

Suspend the Rules and Pass the Bill, H.R. 6096, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

116TH CONGRESS
2^D SESSION

H. R. 6096

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2020

Mr. MCNERNEY (for himself, Mr. BILIRAKIS, Mr. OLSON, and Ms. GABBARD) 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

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Reliable Emergency
3 Alert Distribution Improvement Act of 2020” or the
4 “READI Act”.

5 **SEC. 2. RELIABLE EMERGENCY ALERT DISTRIBUTION IM-**
6 **PROVEMENT.**

7 (a) WIRELESS EMERGENCY ALERTS SYSTEM OFFER-
8 INGS.—

9 (1) AMENDMENT.—Section 602(b)(2)(E) of the
10 Warning, Alert, and Response Network Act (47
11 U.S.C. 1201(b)(2)(E)) is amended—

12 (A) by striking the second and third sen-
13 tences; and

14 (B) by striking “other than an alert issued
15 by the President.” and inserting the following:

16 “other than an alert issued by—

17 “(i) the President; or

18 “(ii) the Administrator of the Federal
19 Emergency Management Agency.”.

20 (2) REGULATIONS.—Not later than 180 days
21 after the date of enactment of this Act, the Commis-
22 sion, in consultation with the Administrator, shall
23 adopt regulations to implement the amendment
24 made by paragraph (1)(B).

25 (b) STATE EMERGENCY ALERT SYSTEM PLANS AND
26 EMERGENCY COMMUNICATIONS COMMITTEES.—

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

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

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

9 (ii) if the State has an SECC, to re-
10 view the composition and governance of the
11 SECC;

12 (B) provide that—

13 (i) each SECC, not less frequently
14 than annually, shall—

15 (I) meet to review and update its
16 State EAS Plan;

17 (II) certify to the Commission
18 that the SECC has met as required
19 under subclause (I); and

20 (III) submit to the Commission
21 an updated State EAS Plan; and

22 (ii) not later than 60 days after the
23 date on which the Commission receives an
24 updated State EAS Plan under clause
25 (i)(III), the Commission shall—

1 (I) approve or disapprove the up-
2 dated State EAS Plan; and

3 (II) notify the chief executive of
4 the State of the Commission's ap-
5 proval or disapproval of such plan,
6 and reason therefor; and

7 (C) establish a State EAS Plan content
8 checklist for SECCs to use when reviewing and
9 updating a State EAS Plan for submission to
10 the Commission under subparagraph (B)(i).

11 (2) CONSULTATION.—The Commission shall
12 consult with the Administrator regarding the adop-
13 tion of regulations under paragraph (1)(C).

14 (3) DEFINITIONS.—In this subsection—

15 (A) the term “SECC” means a State
16 Emergency Communications Committee;

17 (B) the term “State” means any State of
18 the United States, the District of Columbia, the
19 Commonwealth of Puerto Rico, the United
20 States Virgin Islands, Guam, American Samoa,
21 the Commonwealth of the Northern Mariana Is-
22 lands, and any possession of the United States;
23 and

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

1 (c) FALSE ALERT REPORTING.—Not later than 180
2 days after the date of enactment of this Act, the Commis-
3 sion, in consultation with the Administrator, shall com-
4 plete a rulemaking proceeding to establish a system to re-
5 ceive from the Administrator or State, Tribal, or local gov-
6 ernments reports of false alerts under the Emergency
7 Alert System or the Wireless Emergency Alerts System
8 for the purpose of recording such false alerts and exam-
9 ining the causes of such false alerts.

10 (d) REPEATING EMERGENCY ALERT SYSTEM MES-
11 SAGES FOR NATIONAL SECURITY.—

12 (1) IN GENERAL.—Not later than 180 days
13 after the date of enactment of this Act, the Commis-
14 sion, in consultation with the Administrator, shall
15 complete a rulemaking proceeding to modify the
16 Emergency Alert System to provide for repeating
17 Emergency Alert System messages while an alert re-
18 mains pending that is issued by—

19 (A) the President;

20 (B) the Administrator; or

21 (C) any other entity determined appro-
22 priate under the circumstances by the Commis-
23 sion, in consultation with the Administrator.

24 (2) SCOPE OF RULEMAKING.—Paragraph (1)
25 shall—

1 (A) apply to warnings of national security
2 events, meaning emergencies of national signifi-
3 cance, such as a missile threat, terror attack, or
4 other act of war or threat to public safety; and

5 (B) not apply to more typical warnings,
6 such as a weather alert, AMBER Alert, or dis-
7 aster alert.

8 (3) RULE OF CONSTRUCTION.—Nothing in this
9 subsection shall be construed to impair, limit, or
10 otherwise change—

11 (A) the authority of the President granted
12 by law to alert and warn the public; or

13 (B) the role of the President as com-
14 mander-in-chief with respect to the identifica-
15 tion, dissemination, notification, or alerting of
16 information of missile threats against the
17 United States, or threats to public safety.

18 (e) INTERNET AND ONLINE STREAMING SERVICES
19 EMERGENCY ALERT EXAMINATION.—

20 (1) STUDY.—Not later than 180 days after the
21 date of enactment of this Act, and after providing
22 public notice and opportunity for comment, the
23 Commission shall complete an inquiry to examine
24 the feasibility of updating the Emergency Alert Sys-
25 tem to enable or improve alerts to consumers pro-

1 vided through the internet, including through
2 streaming services.

3 (2) REPORT.—Not later than 90 days after
4 completing the inquiry under paragraph (1), the
5 Commission shall submit a report on the findings
6 and conclusions of the inquiry to—

7 (A) the Committee on Commerce, Science,
8 and Transportation of the Senate; and

9 (B) the Committee on Energy and Com-
10 merce of the House of Representatives.

11 (f) DEFINITIONS.—In this section—

12 (1) the term “Administrator” means the Ad-
13 ministrator of the Federal Emergency Management
14 Agency;

15 (2) the term “Commission” means the Federal
16 Communications Commission;

17 (3) the term “Emergency Alert System” means
18 the national public warning system, the rules for
19 which are set forth in part 11 of title 47, Code of
20 Federal Regulations (or any successor regulation);
21 and

22 (4) the term “Wireless Emergency Alerts Sys-
23 tem” means the wireless national public warning
24 system established under the Warning, Alert, and
25 Response Network Act (47 U.S.C. 1201 et seq.), the

1 rules for which are set forth in part 10 of title 47,
2 Code of Federal Regulations (or any successor regu-
3 lation).