

115TH CONGRESS  
2D SESSION

# H. R. 6427

To improve oversight by the Federal Communications Commission of the wireless and broadcast emergency alert systems.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 18, 2018

Ms. GABBARD (for herself and Ms. HANABUSA) introduced the following bill; which was referred to the Committee on Energy and Commerce, 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

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## A BILL

To improve oversight by the Federal Communications Commission of the wireless and broadcast emergency alert systems.

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 “Reliable Emergency  
5 Alert Distribution Improvement Act of 2018” or “READI  
6 Act”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act—

1           (1) the term “Administrator” means the Ad-  
2           ministrator of the Federal Emergency Management  
3           Agency;

4           (2) the term “Commission” means the Federal  
5           Communications Commission;

6           (3) the term “Emergency Alert System” means  
7           the national public warning system, the rules for  
8           which are set forth in part 11 of title 47, Code of  
9           Federal Regulations (or any successor regulation);  
10          and

11          (4) the term “Wireless Emergency Alert Sys-  
12          tem” means the wireless national public warning  
13          system established under the Warning, Alert, and  
14          Response Network Act (47 U.S.C. 1201 et seq.), the  
15          rules for which are set forth in part 10 of title 47,  
16          Code of Federal Regulations (or any successor regu-  
17          lation).

18 **SEC. 3. WIRELESS EMERGENCY ALERT SYSTEM OFFERINGS.**

19          (a) AMENDMENT.—Section 602(b)(2)(E) of the  
20          Warning, Alert, and Response Network Act (47 U.S.C.  
21          1201(b)(2)(E)) is amended—

22                  (1) by striking the second and third sentences;  
23          and

1           (2) by striking “other than an alert issued by  
2           the President.” and inserting the following: “other  
3           than an alert issued by—

4                     “(A) the President; or

5                     “(B) the Administrator of the Federal  
6           Emergency Management Agency.”.

7           (b) REGULATIONS.—Not later than 180 days after  
8           the date of enactment of this Act, the Commission, in con-  
9           sultation with the Administrator, shall adopt regulations  
10          to implement the amendment made by subsection (a)(2).

11 **SEC. 4. STATE EMERGENCY ALERT SYSTEM PLANS AND**  
12                     **EMERGENCY COMMUNICATIONS COMMIT-**  
13                     **TEES.**

14          (a) DEFINITIONS.—In this section—

15                     (1) the term “SECC” means a State Emer-  
16           gency Communications Committee;

17                     (2) the term “State” means any State of the  
18           United States, the District of Columbia, the Com-  
19           monwealth of Puerto Rico, the United States Virgin  
20           Islands, Guam, American Samoa, the Common-  
21           wealth of the Northern Mariana Islands, and any  
22           possession of the United States; and

23                     (3) the term “State EAS Plan” means a State  
24           Emergency Alert System Plan.

1 (b) STATE EMERGENCY COMMUNICATIONS COM-  
2 MITTEE.—Not later than 180 days after the date of enact-  
3 ment of this Act, the Commission shall adopt regulations  
4 that—

5 (1) encourage the chief executive of each  
6 State—

7 (A) to establish an SECC if the State does  
8 not have an SECC; or

9 (B) if the State has an SECC, to review  
10 the composition and governance of the SECC;

11 (2) provide that—

12 (A) each SECC, not less frequently than  
13 annually, shall—

14 (i) meet to review and update its  
15 State EAS Plan;

16 (ii) certify to the Commission that the  
17 SECC has met as required under clause  
18 (i); and

19 (iii) submit to the Commission an up-  
20 dated State EAS Plan; and

21 (B) not later than 60 days after the date  
22 on which the Commission receives an updated  
23 State EAS Plan under subparagraph (A)(iii),  
24 the Commission shall—

1 (i) approve or disapprove the updated  
2 State EAS Plan; and

3 (ii) notify the chief executive of the  
4 State of the Commission's findings; and

5 (3) establish a State EAS Plan content check-  
6 list for SECCs to use when reviewing and updating  
7 a State EAS Plan for submission to the Commission  
8 under paragraph (2)(A).

9 (c) CONSULTATION.—The Commission shall consult  
10 with the Administrator regarding the adoption of regula-  
11 tions under subsection (b)(3).

12 **SEC. 5. EMERGENCY ALERT BEST PRACTICES.**

13 (a) GUIDANCE.—

14 (1) IN GENERAL.—Not later than 180 days  
15 after the date of enactment of this Act, the Adminis-  
16 trator shall develop and issue guidance for State,  
17 Tribal, and local governments regarding policies and  
18 procedures relating to emergency alerts.

19 (2) CONTENTS.—The guidance developed under  
20 paragraph (1) shall include best practices and rec-  
21 ommendations for—

22 (A) the processes and procedures that a  
23 State, Tribal, or local government official  
24 should use to issue an alert that will use the  
25 Emergency Alert System or Wireless Emer-

1 agency Alert System, including information  
2 about the technology used to issue such an  
3 alert;

4 (B) steps that a State, Tribal, or local gov-  
5 ernment official should take to mitigate the  
6 possibility of the issuance of a false alert  
7 through the Emergency Alert System and re-  
8 lated emergency alerting systems;

9 (C) the process that a State, Tribal, or  
10 local government official should adopt to retract  
11 a false alert in the case of the issuance of such  
12 an alert;

13 (D) the annual training of State, Tribal,  
14 and local alert origination staff related to the—

15 (i) issuance of alerts;

16 (ii) avoidance of false alerts; and

17 (iii) retracting of false alerts; and

18 (E) a plan by which participants in the  
19 Emergency Alert System and the Wireless  
20 Emergency Alert System and other relevant  
21 State, Tribal, and local government officials  
22 may, during an emergency, contact each other,  
23 as well as Federal officials, when appropriate  
24 and necessary, by telephone, text message, or

1 other means of communication, regarding an  
2 alert that has been distributed to the public.

3 (b) **RULE OF CONSTRUCTION.**—Nothing in sub-  
4 section (a) shall be construed to amend, supplement, or  
5 abridge the authority of the Commission under the Com-  
6 munications Act of 1934 (47 U.S.C. 151 et seq.) or in  
7 any other manner give the Administrator authority over  
8 communications service providers participating in the  
9 Emergency Alert System or the Wireless Emergency Alert  
10 System.

11 **SEC. 6. FALSE ALERT REPORTING.**

12 Not later than 180 days after the date of enactment  
13 of this Act, the Commission, in consultation with the Ad-  
14 ministrator, shall complete a rulemaking proceeding to es-  
15 tablish a system to receive from the Administrator or  
16 State, Tribal, or local governments reports of false alerts  
17 under the Emergency Alert System or the Wireless Emer-  
18 gency Alert System for the purpose of recording such false  
19 alerts and examining their causes.

20 **SEC. 7. REPEATING EMERGENCY ALERT SYSTEM MES-**  
21 **SAGES FOR NATIONAL SECURITY.**

22 Not later than 180 days after the date of enactment  
23 of this Act, the Commission, in consultation with the Ad-  
24 ministrator, shall complete a rulemaking proceeding to  
25 modify the Emergency Alert System to provide for repeat-

1 ing Emergency Alert System messages while an alert re-  
2 mains pending that is issued by—

3 (1) the President;

4 (2) the Administrator; or

5 (3) any other entity under specified cir-  
6 cumstances as determined by the Commission, in  
7 consultation with the Administrator.

8 **SEC. 8. ONLINE STREAMING SERVICES EMERGENCY ALERT**  
9 **EXAMINATION.**

10 (a) **STUDY.**—Not later than 180 days after the date  
11 of enactment of this Act, the Commission shall complete  
12 an inquiry to examine the feasibility of establishing sys-  
13 tems and signaling to offer Emergency Alert System alerts  
14 to audio and video streaming services delivered over the  
15 internet.

16 (b) **REPORT.**—Not later than 90 days after com-  
17 pleting the inquiry under subsection (a), the Commission  
18 shall submit a report on the findings and conclusions of  
19 the inquiry to—

20 (1) the Committee on Commerce, Science, and  
21 Transportation of the Senate; and

22 (2) the Committee on Energy and Commerce of  
23 the House of Representatives.

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