

---

## A BILL

To encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

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 “National Blue Alert  
5 Act of 2010”.

1 **SEC. 2. BLUE ALERT COMMUNICATIONS NETWORK.**

2       The Attorney General shall, subject to the availability  
3 of appropriations pursuant to section 6, establish a na-  
4 tional Blue Alert communications network within the De-  
5 partment of Justice to disseminate information when a  
6 law enforcement officer is seriously injured or killed in the  
7 line of duty through the initiation, facilitation, and pro-  
8 motion of local elements of the network (known as Blue  
9 Alert plans) in coordination with States, units of local gov-  
10 ernment, law enforcement agencies, and other appropriate  
11 entities.

12 **SEC. 3. BLUE ALERT COORDINATOR; GUIDELINES.**

13       (a) COORDINATION WITHIN DEPARTMENT OF JUS-  
14 TICE.—The Attorney General shall assign an officer of the  
15 Department of Justice to act as the national coordinator  
16 of the Blue Alert communications network. The officer so  
17 designated shall be known as the Blue Alert Coordinator  
18 of the Department of Justice (referred to in this Act as  
19 the “Coordinator”).

20       (b) DUTIES OF THE COORDINATOR.—In acting as the  
21 national coordinator of the Blue Alert communications  
22 network, the Coordinator shall—

23               (1) work with States to encourage the develop-  
24 ment of additional Blue Alert plans in the network;

25               (2) establish voluntary guidelines for States to  
26 use in developing Blue Alert plans that will promote

1 compatible and integrated Blue Alert plans through-  
2 out the United States, including—

3 (A) a list of the resources necessary to es-  
4 tablish a Blue Alert plan;

5 (B) criteria for evaluating whether a situa-  
6 tion warrants issuing a Blue Alert;

7 (C) guidelines to protect the privacy, dig-  
8 nity, independence, and autonomy of any law  
9 enforcement officer who may be the subject of  
10 a Blue Alert or family of such law enforcement  
11 officer;

12 (D) guidelines that, before a Blue Alert is  
13 issued and with respect to a law enforcement  
14 officer who is seriously injured or killed in the  
15 line of duty—

16 (i) the law enforcement agency in-  
17 volved confirms the death, injury, or attack  
18 on of the law enforcement officer;

19 (ii) there is an indication of serious  
20 injury to or death of the law enforcement  
21 officer;

22 (iii) the suspect involved has not been  
23 apprehended; and

1 (iv) there is sufficient descriptive in-  
2 formation of the suspect involved and any  
3 relevant vehicle and tag numbers;

4 (E) guidelines—

5 (i) that information related to a law  
6 enforcement officer who is seriously in-  
7 jured or killed in the line of duty would be  
8 provided to the National Crime Informa-  
9 tion Center database operated by the Fed-  
10 eral Bureau of Investigation pursuant to  
11 section 534 of title 28, United States  
12 Code, and any relevant crime information  
13 repository of the State involved;

14 (ii) that a Blue Alert would be, to the  
15 maximum extent practicable (as deter-  
16 mined by the Coordinator in consultation  
17 with State and local law enforcement agen-  
18 cies) limited to the geographic areas most  
19 likely to facilitate the apprehension of the  
20 suspect involved or which such suspect  
21 could reasonably reach, but not limited to  
22 State lines;

23 (iii) for State law enforcement agen-  
24 cies to develop plans to communicate infor-

1                   mation to neighboring States to provide for  
2                   seamless communication of Blue Alert; and

3                   (iv) providing that a Blue Alert will be  
4                   suspended when the suspect involved is ap-  
5                   prehended or when the law enforcement  
6                   agency involved determines that the Blue  
7                   Alert is no longer effective; and

8                   (F) guidelines for—

9                   (i) the issuance of alerts through the  
10                  Blue Alert communications network; and

11                  (ii) the extent of the dissemination of  
12                  alerts issued through the network;

13                  (3) develop proposed protocols for efforts to ap-  
14                  prehend suspects, including protocols that are need-  
15                  ed from the time of the initial notification of a law  
16                  enforcement agency that a suspect has not been ap-  
17                  prehended through the time of apprehension of a  
18                  suspect or when the law enforcement agency involved  
19                  determines that the Blue Alert is no longer effective,  
20                  including—

21                         (A) public safety communications;

22                         (B) command center operations; and

23                         (C) incident review, evaluation, debriefing,  
24                  and public information procedures;

1           (4) work with States to ensure appropriate re-  
2           gional coordination of various elements of the net-  
3           work;

4           (5) establish an advisory group to assist States,  
5           units of local government, law enforcement agencies,  
6           and other entities involved in the Blue Alert commu-  
7           nications network with initiating, facilitating, and  
8           promoting Blue Alert plans, which shall include—

9                   (A) to the maximum extent practicable,  
10                  representation from the various geographic re-  
11                  gions of the United States; and

12                  (B) members who are—

13                          (i) representatives of law enforcement  
14                          organizations, law enforcement agencies,  
15                          and public safety communications,

16                          (ii) broadcasters, first responders, dis-  
17                          patchers, and radio station personnel; and

18                          (iii) representatives of any other indi-  
19                          viduals or organizations that the Coordi-  
20                          nator determines are necessary to the suc-  
21                          cess of the Blue Alert communications net-  
22                          work; and

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

24                   (A) the development of the network; and

1 (B) regional coordination of alerts through  
2 the network for law enforcement officers who  
3 are seriously injured or killed in the line of  
4 duty.

5 (c) LIMITATIONS APPLICABLE TO GUIDELINES AND  
6 OTHER DUTIES.—In establishing the guidelines and car-  
7 rying out other duties under subsection (b), the following  
8 shall apply:

9 (1) VOLUNTARY PARTICIPATION.—The guide-  
10 lines established under paragraph (2) of such sub-  
11 section, protocols developed under paragraph (3) of  
12 such subsection, and other programs established  
13 under such subsection, shall be adoptable by a State  
14 on a voluntary basis only.

15 (2) DISSEMINATION OF INFORMATION.—The  
16 guidelines shall, to the maximum extent practicable  
17 (as determined by the Coordinator in consultation  
18 with State and local law enforcement agencies), pro-  
19 vide that appropriate information relating to a  
20 wounding assault or fatal injury on a law enforce-  
21 ment officer is disseminated to the appropriate law  
22 enforcement, public health, and other public officials.

23 (3) PRIVACY AND CIVIL LIBERTIES PROTEC-  
24 TIONS.—The guidelines shall—

1 (A) ensure that alerts issued through the  
2 Blue Alert communications network comply  
3 with all applicable Federal, State, and local pri-  
4 vacy laws and regulations; and

5 (B) include standards that specifically pro-  
6 vide for the protection of the civil liberties, in-  
7 cluding the privacy, of law enforcement officers  
8 who are seriously injured or killed in the line of  
9 duty and the families of such officers.

10 (d) COOPERATION WITH OTHER AGENCIES.—The  
11 Coordinator shall cooperate with the Secretary of Home-  
12 land Security, the Secretary of Transportation, the Fed-  
13 eral Communications Commission, and appropriate offices  
14 of the Department of Justice in carrying out activities  
15 under this Act.

16 (e) REPORTS.—Not later than one year after the date  
17 of the enactment of this Act, and annually thereafter, the  
18 Coordinator shall submit to Congress a report on the ac-  
19 tivities of the Coordinator and the effectiveness and status  
20 of the Blue Alert plans of each State that has established  
21 or is in the process of establishing such a plan.

22 **SEC. 4. GRANT PROGRAM FOR SUPPORT OF BLUE ALERT**  
23 **PLANS.**

24 (a) GRANT PROGRAM.—Subject to the availability of  
25 appropriations to carry out this section, the Attorney Gen-



1 eral shall carry out a program to provide grants to States  
2 for the development or enhancement of programs and ac-  
3 tivities for the support of Blue Alert plans and the Blue  
4 Alert communications network.

5 (b) ACTIVITIES.—Activities funded by grants under  
6 the program under subsection (a) may include—

7 (1) the development and implementation of edu-  
8 cation and training programs, and associated mate-  
9 rials, relating to Blue Alert plans;

10 (2) the development and implementation of law  
11 enforcement programs, and associated equipment,  
12 relating to Blue Alert plans;

13 (3) the development and implementation of new  
14 technologies to improve Blue Alert communications;  
15 and

16 (4) such other activities as the Attorney Gen-  
17 eral considers appropriate for supporting the Blue  
18 Alert communications network.

19 (c) FEDERAL SHARE.—The Federal share of the cost  
20 of any activities funded by a grant under the program  
21 under subsection (a) may not exceed 50 percent.

22 (d) DISTRIBUTION OF GRANT AMOUNTS ON GEO-  
23 GRAPHIC BASIS.—The Attorney General shall, to the max-  
24 imum extent practicable, ensure the distribution of grants

1 under the program under subsection (a) on an equitable  
2 basis throughout the various regions of the United States.

3 (e) ADMINISTRATION.—The Attorney General shall  
4 prescribe requirements, including application require-  
5 ments, for grants under the program under subsection (a).

6 **SEC. 5. DEFINITION.**

7 For purposes of this Act, the term “State” means  
8 each of the 50 States, the District of Columbia, the Com-  
9 monwealth of Puerto Rico, the United States Virgin Is-  
10 lands, Guam, American Samoa, the Commonwealth of the  
11 Northern Mariana Islands, and any federally recognized  
12 Indian tribe.

13 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) IN GENERAL.—There is authorized to be appro-  
15 priated such sums as may be necessary to carry out this  
16 Act (other than for purposes described in subparagraph  
17 (A) or (B) of subsection (b)(1)).

18 (b) GRANT FUNDING.—

19 (1) IN GENERAL.—There is authorized to be  
20 appropriated for fiscal year 2011—

21 (A) \$5,000,000 for grants under section 4;

22 and

23 (B) an additional \$5,000,000 for such  
24 grants to carry out activities described in sec-  
25 tion 4(b)(3).

1           (2) AVAILABILITY OF FUNDS.—Amounts appro-  
2       priated pursuant to paragraph (1) shall remain  
3       available until expended.

○