

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 6538
OFFERED BY M . _____**

Strike all that follows after the enacting clause and
insert the following:

1 SEC. 1. SHORT TITLE.

2 This Act may be cited as the “Active Shooter Alert
3 Act of 2022”.

4 SEC. 2. DEFINITIONS.

5 In this Act:

6 (1) ACTIVE SHOOTER.—The term “active shoot-
7 er” means an individual who is engaged in killing or
8 attempting to kill persons with a firearm in a popu-
9 lated area and who is determined to pose an active,
10 imminent threat to people in that populated area.

11 (2) ADMINISTRATOR OF FEMA.—The term “Ad-
12 ministrator of FEMA” means the Administrator of
13 the Federal Emergency Management Agency.

14 (3) CHAIRMAN OF THE FCC.—The term “Chair-
15 man of the FCC” means the Chairman of the Fed-
16 eral Communications Commission.

17 (4) COORDINATOR.—The term “Coordinator”
18 means the Active Shooter Alert Coordinator of the

1 Department of Justice designated under section
2 3(a).

3 (5) NETWORK.—The term “Network” means
4 the Active Shooter Alert Communications Network,
5 an interconnected system of Federal, State, Tribal,
6 and local governments that is organized to provide
7 information to the public, within geographically rel-
8 evant areas, on active shooter situations.

9 (6) POPULATED AREA.—The term “populated
10 area” means a location where one or more persons
11 other than the active shooter are present.

12 (7) STATE.—The term “State” means any of
13 the 50 States, the District of Columbia, American
14 Samoa, Guam, Puerto Rico, the Northern Mariana
15 Islands, the Virgin Islands of the United States, and
16 any other territory of the United States.

17 **SEC. 3. NATIONAL COORDINATION OF ACTIVE SHOOTER**
18 **ALERT COMMUNICATIONS NETWORK.**

19 (a) COORDINATION WITHIN DEPARTMENT OF JUS-
20 TICE.—The Attorney General shall assign an officer of the
21 Department of Justice to act as the national coordinator
22 of the Active Shooter Alert Communications Network re-
23 garding an emergency involving an active shooter. The of-
24 ficer so designated shall be known as the Active Shooter
25 Alert Coordinator of the Department of Justice.

1 (b) DUTIES.—The Coordinator shall—

2 (1) encourage Federal, State, Tribal, and local
3 government agencies to establish procedures to re-
4 spond to an active shooter, including active shooter
5 procedures relating to interstate or interjurisdic-
6 tional travel (including airports and border crossing
7 areas and checkpoints), and focus on governments
8 that have not yet established such procedures; and

9 (2) work with State, Tribal, and local govern-
10 ments to encourage appropriate regional and inter-
11 jurisdictional coordination of various elements of the
12 Network.

13 (c) GOALS.—The Coordinator shall encourage the
14 adoption of best practices established under section 4(a)
15 in State, Tribal, and local governments for—

16 (1) the development of policies and procedures
17 to guide the use of mass alert systems, changeable
18 message signs, or other information systems to no-
19 tify local residents, motorists, travelers, and individ-
20 uals in the vicinity of an active shooter;

21 (2) the development of guidance or policies on
22 the content and format of alert messages to be con-
23 veyed on mass alert systems, changeable message
24 signs, or other information systems relating to an
25 active shooter;

1 (3) the coordination of State, Tribal, and local
2 Active Shooter Alert communications plans within a
3 region for the use of mass alert systems relating to
4 an active shooter;

5 (4) the planning and designing of mass alert
6 systems for multilingual communication with local
7 residents, motorists, travelers, and individuals in the
8 vicinity of an active shooter, which system may in-
9 clude the capability for issuing wide area alerts to
10 local residents, motorists, travelers, and individuals
11 in the vicinity of an active shooter;

12 (5) the planning of systems and protocols to fa-
13 cilitate the efficient issuance of active shooter alerts
14 and other key information to local residents, motor-
15 ists, travelers, and individuals in the vicinity of an
16 active shooter during times of day outside of normal
17 business hours;

18 (6) the provision of training and guidance to
19 transportation authorities to facilitate the appro-
20 priate use of mass alert systems and other informa-
21 tion systems for the notification of local residents,
22 motorists, travelers, and individuals in the vicinity of
23 an active shooter; and

24 (7) the development of appropriate mass alert
25 systems to ensure that alerts sent to individuals in

1 the immediate vicinity of an active shooter do not
2 alert the active shooter to the location of individuals
3 sheltering in place near the active shooter.

4 (d) INTEGRATED PUBLIC ALERT AND WARNING SYS-
5 TEM.—In carrying out duties under subsection (b), the
6 Coordinator shall notify and coordinate with the Adminis-
7 trator of FEMA, the Secretary of Transportation, and the
8 Chairman of the FCC on using the Integrated Public Alert
9 and Warning System to issue alerts for the Network.

10 (e) REPORT.—Not later than 18 months after the
11 date of enactment of this Act, and every 2 years thereafter
12 until such time as each of the State, Tribal, and local gov-
13 ernments have adopted an active shooter alert protocol,
14 the Coordinator, in consultation with the Administrator
15 of FEMA, Secretary of Transportation, and the Chairman
16 of the FCC, shall submit to Congress a report on the ac-
17 tivities of the Coordinator and the effectiveness and status
18 of the Active Shooter Alert communications plan of each
19 State, Tribal, and local government within each region
20 that has implemented such a plan.

21 **SEC. 4. STANDARDS FOR ISSUANCE AND DISSEMINATION**
22 **OF ALERTS THROUGH ACTIVE SHOOTER**
23 **ALERT COMMUNICATIONS NETWORK.**

24 (a) ESTABLISHMENT OF BEST PRACTICES.—

1 (1) IN GENERAL.—Subject to subsection (c),
2 the Coordinator, using the recommendations of the
3 Advisory Panel established under subsection (b) and
4 in coordination with the Administrator of FEMA,
5 the Secretary of Transportation, the Chairman of
6 the FCC, local broadcasters, and Federal, State,
7 Tribal, and local law enforcement agencies, shall es-
8 tablish best practices for—

9 (A) the issuance of alerts through the Net-
10 work;

11 (B) the extent of the dissemination of
12 alerts issued through the Network; and

13 (C) the achievement of the goals described
14 in section 3(e).

15 (2) UPDATING BEST PRACTICES.—The Coordi-
16 nator shall review the best practices established
17 under paragraph (1) no less frequently than every 5
18 years to ensure the best practices are consistent with
19 updated data and recommendations on active shoot-
20 er situations and technological advancements in the
21 Integrated Public Alert and Warning System or
22 other technologies. The Coordinator shall convene
23 the Advisory Panel as necessary to provide updated
24 recommendations if the best practices are to be up-
25 dated.

1 (b) ADVISORY PANEL.—

2 (1) IN GENERAL.—Not later than 90 days after
3 the date of enactment of this Act, the Coordinator
4 shall establish an Advisory Panel to make rec-
5 ommendations with respect to the establishment of
6 best practices under subsection (a).

7 (2) MEMBERSHIP.—The Advisory Panel shall
8 be comprised of at least 9 members, including—

9 (A) at least 5 law enforcement officers, in-
10 cluding at least one nonsupervisory law enforce-
11 ment officer, who have responded to active
12 shooter incidents and who represent rural, sub-
13 urban, and urban communities;

14 (B) at least 1 public safety expert who is
15 not a law enforcement officer and who has re-
16 sponded to an active shooter incident;

17 (C) at least 1 emergency response official
18 who is not a law enforcement officer;

19 (D) at least 1 city planning expert; and

20 (E) at least 1 mental and behavioral health
21 expert.

22 (3) RECOMMENDATIONS.—Not later than 15
23 months after the date of enactment of this Act, the
24 Advisory Panel shall submit to Coordinator rec-

1 ommendations with respect to the establishment of
2 best practices under subsection (a).

3 (c) LIMITATIONS.—

4 (1) IN GENERAL.—The best practices estab-
5 lished under subsection (a) shall—

6 (A) be adoptable on a voluntary basis only;

7 and

8 (B) to the maximum extent practicable (as
9 determined by the Coordinator, in consultation
10 with State, Tribal, and local law enforcement
11 agencies), provide that—

12 (i) appropriate information relating to
13 an active shooter response is disseminated
14 to the appropriate law enforcement, public
15 health, communications, and other public
16 officials; and

17 (ii) the dissemination of an alert
18 through the Network be limited to the geo-
19 graphic areas most likely to be affected by,
20 or able to respond to, an active shooter sit-
21 uation.

22 (2) NO INTERFERENCE.—In establishing best
23 practices under subsection (a), the Coordinator may
24 not interfere with systems of voluntary coordination
25 between local broadcasters and State, Tribal, and

1 local law enforcement agencies for improving and
2 implementing the Network.

3 **SEC. 5. COMPTROLLER GENERAL STUDY ON STATE RE-**
4 **SPONSES TO ACTIVE SHOOTER SITUATIONS**
5 **REQUIRING THE ISSUANCE OF PUBLIC**
6 **ALERTS AND WARNINGS.**

7 (a) **STUDY.**—The Comptroller General of the United
8 States shall conduct a study on State and local responses
9 to active shooters and situations requiring the issuance of
10 a public alert or warning. Such study shall address each
11 of the following:

12 (1) Differences between the definitions of the
13 term “active shooter” used by different States.

14 (2) The amount of time it takes and the proc-
15 ess in each State to receive approval from the State
16 alerting officials after a local law enforcement agen-
17 cy requests the issuance of a public alert or warning,
18 such as an AMBER Alert, a Blue Alert, or an
19 Ashanti alert.

20 (3) A comparison of the timing and effective-
21 ness of the issuance of public alerts and warnings by
22 State, Tribal, and local alerting officials.

23 (b) **REPORT TO CONGRESS.**—Not later than 2 years
24 after the date of enactment of this Act, the Comptroller
25 General of the United States shall submit to Congress a

1 report containing the findings of the study conducted
2 under subsection (a).

3 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) IN GENERAL.—There is authorized to be appro-
5 priated to the Attorney General to carry out this Act
6 \$2,000,000 for fiscal year 2023.

7 (b) AVAILABILITY OF FUNDS.—Amounts appro-
8 priated under subsection (a) shall remain available until
9 expended.

10 **SEC. 7. LIMITATION ON LIABILITY.**

11 (a) IN GENERAL.—Nothing in this Act may be con-
12 strued to provide that a participating agency, or an officer,
13 employee, or agent thereof, shall be liable for any act or
14 omission pertaining to the Network.

15 (b) STATE OR OTHER FEDERAL LAW.— Nothing in
16 this section may be construed to limit the application of
17 any State or other Federal law providing for liability for
18 any act or omission pertaining to the Network.

