

By: Miller of Erath

H.C.R. No. 90

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 the Internet and  
19 wireless devices; the Integrated Public Alert and Warning System,  
20 managed by the Federal Emergency Management Agency, is intended to  
21 modernize and enhance the antiquated Emergency Alert System and  
22 provide a fully integrated, multimodal "system of systems" for  
23 warning citizens; and

24           WHEREAS, In its initial years, the IPAWS program progressed

1 slowly in the face of major obstacles such as the lack of standards  
2 across warning devices, which have traditionally operated using  
3 separate, proprietary protocols; however, FEMA recently adopted  
4 the new Common Alerting Protocol, which will facilitate the  
5 creation of a cohesive alert warning solution; other advancements  
6 within the IPAWS program include the Commercial Mobile Alert  
7 System, which allows for the mass transmission of text-based alerts  
8 to mobile devices in targeted geographic areas; and

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

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

21 RESOLVED, That the 82nd Texas Legislature hereby  
22 respectfully urge the United States Congress to investigate and  
23 conduct hearings to inventory, evaluate, and assess capabilities  
24 and integration with the public alert and warning systems of  
25 federal, state, local, territorial, and tribal public alert and  
26 warning resources and to establish or adopt common alerting and  
27 warning protocols, standards, terminology, and operating

1 procedures that are effective without the necessity of maintaining  
2 a database of contact information so as to protect the privacy of  
3 all Americans and that enable interoperability and the secure  
4 delivery of coordinated messages to the American people through as  
5 many communication pathways as practicable, utilizing today's  
6 technology to guarantee the delivery of warnings and alerts in a  
7 timely manner to the entire population when surface infrastructure  
8 does not exist, has been compromised, or has been otherwise  
9 rendered ineffective; and, be it further

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

19       RESOLVED, That the legislature hereby respectfully urge the  
20 United States Congress to require media communication  
21 organizations and all governments, federal, state, local, tribal,  
22 and territorial, to consult, coordinate, and cooperate with the  
23 private sector, including emergency response providers and users,  
24 as appropriate, for the full implementation of a state-of-the-art  
25 early warning and alert system; and, be it further

26       RESOLVED, That the legislature hereby respectfully urge the  
27 United States Congress to establish training, annual tests, and

1 exercises for the public alert and warning system, to provide for  
2 direct access to the system by appropriate federal, state, local,  
3 tribal, and territorial emergency personnel, and, through  
4 cooperation with the owners and operators of communications  
5 facilities, to maintain, protect, and, if necessary, restore  
6 communications facilities and capabilities necessary for the  
7 public alert and warning system; and, be it further

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

15         RESOLVED, That the legislature hereby respectfully urge the  
16 United States Congress, in performing the functions set forth  
17 above, to coordinate with all appropriate departments and agencies  
18 of all governments referenced in this resolution; and, be it  
19 further

20         RESOLVED, That the Texas secretary of state forward official  
21 copies of this resolution to the president of the United States, to  
22 the president of the Senate and the speaker of the House of  
23 Representatives of the United States Congress, to the majority and  
24 minority leaders of both houses, to the secretary of homeland  
25 security, and to all the members of the Texas delegation to Congress  
26 with the request that this resolution be entered in the  
27 Congressional Record as a memorial to the Congress of the United

1 States of America.