

(5) under which electing commercial mobile service providers may offer subscribers the capability of preventing the subscriber's device from receiving emergency alerts, or classes of such alerts, (other than an alert issued by the President), consistent with section 1201(b)(2)(E) of this title;

(6) for a process under which commercial mobile service providers can elect to transmit emergency alerts if—

(A) not all of the devices or equipment used by such provider are capable of receiving such alerts; or

(B) the provider cannot offer such alerts throughout the entirety of its service area; and

(7) as otherwise necessary to enable electing commercial mobile service providers to transmit emergency alerts to subscribers.

(d) Meetings

(1) Initial meeting

The initial meeting of the Advisory Committee shall take place not later than 60 days after October 13, 2006.

(2) Other meetings

After the initial meeting, the Advisory Committee shall meet at the call of the chair.

(3) Notice; open meetings

Any meetings held by the Advisory Committee shall be duly noticed at least 14 days in advance and shall be open to the public.

(e) Rules

(1) Quorum

One-third of the members of the Advisory Committee shall constitute a quorum for conducting business of the Advisory Committee.

(2) Subcommittees

To assist the Advisory Committee in carrying out its functions, the chair may establish appropriate subcommittees composed of members of the Advisory Committee and other subject matter experts as deemed necessary.

(3) Additional rules

The Advisory Committee may adopt other rules as needed.

(f) Federal Advisory Committee Act

Neither the Federal Advisory Committee Act (5 U.S.C. App.) nor any rule, order, or regulation promulgated under that Act shall apply to the Advisory Committee.

(g) Consultation with NIST

The Advisory Committee shall consult with the National Institute of Standards and Technology in its work on developing recommendations under paragraphs (2) and (3) of subsection (c).

(Pub. L. 109-347, title VI, §603, Oct. 13, 2006, 120 Stat. 1938.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (f), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, which is set out in the Appendix to Title 5, Government Organization and Employees.

§ 1203. Research and development

(a) In general

The Under Secretary of Homeland Security for Science and Technology, in consultation with the director of the National Institute of Standards and Technology and the chairman of the Federal Communications Commission, shall establish a research, development, testing, and evaluation program based on the recommendations of the Commercial Mobile Service Alert Advisory Committee, established pursuant to section 1202(a) of this title, to support the development of technologies to increase the number of commercial mobile service devices that can receive emergency alerts.

(b) Functions

The program established under subsection (a) shall—

(1) fund research, development, testing, and evaluation at academic institutions, private sector entities, government laboratories, and other appropriate entities; and

(2) ensure that the program addresses, at a minimum—

(A) developing innovative technologies that will transmit geographically targeted emergency alerts to the public; and

(B) research on understanding and improving public response to warnings.

(Pub. L. 109-347, title VI, §604, Oct. 13, 2006, 120 Stat. 1940.)

§ 1204. Grant program for remote community alert systems

(a) Grant program

The Under Secretary of Commerce for Oceans and Atmosphere, in consultation with the Secretary of Homeland Security, shall establish a program under which grants may be made to provide for outdoor alerting technologies in remote communities effectively unserved by commercial mobile service (as determined by the Federal Communications Commission within 180 days after October 13, 2006) for the purpose of enabling residents of those communities to receive emergency alerts.

(b) Applications and conditions

In conducting the program, the Under Secretary—

(1) shall establish a notification and application procedure; and

(2) may establish such conditions, and require such assurances, as may be appropriate to ensure the efficiency and integrity of the grant program.

(c) Sunset

The Under Secretary may not make grants under subsection (a) more than 5 years after October 13, 2006.

(d) Limitation

The sum of the amounts awarded for all fiscal years as grants under this section may not exceed \$10,000,000.

(Pub. L. 109-347, title VI, §605, Oct. 13, 2006, 120 Stat. 1940.)