

## **BILL ANALYSIS**

Senate Research Center  
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By: Miller, Sid (Hinojosa)  
Administration  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Effective emergency communications are an essential component of homeland security, but the federal government has thus far failed to implement the Integrated Public Alert and Warning System program, launched in 2006 in response to Presidential Executive Order 13407, and related measures that are necessary to alert the American public in situations of war, terrorist attack, natural disaster, or other hazards.

At present, the capacity of the United States to issue warnings is supported by the Emergency Alert System and the National Oceanic and Atmospheric Administration Weather Radio All-Hazards Network. The EAS is built on a structure conceived in the 1950s, when the best available technology for widely disseminating emergency alerts was over-the-air broadcasting. NOAA Weather Radio broadcasts National Weather Service forecasts and all-hazard warnings for natural and man-made events.

Reliance on radio and television to deliver warnings fails to take into account the prevalence and sophistication of other communications technologies, especially wireless devices and satellite solutions. The Integrated Public Alert and Warning System, managed by the Federal Emergency Management Agency, is intended to modernize and enhance the antiquated Emergency Alert System and provide a fully integrated, multimodal "system of systems" for warning citizens.

IPAWS has addressed the lack of standards across warning devices with the new Common Alerting Protocol, which will facilitate the creation of a cohesive alert warning solution, and with new alert systems such as the Commercial Mobile Alert System, which allows for the mass transmission of text-based alerts to mobile devices in targeted geographic areas. Even with these advancements and with a fully implemented IPAWS, IPAWS as designed still falls short of a comprehensive alert warning system since it has the same limitations of each existing and proposed system: radio, television, and wireless service may not exist in some remote geographic areas or may be compromised by natural or man-made disasters. Today's technology, however, can provide a comprehensive alert warning system.

Such technology must be deployed as soon as possible in a comprehensive, integrated national alert system, in coordination with federal, state, local, territorial, and tribal emergency management systems, to ensure that under all conditions, at all times, and in all places universal communication is available to warn Americans of impending dangers.

### **RESOLVED**

That the 82nd Legislature of the State of Texas hereby urge the United States Congress to expedite a solution and enact laws that will provide public alert and warning in situations of war, terrorist attack, natural disaster, or other hazards to public safety or the well-being of all people of the United States of America.

That the 82nd Texas Legislature hereby respectfully urge the United States Congress to investigate and conduct hearings to inventory, evaluate, and assess capabilities and integration with the public alert and warning systems of federal, state, local, territorial, and tribal public alert and warning resources and to establish or adopt common alerting and warning protocols, standards, terminology, and operating procedures that are effective without the necessity of maintaining a database of contact information so as to protect the privacy of all Americans and

that enable interoperability and the secure delivery of coordinated messages to the American people through as many communication pathways as practicable, utilizing today's technology to guarantee the delivery of warnings and alerts in a timely manner to the entire population when surface infrastructure does not exist, has been compromised, or has been otherwise rendered ineffective.

That the legislature hereby respectfully urge the United States Congress to ensure that the public alert and warning system is capable of serving all Americans, including those with disabilities and those who lack an understanding of the English language, even in the most remote geographic areas of the United States and its territories, and to ensure that it is capable of adapting the distribution and content of communications on the basis of clearly defined geographic locations, risks, or personal user preferences, as appropriate.

That the legislature hereby respectfully urge the United States Congress to require media communication organizations and all governments, federal, state, local, territorial, and tribal, to consult, coordinate, and cooperate with the private sector, including emergency response providers and users, as appropriate, for the full implementation of a state-of-the-art early warning and alert system.

That the legislature hereby respectfully urge the United States Congress to establish training, annual tests, and exercises for the public alert and warning system, to provide for direct access to the system by appropriate federal, state, local, territorial, and tribal emergency personnel, and, through cooperation with the owners and operators of communications facilities, to maintain, protect, and, if necessary, restore communications facilities and capabilities necessary for the public alert and warning system.

That the legislature hereby respectfully urge the United States Congress to ensure that public education efforts are conducted so that federal, state, local, territorial, and tribal governments, the private sector, and the American people understand the functions of the public alert and warning system and how to access, use, and respond to information issued through all public alert and warning systems and devices.

That the legislature hereby respectfully urge the United States Congress, in performing the functions set forth above, to coordinate with all appropriate departments and agencies of all governments referenced in this resolution.

That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the president of the Senate and the speaker of the House of Representatives of the United States Congress, to the majority and minority leaders of both houses, to the secretary of homeland security, and to all the members of the Texas delegation to Congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.