

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.

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## 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

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## 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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