



# **AGENDA**

## **LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY**

### **LEGISLATIVE COMMITTEE MEETING**

Wednesday, January 22, 2014 – 10:00 a.m.

LA County Fire Department Headquarters, Training Room 25

1320 N. Eastern Ave., Los Angeles, CA 90063

**AGENDA POSTED: January 15, 2014**

Complete agendas are made available for review on the Authority's website at <http://www.la-rics.org>.

---

I. CALL TO ORDER

II. ANNOUNCE QUORUM – Roll Call

III. APPROVAL OF MINUTES

1. Legislative Committee Meeting Minutes for October 16, 2013

**[Attachment 1]**

2. Legislative Committee Meeting Minutes for August 31, 2013

**[Attachment 2]**

IV. NEW BUSINESS –

3. Discussion Item: Federal and State Legislative Update

4. Discussion Item: Goals and Priorities for 2014

5. Discussion Item: H.R. 3300, FEMA Reauthorization Act of 2013

**[Attachment 3]**

6. Discussion/Action Item: LA-RICS Legislative Committee Schedule for 2014

V. PUBLIC COMMENT

VI. ADJOURNMENT



#### LEGISLATIVE COMMITTEE MEETING INFORMATION

Members of the public are invited to address the LA-RICS LEGISLATIVE COMMITTEE on any item on the agenda prior to action by the LEGISLATIVE COMMITTEE on that specific item. Members of the public may also address the LEGISLATIVE COMMITTEE on any matter within the subject matter jurisdiction of the LEGISLATIVE COMMITTEE. The LEGISLATIVE COMMITTEE will entertain such comments during the Public Comment period. Public Comment will be limited to three (3) minutes per individual for each item addressed, unless there are more than ten (10) comment cards for each item, in which case the Public Comment will be limited to one (1) minute per individual. The aforementioned limitation may be waived by the LEGISLATIVE COMMITTEE's Chair.

*(NOTE: Pursuant to Government Code Section 54954.3(b) the legislative body of a local agency may adopt reasonable regulations, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.)*

Members of the public who wish to address the LEGISLATIVE COMMITTEE are urged to complete a Speaker Card and submit it to the LEGISLATIVE COMMITTEE Secretary prior to commencement of the public meeting. The cards are available in the meeting room. However, should a member of the public feel the need to address a matter while the meeting is in progress, a card may be submitted to the LEGISLATIVE COMMITTEE Secretary prior to final consideration of the matter.

It is requested that individuals who require the services of a translator contact the LEGISLATIVE COMMITTEE Secretary no later than the day preceding the meeting. Whenever possible, a translator will be provided. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend.  
(323) 881-8291 or (323) 881-8295

SI REQUIERE SERVICIOS DE TRADUCCION, FAVOR DE NOTIFICAR LA OFICINA CON  
24 HORAS POR ANTICIPADO.



# MEETING MINUTES

## LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

### LEGISLATIVE COMMITTEE MEETING

Wednesday, October 16, 2013 • 1:00 p.m.

LA-RICS Headquarters, Large Conference Room

2525 Corporate Pl., Suite 200, Monterey Park, CA 91754

---

#### Official Voting Members Present:

**Stephen Sotomayor**, representative for the City of Los Angeles CAO  
**Greg Doyle**, representative for the City of Los Angeles Police Department  
**Olyvia Rodriguez**, representative for the County of Los Angeles Chief Executive Office  
**Mark S. Wilkins**, representative for the Los Angeles County Sheriff's Department  
**Greg Simay**, representative for the City of Burbank, At Large Seat #3

---

#### Representatives For Official Voting Members Present:

**Rowena Magana**, representing Gerardo Pinedo for the County of Los Angeles DHS  
**John Lenihan**, representing Daryl Osby, Chair, for the County of Los Angeles Fire Department  
**Richard Shigaki**, representing Mary Giordano for the City of Torrance, At Large Seat #1

---

#### Official Voting Members Absent:

**Ronnie Villanueva**, representative for the City of Los Angeles Fire Department  
**Daryl Osby, Chair**, representative for the County of Los Angeles Fire Department  
**Gerardo Pinedo**, representative for the County of Los Angeles DHS  
**Vacant**, representative for the City of Long Beach  
**Scott Ferguson**, representative for the Los Angeles Area Fire Chiefs Association  
**Nancy Ramirez**, representative for the Los Angeles School Police Department  
**Mitch Tavera**, representative for the Los Angeles County Police Chiefs Association  
**Mark Alexander**, representative for the California Contract Cities Association  
**Mary Giordano**, representative for the City of Torrance, At Large Seat #1  
**Don Pederson**, representative for the City of Culver City, At Large Seat #2  
**Vacant**, representative for the City of Pasadena, At Large Seat #4



- I. CALL TO ORDER
- II. ANNOUNCE QUORUM – Roll Call taken by Committee Vice Chair Olyvia Rodriguez; quorum not reached.
- III. APPROVAL OF MINUTES – August 21, 2013, LA-RICS Legislative Committee Meeting  
Minutes not approved due to quorum not being reached; **to be carried over to next meeting.**
- IV. NEW BUSINESS –

2. Discussion Item: Federal and State Legislative Update

Vice Chair Rodriguez provided an update on Federal and State Legislative issues. She stated that at the Federal level, the focus has been on the government shutdown and also increasing the nation's debt limit. The U.S. Senate has worked out a bipartisan agreement to re-open the government only until January 15, 2014, and increase the nation's debt limit until February 7, 2014. Another provision of the agreement includes having the Budget Conference Committee work out the funding differences in both the Senate and the House, and to report out by December 13, 2013. This agreement is currently pending final approval. There is no immediate impact to SHSGP and UASI grants since funds have already been allocated, however, there could be a potential impact should there be a long-term shutdown.

Vice Chair Rodriguez also mentioned that closely tracking interoperability issues, and should they come up, the Committee may want to recommend positions.

In regards to State legislation, October 13, 2013, was the last day for the Governor to sign or veto bills. The State Legislature is scheduled to reconvene for the 2<sup>nd</sup> year of the Legislative Session on January 6, 2014. During that time, bills that were not taken up before the end of session and became 2-year bills may be considered.

**Item to be continued at next meeting.**

3. Discussion Item: T-Band Issues and Next Steps

Vice Chair Rodriguez referred back to the previous meeting minutes regarding the general discussion of comments submitted to the FCC. She stated that the Committee should consider what next steps should be taken, even though there is not a specific legislative proposal currently being considered by Congress. At the request of Committee Member Greg Simay, the item will continue to be discussed.

Committee Member Simay stated that Congress does not have the appetite to make any changes to this law until 2016 or 2017. He said that his technical staff has a concern that the next generation radio system will find a way to incorporate mission



critical voice with broadband. The question is, locally, can LA-RICS acquire or get the FCC to accommodate LA-RICS with enough spectrums to make this possible. There are still some huge spectrum assignment issues that have to be solved and the law seems to be unclear by the early 2020's.

Vice Chair Rodriguez indicated that the FCC should likely have an interest in LA-RICS comments on this issue, especially since FirstNet requested LA-RICS to provide a presentation to them on LA-RICS' progress. FirstNet is looking at LA-RICS as a national model. Also, there are members of Congress that work very closely on these issues and that worked on the legislation itself that was drafted and enacted. H.R. 3630 is still a fairly new law that continues to be implemented. There is a possibility that an extension to the timeline of migrating off the T-Band as required under H.R. 3630 might not be sufficient for LA-RICS because the biggest challenge is having funding ahead of time in order to move forward, but all options should be considered.

Committee Member Simay raised key statements from the LA-RICS response letter to the FCC with regard to how other agencies share the same sentiments as LA-RICS. He went on to state that the FCC has yet to respond to any of the letters submitted, and that the Committee should consider the FCC's response as part of any legislative recommendations to the Board and recommended that LA-RICS continue to maintain at this time the position communicated in its comments to the FCC.

Alternate Committee Member Shigaki asked what was the nature of LA-RICS relationship with FirstNet and that of the FCC. LA-RICS Staff stated that even after the successful negotiation of the Spectrum Manager Lease Agreement, there is almost daily communications with FirstNet. They are in a RFI Phase for the Nationwide Broadband System and reviewing information and developing technical requirements as LA-RICS is evaluating proposals for the system. As FirstNet develops requirements, LA-RICS is moving forward with the selection of a vendor and development of a system that will eventually be integrated with FirstNet. Whatever technical requirements they decide to implement, they will interface with what LA-RICS is building. It is a close working relationship with FirstNet consultants. LA-RICS Staff also indicated that another BTOP recipient, New Mexico, has successfully negotiated a Spectrum Manager Lease Agreement with FirstNet.

Vice Chair Rodriguez stated that it was very important to continue to track developments closely for any potential legislative recommendations to the Board in the near future on these issues.

#### 4. Discussion Item: Grant Opportunities

Vice Chair Rodriguez went over Agenda Item Attachment 2, "Project Grant Funding by Network System Report" to briefly discuss the LA-RICS Project's current grant funding.

Committee Member Stephen Sotomayor stated that Executive Director Mallon is on the State Board in which they discuss broadband, and that they should be looking at it at a



State level and create a funding stream within the State to sustain the build-out of the broadband network within the State of California.

Vice Chair Rodriguez stated that LA-RICS should look at other grants beyond Homeland Security, such as transportation and school related grants that could be helpful to the project. LA-RICS staff reported that the Executive Director is pursuing a meeting with MTA to engage them in membership and pursue infrastructure related grants. Executive Director Mallon has sent MTA a letter requesting a meeting. This would be a joint grant submission with MTA/LA-RICS. There are other grants that can be pursued as well that are being considered.

Committee Member Simay asked LA-RICS staff to report on what monies were not used and returned, that could be potentially used by other cities.

V. PUBLIC COMMENT – None

VI. ADJOURNMENT AND NEXT MEETING

Vice Chair Rodriguez adjourned the meeting at 2:15 p.m.

The next meeting is scheduled for Wednesday, November 20, 2013, at 1:00 p.m., at the LA County Fire Department Headquarters, 1320 N. Eastern Ave., Training Room 26, Los Angeles, CA 90063.



# MEETING MINUTES

## LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM AUTHORITY

### LEGISLATIVE COMMITTEE MEETING

Wednesday, August 21, 2013 • 1:00 p.m.

LA County Fire Department Headquarters, Training Room 26  
1320 N. Eastern Ave., Los Angeles, CA 90063

---

---

#### Official Voting Members Present:

**Stephen Sotomayor**, representative for the City of Los Angeles CAO  
**Greg Doyle**, representative for the City of Los Angeles Police Department  
**Joshua Drake**, representative for the City of Los Angeles Chief Legislative Analyst Office  
**Olyvia Rodriguez**, representative for the County of Los Angeles Chief Executive Office  
**Mark S. Wilkins**, representative for the Los Angeles County Sheriff's Department  
**Nancy Ramirez**, representative for the Los Angeles School Police Department  
**Mitch Tavera**, representative for the Los Angeles County Police Chiefs Association

---

#### Representatives For Official Voting Members Present:

**Rowena Magana**, representing Gerardo Pinedo for the County of Los Angeles DHS  
**John Lenihan**, representing Daryl Osby, Chair, for the County of Los Angeles Fire Department  
**Richard Shigaki**, representing Mary Giordano for the City of Torrance, At Large Seat #1

---

#### Official Voting Members Absent:

**Ronnie Villanueva**, representative for the City of Los Angeles Fire Department  
**Daryl Osby, Chair**, representative for the County of Los Angeles Fire Department  
**Gerardo Pinedo**, representative for the County of Los Angeles DHS  
**Vacant**, representative for the City of Long Beach  
**Scott Ferguson**, representative for the Los Angeles Area Fire Chiefs Association  
**Mark Alexander**, representative for the California Contract Cities Association  
**Mary Giordano**, representative for the City of Torrance, At Large Seat #1  
**Don Pederson**, representative for the City of Culver City, At Large Seat #2  
**Greg Simay**, representative for the City of Burbank, At Large Seat #3  
**Vacant**, representative for the City of Pasadena, At Large Seat #4



- I. CALL TO ORDER
  
- II. ANNOUNCE QUORUM – Roll Call taken by Committee Vice Chair Olyvia Rodriguez.
  
- III. APPROVAL OF MINUTES – May 15, 2013, LA-RICS Legislative Committee Meeting Minutes. Committee Member Nancy Ramirez called the 1st motion and Alternate Committee Member Chief John Lenihan called the 2nd. **MOTION APPROVED.**
  
- IV. NEW BUSINESS –
  - 2. Discussion Item: T-Band Issues and Next Steps

Vice Chair Rodriguez stated that this item was added at the request of Committee Member Greg Simay at the Board of Directors Meeting on August 1, 2013. He would like the Committee to consider next steps with regard to the comments that LA-RICS submitted to the FCC on May 13, 2013. The comments included the challenges that are being faced with the implementation of H.R. 3630, especially in regards to the T-Band and determining whether the Committee should consider recommending to the Board any legislative options or action that should be taken. In regards to the comments that LA-RICS submitted, the FCC has a period of time to review all of the comments; they also have the role of implementing the law, and Congress has the power to make changes to any law.

Chief Lenihan stated that one of the FirstNet Board Members, Jeff Johnson, stated that he does not believe that any legislative action will happen until FirstNet is clear on what they need to provide.

Vice Chair Rodriguez stated that there is still time to discuss issues as they come up. There are no major legislative issues in this specific area currently being considered in Congress.

Executive Director Mallon stated that Committee Member Simay wanted the Committee to take a position and recommend the Board make an official statement relative to the T-Band.

He also stated that although there are some Members within the Authority that do operate on T-Band. H.R. 3630 affected the UHF system that LA-RICS was planning and some feel abandoning T-Band is not something feasible, and LA-RICS needs to begin moving the project forward with the hybrid approach. As suggested, there are a lot of other things that need to be worked out for there to be sufficient spectrum to operate. If T-Band is lost, there will be a significant amount of reliance on the FirstNet broadband system. Executive Director Mallon hopes that the Legislative Committee can discuss and take a position in the interim that, "Until such time that FirstNet and the Public Safety Broadband System has been proven and accepted to provide substantial relief for voice over LTE, the Authority's position be that T-Band cannot be abandoned."





Committee Member Stephen Sotomayor stated that the key point is money. If LA-RICS is given the correct spectrum and money to transition, then there is a possibility to migrate. Timing is also a factor. The money has to be provided early or something similar to the 800 MHz Re-Banding effort, which has gone way beyond its deadline. This would mean negotiating with Sprint to see how much money they can give in order to do the Re-Band. Obviously this would delay the transition off the T-Band. He suggested the Committee consider advocating there needs to be funds and spectrum available for the jurisdictions to move.

Vice Chair Rodriguez recapped that at the last meeting, one of the items discussed was AB 162, which is a two year bill, and is being closely monitored. She also provided a brief Federal overview of the legislative schedules in the House of Representatives and the Senate.

Executive Director Mallon stated that the State of California's decision whether to opt in or out of the broadband system is not whether they participate in the national system, but whether they opt to build their own system versus allowing FirstNet to build the system.

**Item to be continued at next meeting.**

3. Discussion Item: Grant Opportunities

Vice Chair Rodriguez stated that this item was added at the request of Chief Osby.

Executive Director Mallon stated that on Thursday, August 15, 2013, the Board approved the Motorola Solutions contract for \$280 million. The project includes 15 years of maintenance, which is valued at \$75 million. The base project cost is in range of about \$200 - \$205 million. Current grant funds available are UASI (\$80 million) and SHSGP (\$9 million).

Executive Director Mallon stated that the main reason Chief Osby wanted this item to be discussed is because cities and the county do not have the monetary capacity to state their position; therefore, future funding has to be looked at within UASI and SHSGP grants. All monies are needed to build the infrastructure to allow membership in the project without a substantial local capital cost. He finds it discouraging that there is competition from LA-RICS' membership, because the system being built is for everyone's needs; is this a system for all or a system in which members want to build their own system? Chief Lenihan was present for the SHSGP 2013 Allocation meeting in which ICIS walked away with \$1.5 million. LA-RICS got \$309,000. He was concerned with the fact that over 70 sites proposed by Motorola for the LMR may not be in alignment with what ICIS is doing with the monies that they are using for their system. He does not see it as a direct carry over into the LA-RICS project especially in absence of details within ICIS presentations. He also suggested looking into other grants such as transportation grants (some of the radios will be put into the Metrorail tunnels) and



even school grants to assist paying a portion of the system, outside of the UASI and SHSGP grants.

Committee member Sotomayor stated grant deadlines sometime makes LA-RICS perform faster or make quicker decisions, which really becomes an issue when trying to build a system. LA-RICS needs a source of ongoing revenue not just grants; this could possibly be approached at the State level. For example, there are taxes applied to 911 to cellphone bills, use of telephone and telecommunications. These are largely regulated by the Public Utilities Commission. Maybe this is something that LA-RICS can look into as a long term, constant source of revenue.

Vice Chair Rodriguez stated that State funding opportunities should be looked at, and all other funding options, and work closely with the Finance Committee.

Vice Chair Rodriguez requested an updated grants report.

**Item to be continued at next meeting.**

V. PUBLIC COMMENT – None

VI. ADJOURNMENT AND NEXT MEETING

Vice Chair Rodriguez adjourned the meeting at 1:58 p.m.

The next meeting is scheduled for Wednesday, October 16, 2013, at 1:00 p.m., located at the LA -RICS Headquarters, 2525 Corporate Pl., Large Conference Room, Monterey Park, CA 91754.

113TH CONGRESS  
1ST SESSION

# H. R. 3300

To reauthorize the programs and activities of the Federal Emergency  
Management Agency.

---

## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 22, 2013

Mr. SHUSTER (for himself, Mr. RAHALL, Mr. BARLETTA, and Mr. CARSON  
of Indiana) introduced the following bill; which was referred to the Com-  
mittee on Transportation and Infrastructure

---

## A BILL

To reauthorize the programs and activities of the Federal  
Emergency Management Agency.

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 “FEMA Reauthoriza-  
5 tion Act of 2013”.

1 **TITLE I—REAUTHORIZATION OF**  
2 **FEMA AND MODERNIZATION**  
3 **OF INTEGRATED PUBLIC**  
4 **ALERT AND WARNING SYS-**  
5 **TEM**

6 **SEC. 101. REAUTHORIZATION OF FEDERAL EMERGENCY**  
7 **MANAGEMENT AGENCY.**

8 Section 699 of Public Law 109–295 (6 U.S.C. 811)  
9 is amended—

10 (1) by striking “administration and operations”  
11 each place it appears and inserting “management  
12 and administration”;

13 (2) in paragraph (2) by striking “and”;

14 (3) in paragraph (3) by striking the period and  
15 inserting “; and”; and

16 (4) by adding at the end the following:

17 “(4) for fiscal year 2014, \$972,145,000;

18 “(5) for fiscal year 2015, \$972,145,000; and

19 “(6) for fiscal year 2016, \$972,145,000.”.

20 **SEC. 102. INTEGRATED PUBLIC ALERT AND WARNING SYS-**  
21 **TEM MODERNIZATION.**

22 (a) **SHORT TITLE.**—This section may be cited as the  
23 “Integrated Public Alert and Warning System Moderniza-  
24 tion Act of 2013”.

1 (b) INTEGRATED PUBLIC ALERT AND WARNING SYS-  
2 TEM MODERNIZATION.—

3 (1) IN GENERAL.—To provide timely and effec-  
4 tive disaster warnings under this section, the Presi-  
5 dent, acting through the Administrator of the Fed-  
6 eral Emergency Management Agency, shall—

7 (A) modernize the integrated public alert  
8 and warning system of the United States (in  
9 this section referred to as the “public alert and  
10 warning system”) to ensure that the President  
11 under all conditions is able to alert and warn  
12 governmental authorities and the civilian popu-  
13 lation in areas endangered by disasters; and

14 (B) implement the public alert and warn-  
15 ing system.

16 (2) IMPLEMENTATION REQUIREMENTS.—In car-  
17 rying out paragraph (1), the Administrator shall,  
18 consistent with the recommendations in the final re-  
19 port of the Integrated Public Alert and Warning  
20 System Advisory Committee (established under sub-  
21 section (c))—

22 (A) establish or adopt, as appropriate,  
23 common alerting and warning protocols, stand-  
24 ards, terminology, and operating procedures for  
25 the public alert and warning system;

1           (B) include in the public alert and warning  
2 system the capability to adapt the distribution  
3 and content of communications on the basis of  
4 geographic location, risks, or personal user  
5 preferences, as appropriate;

6           (C) include in the public alert and warning  
7 system the capability to alert and warn, and  
8 provide the equivalent amount of information to  
9 individuals with disabilities and individuals with  
10 access and functional needs;

11           (D) ensure that training, tests, and exer-  
12 cises are conducted for the public alert and  
13 warning system and that the system is incor-  
14 porated into other training and exercise pro-  
15 grams of the Department of Homeland Secu-  
16 rity, as appropriate;

17           (E) establish and integrate into the Na-  
18 tional Incident Management System a com-  
19 prehensive and periodic training program to in-  
20 struct and educate Federal, State, tribal, and  
21 local government officials in the use of the  
22 Common Alerting Protocol enabled Emergency  
23 Alert System;

1 (F) conduct, at least once every 3 years,  
2 periodic nationwide tests of the public alert and  
3 warning system; and

4 (G) ensure that the public alert and warn-  
5 ing system is resilient, secure, and can with-  
6 stand acts of terrorism and other external at-  
7 tacks.

8 (3) SYSTEM REQUIREMENTS.—The public alert  
9 and warning system shall—

10 (A) incorporate multiple communications  
11 technologies;

12 (B) be designed to adapt to, and incor-  
13 porate, future technologies for communicating  
14 directly with the public;

15 (C) to the extent technically feasible, be  
16 designed to provide alerts to the largest portion  
17 of the affected population, including non-  
18 resident visitors and tourists and individuals  
19 with disabilities and access and functional  
20 needs, and improve the ability of remote areas  
21 to receive alerts;

22 (D) promote local and regional public and  
23 private partnerships to enhance community pre-  
24 paredness and response;

1           (E) provide redundant alert mechanisms if  
2           practicable so as to reach the greatest number  
3           of people regardless of whether they have access  
4           to, or utilize, any specific medium of commu-  
5           nication or any particular device; and

6           (F) include a mechanism to ensure the  
7           protection of individual privacy.

8           (4) IMPLEMENTATION PLAN.—Not later than  
9           180 days after the date of submission of the report  
10          of the Integrated Public Alert and Warning System  
11          Advisory Committee, the Administrator shall submit  
12          to the Committee on Transportation and Infrastruc-  
13          ture and the Committee on Homeland Security of  
14          the House of Representatives and the Committee on  
15          Homeland Security and Governmental Affairs of the  
16          Senate a detailed plan to implement the public alert  
17          and warning system. The plan shall include a  
18          timeline for implementation, a spending plan, and  
19          recommendations for any additional authority that  
20          may be necessary to fully implement this subsection.

21          (5) MAXIMUM FUNDS.—The Administrator may  
22          use not more than \$12,733,000 of the amount made  
23          available pursuant to section 699 of the Post-  
24          Katrina Emergency Management Reform Act of  
25          2006 (6 U.S.C. 811) for each of fiscal years 2014,



1       2015, and 2016 to carry out the provisions of this  
2       section.

3       (c) INTEGRATED PUBLIC ALERT AND WARNING SYS-  
4       TEM ADVISORY COMMITTEE.—

5               (1) ESTABLISHMENT.—Not later than 90 days  
6       after the date of enactment of this Act, the Adminis-  
7       trator of the Federal Emergency Management Agen-  
8       cy shall establish an advisory committee to be known  
9       as the Integrated Public Alert and Warning System  
10       Advisory Committee (in this subsection referred to  
11       as the “Advisory Committee”).

12              (2) MEMBERSHIP.—The Advisory Committee  
13       shall be composed of the following members (or their  
14       designees) to be appointed by the Administrator as  
15       soon as practicable after the date of enactment of  
16       this Act:

17                   (A) The Chairman of the Federal Commu-  
18       nications Commission.

19                   (B) The Administrator of the National  
20       Oceanic and Atmospheric Administration of the  
21       Department of Commerce.

22                   (C) The Assistant Secretary for Commu-  
23       nications and Information of the Department of  
24       Commerce.

1 (D) Representatives of State and local gov-  
2 ernments, representatives of emergency man-  
3 agement agencies, and representatives of emer-  
4 gency response providers, selected from among  
5 individuals nominated by national organizations  
6 representing governments and personnel.

7 (E) Representatives from federally recog-  
8 nized Indian tribes and national Indian organi-  
9 zations.

10 (F) Individuals who have the requisite  
11 technical knowledge and expertise to serve on  
12 the Advisory Committee, including representa-  
13 tives of—

- 14 (i) communications service providers;  
15 (ii) vendors, developers, and manufac-  
16 turers of systems, facilities, equipment,  
17 and capabilities for the provision of com-  
18 munications services;  
19 (iii) third-party service bureaus;  
20 (iv) the broadcasting industry, includ-  
21 ing commercial and noncommercial radio  
22 and television stations;  
23 (v) the cellular industry;  
24 (vi) the cable industry;  
25 (vii) the satellite industry; and

1 (viii) national organizations rep-  
2 resenting individuals with disabilities and  
3 access and functional needs and national  
4 organizations representing the elderly.

5 (G) Qualified representatives of such other  
6 stakeholders and interested and affected parties  
7 as the Administrator considers appropriate.

8 (3) CHAIRPERSON.—The Administrator shall  
9 serve as the Chairperson of the Advisory Committee.

10 (4) MEETINGS.—

11 (A) INITIAL MEETING.—The initial meet-  
12 ing of the Advisory Committee shall take place  
13 not later than 120 days after the date of enact-  
14 ment of this Act.

15 (B) OTHER MEETINGS.—After the initial  
16 meeting, the Advisory Committee shall meet at  
17 the call of the Chairperson.

18 (C) NOTICE; OPEN MEETINGS.—Meetings  
19 held by the Advisory Committee shall be duly  
20 noticed at least 14 days in advance and shall be  
21 open to the public.

22 (D) INTERESTED PERSONS.—Interested  
23 persons shall be permitted to attend, appear be-  
24 fore, or file statements with the Advisory Com-

1           committee, in accordance with subsection (c) of sec-  
2           tion 552b of title 5, United States Code.

3           (E) MEETING MINUTES.—The Advisory  
4           Committee shall keep detailed minutes of each  
5           meeting, which shall contain a record of the  
6           persons present, a complete and accurate de-  
7           scription of matters discussed and conclusions  
8           reached, and copies of all reports received,  
9           issued, or approved by the Advisory Committee.

10          (F) AVAILABILITY OF INFORMATION.—The  
11          records, reports, transcripts, minutes, appen-  
12          dixes, working papers, drafts, studies, agenda,  
13          or other documents which were made available  
14          to or prepared for or by the Advisory Com-  
15          mittee shall be available for public inspection  
16          and copying, subject to section 552 of title 5,  
17          United States Code, at a single location in the  
18          office of FEMA until the Advisory Committee  
19          ceases to exist.

20          (5) RULES.—

21          (A) QUORUM.—One-third of the members  
22          of the Advisory Committee shall constitute a  
23          quorum for conducting business of the Advisory  
24          Committee.

1           (B) SUBCOMMITTEES.—To assist the Advi-  
2           sory Committee in carrying out its functions,  
3           the Chairperson may establish appropriate sub-  
4           committees composed of members of the Advi-  
5           sory Committee and other subject matter ex-  
6           perts as the Chairperson considers necessary.

7           (C) ADDITIONAL RULES.—The Advisory  
8           Committee may adopt such other rules as are  
9           necessary to carry out its duties.

10          (6) CONSULTATION WITH NONMEMBERS.—The  
11          Advisory Committee and the program offices for the  
12          integrated public alert and warning system for the  
13          United States shall regularly meet with groups that  
14          are not represented on the Advisory Committee to  
15          consider new and developing technologies that may  
16          be beneficial to the public alert and warning system.  
17          Such groups may include—

18                 (A) the Defense Advanced Research  
19                 Projects Agency;

20                 (B) entities engaged in federally funded re-  
21                 search; and

22                 (C) academic institutions engaged in rel-  
23                 evant work and research.

1           (7) RECOMMENDATIONS.—The Advisory Com-  
2           mittee shall develop recommendations for an inte-  
3           grated public alert and warning system, including—

4                   (A) recommendations for common alerting  
5                   and warning protocols, standards, terminology,  
6                   and operating procedures for the public alert  
7                   and warning system; and

8                   (B) recommendations to provide for a pub-  
9                   lic alert and warning system that—

10                           (i) has the capability to adapt the dis-  
11                           tribution and content of communications  
12                           on the basis of geographic location, risks,  
13                           or personal user preferences, as appro-  
14                           priate;

15                           (ii) has the capability to alert and  
16                           warn individuals with disabilities and indi-  
17                           viduals with limited English proficiency;

18                           (iii) incorporates multiple communica-  
19                           tions technologies;

20                           (iv) is designed to adapt to, and incor-  
21                           porate, future technologies for commu-  
22                           nicating directly with the public;

23                           (v) is designed to provide alerts to the  
24                           largest portion of the affected population  
25                           feasible, including nonresident visitors and

1           tourists, and improve the ability of remote  
2           areas to receive alerts;

3                   (vi) promotes local and regional public  
4           and private partnerships to enhance com-  
5           munity preparedness and response; and

6                   (vii) provides redundant alert mecha-  
7           nisms if practicable in order to reach the  
8           greatest number of people regardless of  
9           whether they have access to, or utilize, any  
10          specific medium of communication or any  
11          particular device.

12           (8) INITIAL AND ANNUAL REPORT.—Not later  
13          than 1 year after the date of enactment of this Act,  
14          the Advisory Committee shall submit to the Admin-  
15          istrator, the Committee on Transportation and In-  
16          frastructure and the Committee on Homeland Secu-  
17          rity of the House of Representatives, and the Com-  
18          mittee on Homeland Security and Governmental Af-  
19          fairs of the Senate a report containing the rec-  
20          ommendations of the Advisory Committee.

21           (9) FEDERAL ADVISORY COMMITTEE ACT.—  
22          Neither the Federal Advisory Committee Act (5  
23          U.S.C. App.) nor any rule, order, or regulation pro-  
24          mulgated under that Act shall apply to the Advisory  
25          Committee.

1           (10) **TERMINATION.**—The Advisory Committee  
2           shall terminate not later than 3 years after the date  
3           of enactment of this Act.

4           (d) **LIMITATION ON STATUTORY CONSTRUCTION.**—  
5           Nothing in this section shall be construed to authorize or  
6           require FEMA or any other government entity to require  
7           any action on the part of the Federal Communications  
8           Commission, the Department of Commerce, the Office of  
9           Emergency Communications, or any other nongovernment  
10          entity nor impact any existing obligations of these entities.

## 11           **TITLE II—STAFFORD ACT AND** 12           **OTHER PROGRAMS**

### 13           **SEC. 201. REAUTHORIZATION OF URBAN SEARCH AND RES-** 14           **CUE RESPONSE SYSTEM.**

15          (a) **IN GENERAL.**—Title III of the Robert T. Stafford  
16          Disaster Relief and Emergency Assistance Act (42 U.S.C.  
17          5141 et seq.) is amended by adding at the end the fol-  
18          lowing:

### 19           **“SEC. 327. NATIONAL URBAN SEARCH AND RESCUE RE-** 20           **SPONSE SYSTEM.**

21          “(a) **DEFINITIONS.**—In this section, the following  
22          definitions apply:

23                  “(1) **ADMINISTRATOR.**—The term ‘Adminis-  
24                  trator’ means the Administrator of the Federal  
25                  Emergency Management Agency.



1           “(2) AGENCY.—The term ‘Agency’ means the  
2 Federal Emergency Management Agency.

3           “(3) HAZARD.—The term ‘hazard’ has the  
4 meaning given that term by section 602.

5           “(4) NONEMPLOYEE SYSTEM MEMBER.—The  
6 term ‘nonemployee System member’ means a System  
7 member not employed by a sponsoring agency or  
8 participating agency.

9           “(5) PARTICIPATING AGENCY.—The term ‘par-  
10 ticipating agency’ means a State or local govern-  
11 ment, nonprofit organization, or private organization  
12 that has executed an agreement with a sponsoring  
13 agency to participate in the System.

14           “(6) SPONSORING AGENCY.—The term ‘spon-  
15 soring agency’ means a State or local government  
16 that is the sponsor of a task force designated by the  
17 Administrator to participate in the System.

18           “(7) SYSTEM.—The term ‘System’ means the  
19 National Urban Search and Rescue Response Sys-  
20 tem to be administered under this section.

21           “(8) SYSTEM MEMBER.—The term ‘System  
22 member’ means an individual who is not a full-time  
23 employee of the Federal Government and who serves  
24 on a task force or on a System management or other  
25 technical team.

1           “(9) TASK FORCE.—The term ‘task force’  
2           means an urban search and rescue team designated  
3           by the Administrator to participate in the System.

4           “(b) GENERAL AUTHORITY.—Subject to the require-  
5           ments of this section, the Administrator shall continue to  
6           administer the emergency response system known as the  
7           National Urban Search and Rescue Response System.

8           “(c) FUNCTIONS.—In administering the System, the  
9           Administrator shall provide for a national network of  
10          standardized search and rescue resources to assist States  
11          and local governments in responding to hazards.

12          “(d) TASK FORCES.—

13                 “(1) DESIGNATION.—The Administrator shall  
14                 designate task forces to participate in the System.  
15                 The Administrator shall determine the criteria for  
16                 such participation.

17                 “(2) SPONSORING AGENCIES.—Each task force  
18                 shall have a sponsoring agency. The Administrator  
19                 shall enter into an agreement with the sponsoring  
20                 agency with respect to the participation of each task  
21                 force in the System.

22                 “(3) COMPOSITION.—

23                         “(A) PARTICIPATING AGENCIES.—A task  
24                         force may include, at the discretion of the spon-  
25                         soring agency, one or more participating agen-

1           cies. The sponsoring agency shall enter into an  
2           agreement with each participating agency with  
3           respect to the participation of the participating  
4           agency on the task force.

5           “(B) OTHER INDIVIDUALS.—A task force  
6           may also include, at the discretion of the spon-  
7           soring agency, other individuals not otherwise  
8           associated with the sponsoring agency or a par-  
9           ticipating agency. The sponsoring agency of a  
10          task force may enter into a separate agreement  
11          with each such individual with respect to the  
12          participation of the individual on the task force.

13          “(e) MANAGEMENT AND TECHNICAL TEAMS.—The  
14          Administrator shall maintain such management teams and  
15          other technical teams as the Administrator determines are  
16          necessary to administer the System.

17          “(f) APPOINTMENT OF SYSTEM MEMBERS INTO  
18          FEDERAL SERVICE.—

19                 “(1) IN GENERAL.—The Administrator may ap-  
20                 point a System member into Federal service for a  
21                 period of service to provide for the participation of  
22                 the System member in exercises, preincident staging,  
23                 major disaster and emergency response activities,  
24                 and training events sponsored or sanctioned by the  
25                 Administrator.

1           “(2) NONAPPLICABILITY OF CERTAIN CIVIL  
2 SERVICE LAWS.—The Administrator may make ap-  
3 pointments under paragraph (1) without regard to  
4 the provisions of title 5, United States Code, gov-  
5 erning appointments in the competitive service.

6           “(3) RELATIONSHIP TO OTHER AUTHORI-  
7 TIES.—The authority of the Administrator to make  
8 appointments under this subsection shall not affect  
9 any other authority of the Administrator under this  
10 Act.

11           “(4) LIMITATION.—A System member who is  
12 appointed into Federal service under paragraph (1)  
13 shall not be considered an employee of the United  
14 States for purposes other than those specifically set  
15 forth in this section.

16           “(g) COMPENSATION.—

17           “(1) PAY OF SYSTEM MEMBERS.—Subject to  
18 such terms and conditions as the Administrator may  
19 impose by regulation, the Administrator shall make  
20 payments to the sponsoring agency of a task force—

21                   “(A) to reimburse each employer of a Sys-  
22 tem member on the task force for compensation  
23 paid by the employer to the System member for  
24 any period during which the System member is

1 appointed into Federal service under subsection  
2 (f)(1); and

3 “(B) to make payments directly to a non-  
4 employee System member on the task force for  
5 any period during which the non-employee Sys-  
6 tem member is appointed into Federal service  
7 under subsection (f)(1).

8 “(2) REIMBURSEMENT FOR EMPLOYEES FILL-  
9 ING POSITIONS OF SYSTEM MEMBERS.—

10 “(A) IN GENERAL.—Subject to such terms  
11 and conditions as the Administrator may im-  
12 pose by regulation, the Administrator shall  
13 make payments to the sponsoring agency of a  
14 task force to reimburse each employer of a Sys-  
15 tem member on the task force for compensation  
16 paid by the employer to an employee filling a  
17 position normally filled by the System member  
18 for any period during which the System mem-  
19 ber is appointed into Federal service under sub-  
20 section (f)(1).

21 “(B) LIMITATION.—Costs incurred by an  
22 employer shall be eligible for reimbursement  
23 under subparagraph (A) only to the extent that  
24 the costs are in excess of the costs that would  
25 have been incurred by the employer had the

1           System member not been appointed into Fed-  
2           eral service under subsection (f)(1).

3           “(3) METHOD OF PAYMENT.—A System mem-  
4           ber shall not be entitled to pay directly from the  
5           Agency for a period during which the System mem-  
6           ber is appointed into Federal service under sub-  
7           section (f)(1).

8           “(h) PERSONAL INJURY, ILLNESS, DISABILITY, OR  
9           DEATH.—

10           “(1) IN GENERAL.—A System member who is  
11           appointed into Federal service under subsection  
12           (f)(1) and who suffers personal injury, illness, dis-  
13           ability, or death as a result of a personal injury sus-  
14           tained while acting in the scope of such appointment  
15           shall, for the purposes of subchapter I of chapter 81  
16           of title 5, United States Code, be treated as though  
17           the member were an employee (as defined by section  
18           8101 of that title) who had sustained the injury in  
19           the performance of duty.

20           “(2) ELECTION OF BENEFITS.—

21           “(A) IN GENERAL.—If a System member  
22           (or, in the case of the death of the System  
23           member, the System member’s dependent) is  
24           entitled—

1           “(i) under paragraph (1) to receive  
2           benefits under subchapter I of chapter 81  
3           of title 5, United States Code, by reason of  
4           personal injury, illness, disability, or death,  
5           and

6           “(ii) to receive benefits from a State  
7           or local government by reason of the same  
8           personal injury, illness, disability, or death,  
9           the System member or dependent shall elect to  
10          receive either the benefits referred to in clause  
11          (i) or (ii).

12          “(B) DEADLINE.—A System member or  
13          dependent shall make an election of benefits  
14          under subparagraph (A) not later than 1 year  
15          after the date of the personal injury, illness,  
16          disability, or death that is the reason for the  
17          benefits or until such later date as the Sec-  
18          retary of Labor may allow for reasonable cause  
19          shown.

20          “(C) EFFECT OF ELECTION.—An election  
21          of benefits made under this paragraph is irrev-  
22          ocable unless otherwise provided by law.

23          “(3) REIMBURSEMENT FOR STATE OR LOCAL  
24          BENEFITS.—Subject to such terms and conditions as  
25          the Administrator may impose by regulation, in the

1 event that a System member or dependent elects  
2 benefits from a State or local government under  
3 paragraph (2)(A), the Administrator shall reimburse  
4 the State or local government for the value of those  
5 benefits.

6 “(i) LIABILITY.—A System member appointed into  
7 Federal service under subsection (f)(1), while acting with-  
8 in the scope of the appointment, is deemed an employee  
9 of the Federal Government under section 1346(b) of title  
10 28, United States Code, and chapter 171 of that title, re-  
11 lating to tort claims procedure.

12 “(j) EMPLOYMENT AND REEMPLOYMENT RIGHTS.—  
13 With respect to a System member who is not a regular  
14 full-time employee of a sponsoring agency or participating  
15 agency, the following terms and conditions apply:

16 “(1) SERVICE.—Service as a System member is  
17 deemed ‘service in the uniformed services’ for pur-  
18 poses of chapter 43 of title 38, United States Code,  
19 relating to employment and reemployment rights of  
20 individuals who have performed service in the uni-  
21 formed services (regardless of whether the individual  
22 receives compensation for such participation). All  
23 rights and obligations of such persons and proce-  
24 dures for assistance, enforcement, and investigation  
25 shall be as provided for in such chapter.



1           “(2) PRECLUSION.—Preclusion of giving notice  
2 of service by necessity of appointment under this  
3 section is deemed preclusion by ‘military necessity’  
4 for purposes of section 4312(b) of title 38, United  
5 States Code, pertaining to giving notice of absence  
6 from a position of employment. A determination of  
7 such necessity shall be made by the Administrator  
8 and shall not be subject to judicial review.

9           “(k) LICENSES AND PERMITS.—If a System member  
10 holds a valid license, certificate, or other permit issued by  
11 any State or other governmental jurisdiction evidencing  
12 the member’s qualifications in any professional, mechan-  
13 ical, or other skill or type of assistance required by the  
14 System, the System member is deemed to be performing  
15 a Federal activity when rendering aid involving such skill  
16 or assistance during a period of appointment into Federal  
17 service under subsection (f)(1).

18           “(l) ADVISORY COMMITTEE.—

19           “(1) IN GENERAL.—The Administrator shall es-  
20 tablish and maintain an advisory committee to pro-  
21 vide expert recommendations to the Administrator in  
22 order to assist the Administrator in administering  
23 the System.

1           “(2) COMPOSITION.—The advisory committee  
2 shall be composed of members from geographically  
3 diverse areas, and shall include—

4           “(A) the chief officer or senior executive  
5 from at least three sponsoring agencies;

6           “(B) the senior emergency manager from  
7 at least two States that include sponsoring  
8 agencies; and

9           “(C) at least one representative rec-  
10 ommended by the leaders of the task forces.

11           “(3) INAPPLICABILITY OF TERMINATION RE-  
12 QUIREMENT.—Section 14(a)(2) of the Federal Advi-  
13 sory Committee Act (5 U.S.C. App.) shall not apply  
14 to the advisory committee under this subsection.

15           “(m) PREPAREDNESS COOPERATIVE AGREE-  
16 MENTS.—

17           “(1) IN GENERAL.—Subject to the availability  
18 of appropriations for such purpose, the Adminis-  
19 trator shall enter into an annual preparedness coop-  
20 erative agreement with each sponsoring agency.  
21 Amounts made available to a sponsoring agency  
22 under such a preparedness cooperative agreement  
23 shall be for the following purposes:

1           “(A) Training and exercises, including  
2 training and exercises with other Federal,  
3 State, and local government response entities.

4           “(B) Acquisition and maintenance of  
5 equipment, including interoperable communica-  
6 tions and personal protective equipment.

7           “(C) Medical monitoring required for re-  
8 sponder safety and health in anticipation of and  
9 following a major disaster, emergency, or other  
10 hazard, as determined by the Administrator.

11           “(2) AVAILABILITY OF APPROPRIATIONS.—Not-  
12 withstanding section 1552(b) of title 31, United  
13 States Code, amounts made available for cooperative  
14 agreements under this subsection that are not ex-  
15 pended shall be deposited in an agency account and  
16 shall remain available for such agreements without  
17 fiscal year limitation.

18           “(n) RESPONSE COOPERATIVE AGREEMENTS.—The  
19 Administrator shall enter into a response cooperative  
20 agreement with each sponsoring agency, as appropriate,  
21 under which the Administrator agrees to reimburse the  
22 sponsoring agency for costs incurred by the sponsoring  
23 agency in responding to a major disaster or emergency.

1       “(o) OBLIGATIONS.—The Administrator may incur  
2 all necessary obligations consistent with this section in  
3 order to ensure the effectiveness of the System.

4       “(p) AUTHORIZATION OF APPROPRIATIONS.—

5           “(1) IN GENERAL.—There is authorized to be  
6 appropriated to carry out the System and the provi-  
7 sions of this section \$35,180,000 for each of fiscal  
8 years 2014, 2015, and 2016.

9           “(2) ADMINISTRATIVE EXPENSES.—The Ad-  
10 ministrator may use not to exceed 6 percent of the  
11 funds appropriated for a fiscal year pursuant to  
12 paragraph (1) for salaries, expenses, and other ad-  
13 ministrative costs incurred by the Administrator in  
14 carrying out this section.”.

15       (b) CONFORMING AMENDMENTS.—

16           (1) APPLICABILITY OF TITLE 5, UNITED  
17 STATES CODE.—Section 8101(1) of title 5, United  
18 States Code, is amended—

19                   (A) in subparagraph (D) by striking “and”  
20 at the end;

21                   (B) by moving subparagraph (F) to appear  
22 after subparagraph (E);

23                   (C) in subparagraph (F)—

24                           (i) by striking “United States Code,”;

25                           and

1 (ii) by adding “and” at the end; and

2 (D) by inserting after subparagraph (F)

3 the following:

4 “(G) an individual who is a System mem-  
5 ber of the National Urban Search and Rescue  
6 Response System during a period of appoint-  
7 ment into Federal service pursuant to section  
8 327 of the Robert T. Stafford Disaster Relief  
9 and Emergency Assistance Act;”.

10 (2) INCLUSION AS PART OF UNIFORMED SERV-  
11 ICES FOR PURPOSES OF USERRA.—Section 4303 of  
12 title 38, United States Code, is amended—

13 (A) in paragraph (13) by inserting “, a pe-  
14 riod for which a System member of the Na-  
15 tional Urban Search and Rescue Response Sys-  
16 tem is absent from a position of employment  
17 due to an appointment into Federal service  
18 under section 327 of the Robert T. Stafford  
19 Disaster Relief and Emergency Assistance Act”  
20 before “, and a period”; and

21 (B) in paragraph (16) by inserting after  
22 “Public Health Service,” the following: “System  
23 members of the National Urban Search and  
24 Rescue Response System during a period of ap-  
25 pointment into Federal service under section

1           327 of the Robert T. Stafford Disaster Relief  
2           and Emergency Assistance Act,”.

3 **SEC. 202. REAUTHORIZATION OF EMERGENCY MANAGE-**  
4 **MENT ASSISTANCE COMPACT GRANTS.**

5           (a) IN GENERAL.—Subtitle A of title VI of the Rob-  
6 ert T. Stafford Disaster Relief and Emergency Assistance  
7 Act (42 U.S.C. 5196 et seq.) is amended by adding at  
8 the end the following:

9 **“SEC. 617. EMERGENCY MANAGEMENT ASSISTANCE COM-**  
10 **PACT GRANTS.**

11           “(a) IN GENERAL.—The Administrator of the Fed-  
12 eral Emergency Management Agency may make grants to  
13 provide for implementation of the Emergency Manage-  
14 ment Assistance Compact consented to by Congress in the  
15 joint resolution entitled ‘Joint resolution granting the con-  
16 sent of Congress to the Emergency Management Assist-  
17 ance Compact’ (Public Law 104–321; 110 Stat. 3877).

18           “(b) ELIGIBLE GRANT RECIPIENTS.—States and the  
19 Administrator of the Emergency Management Assistance  
20 Compact shall be eligible to receive grants under sub-  
21 section (a).

22           “(c) USE OF FUNDS.—A grant received under this  
23 section shall be used—

24                   “(1) to carry out recommendations identified in  
25           the Emergency Management Assistance Compact

1 after-action reports for the 2004 and 2005 hurricane  
2 seasons;

3 “(2) to administer compact operations on behalf  
4 of States, as such term is defined in the compact,  
5 that have enacted the compact;

6 “(3) to continue coordination with the Federal  
7 Emergency Management Agency and appropriate  
8 Federal agencies;

9 “(4) to continue coordination with States and  
10 local governments and their respective national orga-  
11 nizations; and

12 “(5) to assist State and local governments,  
13 emergency response providers, and organizations  
14 representing such providers with credentialing the  
15 providers and the typing of emergency response re-  
16 sources.

17 “(d) COORDINATION.—The Administrator of the  
18 Federal Emergency Management Agency shall consult  
19 with the Administrator of the Emergency Management  
20 Assistance Compact to ensure effective coordination of ef-  
21 forts in responding to requests for assistance.

22 “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
23 is authorized to be appropriated to carry out this section  
24 \$2,000,000 for each of the fiscal years 2014, 2015, and  
25 2016. Such sums shall remain available until expended.”.

1           (b) REPEAL.—Section 661 of the Post-Katrina  
2 Emergency Management Reform Act of 2006 (6 U.S.C.  
3 761) is repealed.

○