

## Calendar No. 297

107TH CONGRESS }  
*1st Session* }

SENATE

{ REPORT  
{ 107-127

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### NATIONAL COMMUNICATIONS SYSTEM FOR EMERGENCY RESPONSE PERSONNEL

DECEMBER 17, 2001.—Ordered to be printed

Mr. JEFFORDS, from the Committee on Environment and Public  
Works, submitted the following

### REPORT

[to accompany S. 1631]

[Including cost estimate of the Congressional Budget Office]

The Committee on Environment and Public Works, to which was referred a bill (S. 1631), to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to direct the Director of the Federal Emergency Management Agency to conduct a study to determine the resources that are needed for the development of an effective nationwide communications system for emergency response personnel, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

#### BACKGROUND

Over the past several years the Federal Emergency Management Agency (FEMA) has consistently provided testimony about the importance of an effective nationwide communications system to respond to disasters and other national emergencies. Emergency responders have experienced difficulties in coordinating their rescue and response efforts because of the lack of a dedicated wireless communications system.

## SECTION-BY-SECTION ANALYSIS

*Section 1. Study of Emergency Response Communications System*

## SUMMARY

Section 1 directs FEMA to conduct a study to determine the resources necessary to develop an effective nationwide communications system for emergency response personnel.

## DISCUSSION

Section 1 amends title VII of the Stafford Act by adding a new section 706. The new section directs the FEMA Director to conduct a study to determine the resources needed to develop an effective nationwide communications system for emergency response personnel. The Director will conduct the study in consultation with the Federal Communications Commission, the National Institute of Standards and Technology, and the Secretary of Defense. The study will include a review of the use of the digital and analog spectrum to create a effective emergency communication system.

The Director will submit a report on the study to the Senate Committee on Environment and Public Works and the House Committee on Transportation and Infrastructure.

## LEGISLATIVE HISTORY

Senator James M. Jeffords introduced S. 1631 on November 5, 2001. The Senate Committee on Environment and Public Works reported the bill, with an amendment, by voice vote on November 8, 2001.

## HEARINGS

On November 1, 2001, the committee held a hearing to consider several legislative proposals including a proposal to conduct a study of the resources necessary to establish a nationwide emergency communications system for emergency response personnel. Testifying at the hearing were the following individuals: Michael Brown, Deputy Director, Federal Emergency Management Agency, Washington, DC; Joe Moravec, Commissioner, Public Building Service, General Services Administration, Washington, DC; Dr. David Sampson, Assistant Secretary for Economic Development, Economic Development Administration, U.S. Department of Commerce, Washington, DC; Richard Meserve, Chairman, Nuclear Regulatory Commission, Rockville, MD; Herbert Mitchell, Associate Administrator for Disaster Assistance, Small Business Administration, Washington, DC; and Marianne L. Horinko, Assistant Administrator Office of Solid Waste and Emergency Response, Environmental Protection Agency, Washington, DC.

## ROLLCALL VOTES

The Committee on Environment and Public Works met to consider S. 1631 on November 8, 2001. The committee agreed to an amendment in the nature of a substitute by Senator Jeffords by voice vote. The committee then reported S. 1631, as amended, by voice vote.

## REGULATORY IMPACT STATEMENT

In compliance with section 11(b) of rule XXVI of the Standing Rules of the Senate, the committee makes evaluation of the regulatory impact of the reported bill.

The bill does not create any additional regulatory burdens, nor will it cause any adverse impact on the personal privacy of individuals.

## MANDATES ASSESSMENT

In compliance with the Unfunded Mandates Reform Act of 1995 (Public Law 104-4), the committee finds that S. 1631 would impose no unfunded mandates on local, State, or tribal governments.

## COST OF LEGISLATION

Section 403 of the Congressional Budget and Impoundment control Act requires that a statement of the cost of the reported bill, prepared by the Congressional Budget Office, be included in the report. That statement follows:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, December 13, 2001.*

Hon. JAMES JEFFORDS, *Chairman,*  
*Committee on Environment and Public Works,*  
*U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1631, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to direct the Director of the Federal Emergency Management Agency to conduct a study to determine the resources that are needed for development of an effective nationwide communications system for emergency response personnel.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Julie Middleton, who can be reached at 226-2860.

Sincerely,

DAN L. CRIPPEN

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*S. 1631, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to direct the Director of the Federal Emergency Management Agency to conduct a study to determine the resources that are needed for development of an effective nationwide communications system for emergency response personnel, as ordered reported by the Senate Committee on Environment and Public Works on November 8, 2001*

S. 1631 would authorize the Federal Emergency Management Agency (FEMA) to conduct a study in cooperation with the Federal Communications Commission, the National Institute of Standards and Technology, and the Department of Defense, to determine a plan for developing a nationwide communications system for emergency response. This plan would need to include a review of the use of digital and analog spectrum. The bill would require FEMA to

submit a report no later than 90 days after enactment to the appropriate congressional committees.

Based on information from the affected agencies and costs of similar reports, CBO estimates that implementing this bill would cost less than \$500,000 in 2002, assuming the availability of appropriated funds. S. 1631 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. S. 1631 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on the budgets of State, local, or tribal governments.

The CBO staff contact for this estimate is Julie Middleton. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

#### CHANGES IN EXISTING LAW

In compliance with section 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill as reported are shown as follows: Existing law proposed to be omitted is enclosed in [black brackets], new matter is printed in *italic*, existing law in which no change is proposed is shown in roman:

### THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT

[As Amended Through P.L. 106–580, Dec. 29, 2000]

AN ACT Entitled the “Disaster Relief Act Amendments of 1974”.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Robert T. Stafford Disaster Relief and Emergency Assistance Act”.

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#### SEC. 706. STUDY OF EMERGENCY RESPONSE COMMUNICATIONS SYSTEM.

(a) *IN GENERAL.*—*In consultation with the Federal Communications Commission, the National Institute of Standards and Technology, and the Secretary of Defense, the Director shall conduct a study to determine the resources that are needed for development of an effective nationwide communications system for emergency response personnel.*

(b) *REPORT.*—

(1) *IN GENERAL.*—*Not later than 90 days after the date of enactment of this section, the Director shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the study.*

(2) *REVIEW OF USE OF SPECTRUM.*—*The study and report shall include a review of use of the digital spectrum or the analog spectrum as a key component to meeting the urgent commu-*

*nications needs of the emergency response personnel of the  
United States.*

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