

117TH CONGRESS
2D SESSION

H. R. 6538

To create an Active Shooter Alert Communications Network, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 2022

Mr. CICILLINE (for himself, Mr. UPTON, Ms. JACKSON LEE, Mrs. SPARTZ, Mr. THOMPSON of California, Mr. MELJER, Mr. DEUTCH, and Ms. MACE) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To create an Active Shooter Alert Communications Network, and for other purposes.

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 “Active Shooter Alert
5 Act of 2022”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **ACTIVE SHOOTER.**—The term “active shoot-
9 er” means an individual actively engaged in killing

1 or attempting to kill people with a firearm in a pop-
2 ulated area who poses an active, imminent threat to
3 people in that populated area.

4 (2) ADMINISTRATOR OF FEMA.—The term “Ad-
5 ministrator of FEMA” means the Administrator of
6 the Federal Emergency Management Agency.

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

10 (4) COORDINATOR.—The term “Coordinator”
11 means the Active Shooter Alert Coordinator of the
12 Department of Justice designated under section
13 3(a).

14 (5) NETWORK.—The term “Network” means
15 the Active Shooter Alert Communications Network
16 described in section 3(a).

17 (6) POPULATED AREA.—The term “populated
18 area” means a location where one or more individ-
19 uals are present.

20 (7) STATE.—The term “State” means any of
21 the 50 States, the District of Columbia, American
22 Samoa, Guam, Puerto Rico, the Northern Mariana
23 Islands, the Virgin Islands of the United States, and
24 any other territory of the United States.

1 **SEC. 3. NATIONAL COORDINATION OF ACTIVE SHOOTER**
2 **ALERT COMMUNICATIONS NETWORK.**

3 (a) COORDINATION WITHIN DEPARTMENT OF JUS-
4 TICE.—The Attorney General shall assign an officer of the
5 Department of Justice to act as the national coordinator
6 of the Active Shooter Alert Communications Network re-
7 garding an emergency involving an active shooter. The of-
8 ficer so designated shall be known as the Active Shooter
9 Alert Coordinator of the Department of Justice.

10 (b) DUTIES.—In acting as the national coordinator
11 of the Network, the Coordinator, in coordination with the
12 Administrator of FEMA, the Secretary of Transportation,
13 and the Chairman of the FCC, shall—

14 (1) seek to eliminate instances in which States
15 and local governments do not have procedures to re-
16 spond to an active shooter, including active shooter
17 procedures relating to interstate travel (including
18 airports, maritime ports, border crossing areas and
19 checkpoints, and ports of exit from the United
20 States);

21 (2) work with States and Tribal governments to
22 encourage the development of additional elements
23 (known as local Active Shooter Alert communica-
24 tions plans) in the Network; and

1 (3) work with States and Tribal governments to
2 encourage appropriate regional coordination of var-
3 ious elements of the Network.

4 (c) GOALS.—The Coordinator shall encourage the
5 adoption of best practices established under section 4(a)
6 in States, Tribal governments, and units of local govern-
7 ment for—

8 (1) the development of general policies and pro-
9 cedures to guide the use of mass alert systems or
10 other information systems to notify local residents,
11 motorists, travelers, and others in the vicinity when
12 there is an active shooter;

13 (2) the development of guidance or policies on
14 the content and format of alert messages to be con-
15 veyed on mass alert systems, changeable message
16 signs, or other information systems relating to an
17 active shooter;

18 (3) the coordination of State, regional, and
19 local plans for the use of active shooting alert sys-
20 tems or other emergency response mechanisms;

21 (4) the development of a secure and reliable
22 communications protocols among law enforcement,
23 public safety, public health, and transportation agen-
24 cies or the modification of existing communications
25 systems to support the notification of local residents,

1 motorists, travelers, and those in the vicinity of an
2 active shooter;

3 (5) the planning and designing of improved sys-
4 tems for multilingual communication with local resi-
5 dents, motorists, travelers, and those individuals in
6 the vicinity of an active shooter, including the capa-
7 bility for issuing wide area alerts to local residents,
8 motorists, travelers, and those individuals in the vi-
9 cinity of an active shooter;

10 (6) the planning of systems and protocols to fa-
11 cilitate the efficient issuance of active shooter notifi-
12 cations and other key information to local residents,
13 motorists, travelers, and those individuals in the vi-
14 cinity of an active shooter during off-hours;

15 (7) the provision of training and guidance to
16 transportation authorities to facilitate the appro-
17 priate use of mass alert systems and other informa-
18 tion systems for the notification of local residents,
19 motorists, travelers, and those individuals in the vi-
20 cinity of an active shooter; and

21 (8) the development of appropriate mass alert
22 systems to ensure that alerts sent to individuals in
23 the immediate vicinity of an active shooter do not
24 alert the active shooter to the location of those indi-
25 viduals sheltering in place around the active shooter.

1 (d) COORDINATION WITH THE FEDERAL EMER-
2 GENCY MANAGEMENT AGENCY, DEPARTMENT OF TRANS-
3 PORTATION, AND THE FEDERAL COMMUNICATION COM-
4 MISSION.—In carrying out duties under subsection (b), the
5 Coordinator shall notify and coordinate with the Adminis-
6 trator of FEMA, the Secretary of Transportation, and the
7 Chairman of the FCC on using the Integrated Public Alert
8 and Warning System to issue alerts for the Network.

9 (e) COOPERATION.—The Coordinator shall coordi-
10 nate with the Administrator of FEMA, the Secretary of
11 Transportation, and the Chairman of the FCC in carrying
12 out activities under this section.

13 (f) REPORT.—Not later than 18 months after the
14 date of enactment of this Act, and every 2 years thereafter
15 until such time as each of the States and Tribal govern-
16 ments have adopted an active shooter alert protocol, the
17 Coordinator, in consultation with the Administrator of
18 FEMA, shall submit to Congress a report on the activities
19 of the Coordinator and the effectiveness and status of the
20 local Active Shooter Alert communications plan of each
21 State and Tribal government that has implemented such
22 a plan.

1 **SEC. 4. STANDARDS FOR ISSUANCE AND DISSEMINATION**
2 **OF ALERTS THROUGH ACTIVE SHOOTER**
3 **ALERT COMMUNICATIONS NETWORK.**

4 (a) ESTABLISHMENT OF BEST PRACTICES.—Subject
5 to subsection (b), the Coordinator, in coordination with
6 the Administrator of FEMA, the Secretary of Transpor-
7 tation, and the Chairman of the FCC, shall establish best
8 practices for—

- 9 (1) the issuance of alerts through the Network;
10 (2) the extent of the dissemination of alerts
11 issued through the Network; and
12 (3) the goals described in section 3(c).

13 (b) LIMITATIONS.—

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

16 (A) be adoptable on a voluntary basis only;
17 and

18 (B) to the maximum extent practicable (as
19 determined by the Coordinator in consultation
20 with State, Tribal, and local law enforcement
21 agencies), provide that—

22 (i) appropriate information relating to
23 an active shooter response is disseminated
24 to the appropriate law enforcement, public
25 health, communications, and other public
26 officials; and

1 (ii) the dissemination of an alert
2 through the Network be limited to the geo-
3 graphic areas most likely to be affected by,
4 or able to respond to, an active shooter sit-
5 uation.

6 (2) NO INTERFERENCE.—In establishing best
7 practices under subsection (a), the Coordinator may
8 not interfere with the current system of voluntary
9 coordination between local broadcasters and State,
10 Tribal, and local law enforcement agencies for im-
11 proving and implementing the Network.

12 (c) COORDINATION.—The Coordinator shall coordi-
13 nate with local broadcasters and Federal, State, Tribal,
14 and local law enforcement agencies in establishing best
15 practices under this section.

16 **SEC. 5. COMPTROLLER GENERAL STUDY ON STATE RE-**
17 **SPONSES TO ACTIVE SHOOTER SITUATIONS**
18 **REQUIRING THE ISSUANCE OF PUBLIC**
19 **ALERTS AND WARNINGS.**

20 (a) STUDY.—The Comptroller General of the United
21 States shall conduct a study on State and local responses
22 to active shooters and situations requiring the issuance of
23 a public alert or warning. Such study shall address each
24 of the following:

1 (1) Differences between the definitions of “ac-
2 tive shooter” used by different States.

3 (2) The amount of time it takes and the proc-
4 ess in each State to receive approval from the State
5 alerting officials after local law enforcement agencies
6 request the issuance of a public alert or warning,
7 such as an AMBER Alert, Blue Alert, or Ashanti
8 alert.

9 (3) A comparison of the timing and effective-
10 ness of the issuance of public alerts and warnings by
11 State alerting officials and the issuance of such
12 alerts and warnings by local jurisdictions.

13 (b) REPORT TO CONGRESS.—Not later than 24
14 months after the date of enactment of this Act, the Comp-
15 troller General of the United States shall submit to Con-
16 gress a report containing the findings of the study con-
17 ducted under subsection (a).

18 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

19 (a) IN GENERAL.—There is authorized to be appro-
20 priated to the Attorney General \$2,000,000 for fiscal year
21 2023 to carry out this Act.

22 (b) AVAILABILITY OF FUNDS.—Amounts appro-
23 priated pursuant to the authorization of appropriations
24 under subsection (a) shall remain available until expended.

1 **SEC. 7. LIMITATION ON LIABILITY.**

2 Nothing in this Act shall be construed to create, or
3 serve as the basis for, additional liability for any partici-
4 pating agency, or their officers, employees, or agents, be-
5 yond existing applicable State and Federal laws and regu-
6 lations.

○