113TH CONGRESS 1ST SESSION

# H.R. 180

## AN ACT

- To encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.
  - 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.

- This Act may be cited as the "National Blue Alert
- 3 Act of 2013".
- 4 SEC. 2. DEFINITIONS.
- 5 In this Act:
- 6 (1) COORDINATOR.—The term "Coordinator"
- 7 means the Blue Alert Coordinator of the Depart-
- 8 ment of Justice designated under section 4(a).
- 9 (2) Blue Alert.—The term "Blue Alert"
- means information relating to the serious injury or
- death of a law enforcement officer in the line of duty
- sent through the network.
- 13 (3) Blue Alert Plan.—The term "Blue Alert
- plan" means the plan of a State, unit of local gov-
- ernment, or Federal agency participating in the net-
- work for the dissemination of information received
- 17 as a Blue Alert.
- 18 (4) Law enforcement officer.—The term
- "law enforcement officer" shall have the same mean-
- ing as in section 1204 of the Omnibus Crime Con-
- trol and Safe Streets Act of 1968 (42 U.S.C.
- 22 3796b).
- 23 (5) Network.—The term "network" means
- 24 the Blue Alert communications network established
- by the Attorney General under section 3.

1	(6) State.—The term "State" means each of
2	the 50 States, the District of Columbia, Puerto Rico,
3	the United States Virgin Islands, Guam, American
4	Samoa, and the Commonwealth of the Northern
5	Mariana Islands.
6	SEC. 3. BLUE ALERT COMMUNICATIONS NETWORK.
7	The Attorney General shall establish a national Blue
8	Alert communications network within the Department of
9	Justice to issue Blue Alerts through the initiation, facilita-
10	tion, and promotion of Blue Alert plans, in coordination
11	with States, units of local government, law enforcement
12	agencies, and other appropriate entities.
13	SEC. 4. BLUE ALERT COORDINATOR; GUIDELINES.
13 14	SEC. 4. BLUE ALERT COORDINATOR; GUIDELINES.  (a) COORDINATION WITHIN DEPARTMENT OF JUS-
14	(a) Coordination Within Department of Jus-
14 15	(a) Coordination Within Department of Justice.—The Attorney General shall assign an existing offi-
<ul><li>14</li><li>15</li><li>16</li></ul>	(a) Coordination Within Department of Justice.—The Attorney General shall assign an existing officer of the Department of Justice to act as the national
<ul><li>14</li><li>15</li><li>16</li><li>17</li></ul>	(a) Coordination Within Department of Justice.—The Attorney General shall assign an existing officer of the Department of Justice to act as the national coordinator of the Blue Alert communications network.
14 15 16 17 18	<ul> <li>(a) Coordination Within Department of Justice.—The Attorney General shall assign an existing officer of the Department of Justice to act as the national coordinator of the Blue Alert communications network.</li> <li>(b) Duties of the Coordinator.—The Coordinator.</li> </ul>
<ul><li>14</li><li>15</li><li>16</li><li>17</li><li>18</li><li>19</li></ul>	<ul> <li>(a) Coordination Within Department of Justice.—The Attorney General shall assign an existing officer of the Department of Justice to act as the national coordinator of the Blue Alert communications network.</li> <li>(b) Duties of the Coordinator.—The Coordinator shall—</li> </ul>
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14 15 16 17 18 19 20 21	<ul> <li>(a) Coordination Within Department of Justice.—The Attorney General shall assign an existing officer of the Department of Justice to act as the national coordinator of the Blue Alert communications network.</li> <li>(b) Duties of the Coordinator.—The Coordinator shall— <ul> <li>(1) provide assistance to States and units of local government that are using Blue Alert plans;</li> </ul> </li> </ul>

1	grated Blue Alert plans throughout the United
2	States, including—
3	(A) a list of the resources necessary to es-
4	tablish a Blue Alert plan;
5	(B) criteria for evaluating whether a situa-
6	tion warrants issuing a Blue Alert;
7	(C) guidelines to protect the privacy, dig-
8	nity, independence, and autonomy of any law
9	enforcement officer who may be the subject of
10	a Blue Alert and the family of the law enforce-
11	ment officer;
12	(D) guidelines that a Blue Alert should
13	only be issued with respect to a law enforce-
14	ment officer if—
15	(i) the law enforcement agency in-
16	volved—
17	(I) confirms—
18	(aa) the death or serious in-
19	jury of the law enforcement offi-
20	cer; or
21	(bb) the attack on the law
22	enforcement officer and that
23	there is an indication of the
24	death or serious injury of the of-
25	ficer; or

1	(II) concludes that the law en-
2	forcement officer is missing in the line
3	of duty;
4	(ii) there is an indication of serious
5	injury to or death of the law enforcement
6	officer;
7	(iii) the suspect involved has not been
8	apprehended; and
9	(iv) there is sufficient descriptive in-
10	formation of the suspect involved and any
11	relevant vehicle and tag numbers;
12	(E) guidelines—
13	(i) that information relating to a law
14	enforcement officer who is seriously in-
15	jured or killed in the line of duty should be
16	provided to the National Crime Informa-
17	tion Center database operated by the Fed-
18	eral Bureau of Investigation under section
19	534 of title 28, United States Code, and
20	any relevant crime information repository
21	of the State involved;
22	(ii) that a Blue Alert should, to the
23	maximum extent practicable (as deter-
24	mined by the Coordinator in consultation
25	with law enforcement agencies of States

1	and units of local governments), be limited
2	to the geographic areas most likely to fa-
3	cilitate the apprehension of the suspect in-
4	volved or which the suspect could reason-
5	ably reach, which should not be limited to
6	State lines;
7	(iii) for law enforcement agencies of
8	States or units of local government to de-
9	velop plans to communicate information to
10	neighboring States to provide for seamless
11	communication of a Blue Alert; and
12	(iv) providing that a Blue Alert
13	should be suspended when the suspect in-
14	volved is apprehended or when the law en-
15	forcement agency involved determines that
16	the Blue Alert is no longer effective; and
17	(F) guidelines for—
18	(i) the issuance of Blue Alerts
19	through the network; and
20	(ii) the extent of the dissemination of
21	alerts issued through the network;
22	(3) develop protocols for efforts to apprehend
23	suspects that address activities during the period be-
24	ginning at the time of the initial notification of a
25	law enforcement agency that a suspect has not been

1	apprehended and ending at the time of apprehension
2	of a suspect or when the law enforcement agency in-
3	volved determines that the Blue Alert is no longer
4	effective, including protocols regulating—
5	(A) the use of public safety communica-
6	tions;
7	(B) command center operations; and
8	(C) incident review, evaluation, debriefing,
9	and public information procedures;
10	(4) work with States to ensure appropriate re-
11	gional coordination of various elements of the net-
12	work;
13	(5) establish an advisory group to assist States,
14	units of local government, law enforcement agencies,
15	and other entities involved in the network with initi-
16	ating, facilitating, and promoting Blue Alert plans,
17	which shall include—
18	(A) to the maximum extent practicable,
19	representation from the various geographic re-
20	gions of the United States; and
21	(B) members who are—
22	(i) representatives of a law enforce-
23	ment organization representing rank-and-
24	file officers;

1	(ii) representatives of other law en-
2	forcement agencies and public safety com-
3	munications;
4	(iii) broadcasters, first responders,
5	dispatchers, and radio station personnel;
6	and
7	(iv) representatives of any other indi-
8	viduals or organizations that the Coordi-
9	nator determines are necessary to the suc-
10	cess of the network;
11	(6) act as the nationwide point of contact for—
12	(A) the development of the network; and
13	(B) regional coordination of Blue Alerts
14	through the network; and
15	(7) determine—
16	(A) what procedures and practices are in
17	use for notifying law enforcement and the pub-
18	lic when a law enforcement officer is killed or
19	seriously injured in the line of duty; and
20	(B) which of the procedures and practices
21	are effective and that do not require the ex-
22	penditure of additional resources to implement.
23	(c) Limitations.—
24	(1) Voluntary participation.—The guide-
25	lines established under subsection (b)(2), protocols

- developed under subsection (b)(3), and other programs established under subsection (b), shall not be mandatory.
  - (2) DISSEMINATION OF INFORMATION.—The guidelines established under subsection (b)(2) shall, to the maximum extent practicable (as determined by the Coordinator in consultation with law enforcement agencies of States and units of local government), provide that appropriate information relating to a Blue Alert is disseminated to the appropriate officials of law enforcement agencies, public health agencies, and other agencies.
  - (3) PRIVACY AND CIVIL LIBERTIES PROTECTIONS.—The guidelines established under subsection (b) shall—
    - (A) provide mechanisms that ensure that Blue Alerts comply with all applicable Federal, State, and local privacy laws and regulations; and
    - (B) include standards that specifically provide for the protection of the civil liberties, including the privacy, of law enforcement officers who are seriously injured or killed in the line of duty and the families of the officers.

1	(d) Cooperation With Other Agencies.—The
2	Coordinator shall cooperate with the Secretary of Home-
3	land Security, the Secretary of Transportation, the Chair-
4	man of the Federal Communications Commission, and ap-
5	propriate offices of the Department of Justice in carrying
6	out activities under this Act.
7	(e) RESTRICTIONS ON COORDINATOR.—The Coordi-
8	nator may not—
9	(1) perform any official travel for the sole pur-
10	pose of carrying out the duties of the Coordinator
11	(2) lobby any officer of a State regarding the
12	funding or implementation of a Blue Alert plan; or
13	(3) host a conference focused solely on the Blue
14	Alert program that requires the expenditure of Fed-
15	eral funds.
16	(f) REPORTS.—Not later than 1 year after the date
17	of enactment of this Act, and annually thereafter, the Co-

18 ordinator shall submit to Congress a report on the activi-

19 ties of the Coordinator and the effectiveness and status

- 1 of the Blue Alert plans that are in effect or being devel-
- 2 oped.

Passed the House of Representatives May 14, 2013. Attest:

Clerk.

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