

117TH CONGRESS
2D SESSION

H. R. 6538

IN THE SENATE OF THE UNITED STATES

JULY 14, 2022

Received; read twice and referred to the Committee on the Judiciary

AN ACT

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,*

1 **SECTION 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
19 Department of Justice designated under section
20 3(a).

21 (5) **NETWORK.**—The term “Network” means
22 the Active Shooter Alert Communications Network,
23 an interconnected system of Federal, State, Tribal,
24 and local governments that is organized to provide
25 information to the public, within geographically rel-
26 evant areas, on active shooter situations.

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

4 (7) STATE.—The term “State” means any of
5 the 50 States, the District of Columbia, American
6 Samoa, Guam, Puerto Rico, the Northern Mariana
7 Islands, the Virgin Islands of the United States, and
8 any other territory of the United States.

9 **SEC. 3. NATIONAL COORDINATION OF ACTIVE SHOOTER**
10 **ALERT COMMUNICATIONS NETWORK.**

11 (a) COORDINATION WITHIN DEPARTMENT OF JUSTICE.—The Attorney General shall assign an officer of the
12 Department of Justice to act as the national coordinator
13 of the Active Shooter Alert Communications Network re-
14 garding an emergency involving an active shooter. The of-
15 ficer so designated shall be known as the Active Shooter
16 Alert Coordinator of the Department of Justice.

17 (b) DUTIES.—The Coordinator shall—

18 (1) encourage Federal, State, Tribal, and local
19 government agencies to establish procedures to re-
20 spond to an active shooter, including active shooter
21 procedures relating to interstate or interjurisdic-
22 tional travel (including airports and border crossing
23 areas and checkpoints), and focus on governments
24 that have not yet established such procedures; and
25

1 (2) work with State, Tribal, and local govern-
2 ments to encourage appropriate regional and inter-
3 jurisdictional coordination of various elements of the
4 Network.

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

8 (1) the development of policies and procedures
9 to guide the use of mass alert systems, changeable
10 message signs, or other information systems to no-
11 tify local residents, motorists, travelers, and individ-
12 uals in the vicinity of 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, Tribal, and local
19 Active Shooter Alert communications plans within a
20 region for the use of mass alert systems relating to
21 an active shooter;

22 (4) the planning and designing of mass alert
23 systems for multilingual communication with local
24 residents, motorists, travelers, and individuals in the
25 vicinity of an active shooter, which system may in-

1 clude the capability for issuing wide area alerts to
2 local residents, motorists, travelers, and individuals
3 in the vicinity of an active shooter;

4 (5) the planning of systems and protocols to fa-
5 cilitate the efficient issuance of active shooter alerts
6 and other key information to local residents, motor-
7 ists, travelers, and individuals in the vicinity of an
8 active shooter during times of day outside of normal
9 business hours;

10 (6) the provision of training and guidance to
11 transportation authorities to facilitate the appro-
12 priate use of mass alert systems and other informa-
13 tion systems for the notification of local residents,
14 motorists, travelers, and individuals in the vicinity of
15 an active shooter; and

16 (7) the development of appropriate mass alert
17 systems to ensure that alerts sent to individuals in
18 the immediate vicinity of an active shooter do not
19 alert the active shooter to the location of individuals
20 sheltering in place near the active shooter.

21 (d) INTEGRATED PUBLIC ALERT AND WARNING SYS-
22 TEM.—In carrying out duties under subsection (b), the
23 Coordinator shall notify and coordinate with the Adminis-
24 trator of FEMA, the Secretary of Transportation, and the

1 Chairman of the FCC on using the Integrated Public Alert
2 and Warning System to issue alerts for the Network.

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

14 **SEC. 4. STANDARDS FOR ISSUANCE AND DISSEMINATION**
15 **OF ALERTS THROUGH ACTIVE SHOOTER**
16 **ALERT COMMUNICATIONS NETWORK.**

17 (a) ESTABLISHMENT OF BEST PRACTICES.—

18 (1) IN GENERAL.—Subject to subsection (c),
19 the Coordinator, using the recommendations of the
20 Advisory Panel established under subsection (b) and
21 in coordination with the Administrator of FEMA,
22 the Secretary of Transportation, the Chairman of
23 the FCC, local broadcasters, and Federal, State,
24 Tribal, and local law enforcement agencies, shall es-
25 tablish best practices for—

1 (A) the issuance of alerts through the Net-
2 work;

3 (B) the extent of the dissemination of
4 alerts issued through the Network; and

5 (C) the achievement of the goals described
6 in section 3(e).

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

18 (b) ADVISORY PANEL.—

19 (1) IN GENERAL.—Not later than 90 days after
20 the date of enactment of this Act, the Coordinator
21 shall establish an Advisory Panel to make rec-
22 ommendations with respect to the establishment of
23 best practices under subsection (a).

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

1 (A) at least 5 law enforcement officers, in-
2 cluding at least one nonsupervisory law enforce-
3 ment officer, who have responded to active
4 shooter incidents and who represent rural, sub-
5 urban, and urban communities;

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

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

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

12 (E) at least 1 mental and behavioral health
13 expert.

14 (3) RECOMMENDATIONS.—Not later than 15
15 months after the date of enactment of this Act, the
16 Advisory Panel shall submit to Coordinator rec-
17 ommendations with respect to the establishment of
18 best practices under subsection (a).

19 (c) LIMITATIONS.—

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

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

23 and

24 (B) to the maximum extent practicable (as
25 determined by the Coordinator, in consultation

with State, Tribal, and local law enforcement agencies), provide that—

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

(ii) the dissemination of an alert through the Network be limited to the geographic areas most likely to be affected by, or able to respond to, an active shooter situation.

(2) NO INTERFERENCE.—In establishing best practices under subsection (a), the Coordinator may not interfere with systems of voluntary coordination between local broadcasters and State, Tribal, and local law enforcement agencies for improving and implementing the Network.

SEC. 5. COMPTROLLER GENERAL STUDY ON STATE RESPONSES TO ACTIVE SHOOTER SITUATIONS REQUIRING THE ISSUANCE OF PUBLIC ALERTS AND WARNINGS.

(a) STUDY.—The Comptroller General of the United States shall conduct a study on State and local responses to active shooters and situations requiring the issuance of

1 a public alert or warning. Such study shall address each
2 of the following:

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

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

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

14 (b) REPORT TO CONGRESS.—Not later than 2 years
15 after the date of enactment of this Act, the Comptroller
16 General of the United States shall submit to Congress a
17 report containing the findings of the study conducted
18 under subsection (a).

19 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

20 (a) IN GENERAL.—There is authorized to be appro-
21 priated to the Attorney General to carry out this Act
22 \$2,000,000 for fiscal year 2023.

23 (b) AVAILABILITY OF FUNDS.—Amounts appro-
24 priated under subsection (a) shall remain available until
25 expended.

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

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

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

Passed the House of Representatives July 13, 2022.

Attest: CHERYL L. JOHNSON,
Clerk.