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
2D 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.

Be it enacted by the Senate and House of Representatives 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 IMPROVEMENT.

6 (a) WIRELESS EMERGENCY ALERTS SYSTEM OFFERINGS.—

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

10 (A) by striking the second and third sentences; and
11 (B) by striking “other than an alert issued
12 by the President.” and inserting the following:
13 “other than an alert issued by—
14 “(i) the President; or
15 “(ii) the Administrator of the Federal
16 Emergency Management Agency.”.
17
18 (2) REGULATIONS.—Not later than 180 days
19 after the date of enactment of this Act, the Commis-
20 sion, in consultation with the Administrator, shall
21 adopt regulations to implement the amendment
22 made by paragraph (1)(B).

23 (b) STATE EMERGENCY ALERT SYSTEM PLANS AND
24 EMERGENCY COMMUNICATIONS COMMITTEES.—
(1) STATE EMERGENCY COMMUNICATIONS COMMITTEE.—Not later than 180 days after the date of enactment of this Act, the Commission shall adopt regulations that—

(A) encourage the chief executive of each State—

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

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

(B) provide that—

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

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

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

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

(ii) not later than 60 days after the date on which the Commission receives an updated State EAS Plan under clause (i)(III), the Commission shall—
I) approve or disapprove the updated State EAS Plan; and

(II) notify the chief executive of the State of the Commission’s approval or disapproval of such plan, and reason therefor; and

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

(2) CONSULTATION.—The Commission shall consult with the Administrator regarding the adoption of regulations under paragraph (1)(C).

(3) DEFINITIONS.—In this subsection—

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

(B) the term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States; and

(C) the term “State EAS Plan” means a State Emergency Alert System Plan.
(c) **False Alert Reporting.**—Not later than 180 days after the date of enactment of this Act, the Commission, in consultation with the Administrator, shall complete a rulemaking proceeding to establish a system to receive from the Administrator or State, Tribal, or local governments reports of false alerts under the Emergency Alert System or the Wireless Emergency Alerts System for the purpose of recording such false alerts and examining the causes of such false alerts.

(d) **Repeating Emergency Alert System Messages for National Security.**—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission, in consultation with the Administrator, shall complete a rulemaking proceeding to modify the Emergency Alert System to provide for repeating Emergency Alert System messages while an alert remains pending that is issued by—

(A) the President;

(B) the Administrator; or

(C) any other entity determined appropriate under the circumstances by the Commission, in consultation with the Administrator.

(2) SCOPE OF RULEMAKING.—Paragraph (1) shall—
(A) apply to warnings of national security events, meaning emergencies of national significance, such as a missile threat, terror attack, or other act of war or threat to public safety; and

(B) not apply to more typical warnings, such as a weather alert, AMBER Alert, or disaster alert.

(3) **Rule of Construction**.—Nothing in this subsection shall be construed to impair, limit, or otherwise change—

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

(B) the role of the President as commander-in-chief with respect to the identification, dissemination, notification, or alerting of information of missile threats against the United States, or threats to public safety.

(e) **Internet and Online Streaming Services Emergency Alert Examination**.—

(1) **Study**.—Not later than 180 days after the date of enactment of this Act, and after providing public notice and opportunity for comment, the Commission shall complete an inquiry to examine the feasibility of updating the Emergency Alert System to enable or improve alerts to consumers pro-
vided through the internet, including through streaming services.

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

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

(B) the Committee on Energy and Commerce of the House of Representatives.

(f) DEFINITIONS.—In this section—

(1) the term “Administrator” means the Administrator of the Federal Emergency Management Agency;

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

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

(4) the term “Wireless Emergency Alerts System” means the wireless national public warning system established under the Warning, Alert, and Response Network Act (47 U.S.C. 1201 et seq.), the
rules for which are set forth in part 10 of title 47, Code of Federal Regulations (or any successor regulation).