

By: Miller of Erath

H.C.R. No. 90

Substitute the following for H.C.R. No. 90:

By: Burnam

C.S.H.C.R. No. 90

#### HOUSE CONCURRENT RESOLUTION

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

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

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

24           WHEREAS, IPAWS has addressed the lack of standards across

1 warning devices with the new Common Alerting Protocol, which will  
2 facilitate the creation of a cohesive alert warning solution, and  
3 with new alert systems such as the Commercial Mobile Alert System,  
4 which allows for the mass transmission of text-based alerts to  
5 mobile devices in targeted geographic areas; even with these  
6 advancements and with a fully implemented IPAWS, IPAWS as designed  
7 still falls short of a comprehensive alert warning system since it  
8 has the same limitations of each existing and proposed system:  
9 radio, television, and wireless service may not exist in some  
10 remote geographic areas or may be compromised by natural or  
11 man-made disasters; today's technology, however, can provide a  
12 comprehensive alert warning system; and

13 WHEREAS, Such technology must be deployed as soon as possible  
14 in a comprehensive, integrated national alert system, in  
15 coordination with federal, state, local, territorial, and tribal  
16 emergency management systems, to ensure that under all conditions,  
17 at all times, and in all places universal communication is  
18 available to warn Americans of impending dangers; now, therefore,  
19 be it

20 RESOLVED, That the 82nd Legislature of the State of Texas  
21 hereby urge the United States Congress to expedite a solution and  
22 enact laws that will provide public alert and warning in situations  
23 of war, terrorist attack, natural disaster, or other hazards to  
24 public safety or the well-being of all people of the United States  
25 of America; and, be it further

26 RESOLVED, That the 82nd Texas Legislature hereby  
27 respectfully urge the United States Congress to investigate and

1 conduct hearings to inventory, evaluate, and assess capabilities  
2 and integration with the public alert and warning systems of  
3 federal, state, local, territorial, and tribal public alert and  
4 warning resources and to establish or adopt common alerting and  
5 warning protocols, standards, terminology, and operating  
6 procedures that are effective without the necessity of maintaining  
7 a database of contact information so as to protect the privacy of  
8 all Americans and that enable interoperability and the secure  
9 delivery of coordinated messages to the American people through as  
10 many communication pathways as practicable, utilizing today's  
11 technology to guarantee the delivery of warnings and alerts in a  
12 timely manner to the entire population when surface infrastructure  
13 does not exist, has been compromised, or has been otherwise  
14 rendered ineffective; and, be it further

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

24         RESOLVED, That the legislature hereby respectfully urge the  
25 United States Congress to require media communication  
26 organizations and all governments, federal, state, local,  
27 territorial, and tribal, to consult, coordinate, and cooperate with

1 the private sector, including emergency response providers and  
2 users, as appropriate, for the full implementation of a  
3 state-of-the-art early warning and alert system; and, be it further

4       RESOLVED, That the legislature hereby respectfully urge the  
5 United States Congress to establish training, annual tests, and  
6 exercises for the public alert and warning system, to provide for  
7 direct access to the system by appropriate federal, state, local,  
8 territorial, and tribal emergency personnel, and, through  
9 cooperation with the owners and operators of communications  
10 facilities, to maintain, protect, and, if necessary, restore  
11 communications facilities and capabilities necessary for the  
12 public alert and warning system; and, be it further

13       RESOLVED, That the legislature hereby respectfully urge the  
14 United States Congress to ensure that public education efforts are  
15 conducted so that federal, state, local, territorial, and tribal  
16 governments, the private sector, and the American people understand  
17 the functions of the public alert and warning system and how to  
18 access, use, and respond to information issued through all public  
19 alert and warning systems and devices; and, be it further

20       RESOLVED, That the legislature hereby respectfully urge the  
21 United States Congress, in performing the functions set forth  
22 above, to coordinate with all appropriate departments and agencies  
23 of all governments referenced in this resolution; and, be it  
24 further

25       RESOLVED, That the Texas secretary of state forward official  
26 copies of this resolution to the president of the United States, to  
27 the president of the Senate and the speaker of the House of

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1 Representatives of the United States Congress, to the majority and  
2 minority leaders of both houses, to the secretary of homeland  
3 security, and to all the members of the Texas delegation to Congress  
4 with the request that this resolution be entered in the  
5 Congressional Record as a memorial to the Congress of the United  
6 States of America.