

116TH CONGRESS  
2D SESSION

# H. R. 6096

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

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

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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 2020” or the  
6 “READI 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                         “(i) the President; or

5                         “(ii) 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 shall  
9           adopt regulations to implement the amendment made by  
10          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 as required in part 11  
25                 of title 47, Code of Federal Regulations.

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. FALSE ALERT REPORTING.**

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

21 **SEC. 6. REPEATING EMERGENCY ALERT SYSTEM MES-**  
22 **SAGES FOR NATIONAL SECURITY.**

23 (a) IN GENERAL.—Not later than 180 days after the  
24 date of enactment of this Act, the Commission, in con-  
25 sultation with the Administrator, shall complete a rule-

1 making proceeding to modify the Emergency Alert System  
2 to provide for repeating Emergency Alert System mes-  
3 sages while an alert remains pending that is issued by—

4 (1) the President;

5 (2) the Administrator; or

6 (3) any other entity under specified circum-  
7 stances as determined by the Commission, in con-  
8 sultation with the Administrator.

9 (b) SCOPE OF RULEMAKING.—Subsection (a)—

10 (1) shall apply to warnings of national security  
11 events, meaning emergencies of national significance,  
12 such as a missile threat, terror attack, or other act  
13 of war; and

14 (2) shall not apply to more typical warnings,  
15 such as a weather alert, AMBER Alert, or disaster  
16 alert.

17 **SEC. 7. INTERNET AND ONLINE STREAMING SERVICES**  
18 **EMERGENCY ALERT EXAMINATION.**

19 (a) STUDY.—Not later than 180 days after the date  
20 of enactment of this Act, and after providing public notice  
21 and opportunity for comment, the Commission shall com-  
22 plete an inquiry to examine the feasibility of updating the  
23 Emergency Alert System to enable or improve alerts to  
24 consumers provided through the internet, including  
25 through streaming services.

1           (b) REPORT.—Not later than 90 days after com-  
2 pleting the inquiry under subsection (a), the Commission  
3 shall submit a report on the findings and conclusions of  
4 the inquiry to—

5                   (1) the Committee on Commerce, Science, and  
6           Transportation of the Senate; and

7                   (2) the Committee on Energy and Commerce of  
8           the House of Representatives.

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