

[STAFF WORKING DRAFT]

FEBRUARY 28, 2017

115TH CONGRESS
1ST SESSION

S. _____

To further deployment of Next Generation 9–1–1 services to enhance and upgrade the Nation’s 9–1–1 systems, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. NELSON (for himself and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To further deployment of Next Generation 9–1–1 services to enhance and upgrade the Nation’s 9–1–1 systems, and for other purposes.

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 “Next Generation 9–
5 1–1 Act of 2017”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) The Nation's 9-1-1 systems, while a model
2 for the entire world, lacks the advanced functionality
3 and capabilities that come with the adoption of new
4 digital technologies.

5 (2) Communications technologies available to
6 the public and first responders have substantially
7 outpaced the legacy communications technologies
8 presently utilized by most Public Safety Answering
9 Points in the 9-1-1 system.

10 (3) This lack of modern technology, when cou-
11 pled with other challenges, is impacting the ability of
12 the 9-1-1 system to efficiently and effectively pro-
13 vide responses to emergencies.

14 (4) Modernizing the Nation's 9-1-1 systems to
15 include new and evolving capabilities of broadband
16 voice and data communications is essential for the
17 safety and security of the general public as well as
18 first responders.

19 (5) Attempts by both the Federal Government
20 and States to modernize 9-1-1 networks to date,
21 while laudable and important, have been ad hoc and
22 generally do not reflect a common understanding or
23 approach to Next Generation 9-1-1 services.

24 (6) A nationwide strategy for Next Generation
25 9-1-1 services has become essential to help guide

1 the transition and create a common framework for
2 implementation of Next-Generation 9–1–1 services
3 while preserving local control over 9–1–1 services
4 governance and technology choices.

5 (7) Accelerated implementation of Next Genera-
6 tion 9–1–1 will—

7 (A) increase compatibility with emerging
8 communications trends;

9 (B) enhance the flexibility, reliability, and
10 survivability of the Nation’s 9–1–1 systems dur-
11 ing major incidents;

12 (C) improve emergency response for the
13 public and emergency responders;

14 (D) help ensure seamless integration of the
15 Nation’s 9–1–1 systems with the wireless na-
16 tionwide public safety broadband network being
17 deployed by the First Responder Network Au-
18 thority; and

19 (E) reduce the overall cost of operating 9–
20 1–1 systems across the country.

21 **SEC. 3. STATEMENT OF POLICY.**

22 It is the policy of the United States that—

23 (1) the transition from legacy 9–1–1 services
24 systems to Next Generation 9–1–1 services is a na-
25 tional priority and a national imperative;

1 (2) the Nation should complete the transition of
2 the current 9–1–1 services system to Next Genera-
3 tion 9–1–1 services as soon as practicable【, with the
4 goal of having full implementation of Next Genera-
5 tion 9–1–1 services by INSERT DATE】;

6 (3) the Nation should develop a framework that
7 enables and facilitates cooperation between Federal,
8 State, and local officials on deployment of Next Gen-
9 eration 9–1–1 services in order to meet this goal;

10 (4) the governance and control of the Nation’s
11 9–1–1 systems, including Next Generation 9–1–1
12 services, should remain at the State, regional, and
13 local level; and

14 (5) the public safety answering points should
15 have sufficient resources to implement Next Genera-
16 tion 9–1–1 services, including the necessary training
17 and workforce to manage advanced communications
18 capabilities and cybersecurity issues.

19 **SEC. 4. DEFINITIONS.**

20 In this Act:

21 (1) **ADMINISTRATION.**—The term “Administra-
22 tion” means the National Telecommunications and
23 Information Administration.

24 (2) **FIRST RESPONDER NETWORK AUTHOR-**
25 **ITY.**—The term “First Responder Network Author-

1 ity” has the meaning given the term in section 6001
2 of the Middle Class Tax Relief and Job Creation Act
3 of 2012 (47 U.S.C. 1401).

4 (3) NATIONWIDE PUBLIC SAFETY BROADBAND
5 NETWORK.—The term “nationwide public safety
6 broadband network” has the meaning given the term
7 in section 6001 of the Middle Class Tax Relief and
8 Job Creation Act of 2012 (47 U.S.C. 1401).

9 (4) NEXT GENERATION 9–1–1 SERVICES.—The
10 term “Next Generation 9–1–1 services” means an
11 IP-based system comprised of hardware, software,
12 data, and operational policies and procedures that—

13 (A) provides standardized interfaces from
14 emergency call and message services to support
15 emergency communications;

16 (B) processes all types of emergency calls,
17 including voice, text, data, and multimedia in-
18 formation;

19 (C) acquires and integrates additional
20 emergency call data useful to call routing and
21 handling;

22 (D) delivers the emergency calls, messages,
23 and data to the appropriate public safety an-
24 swering point and other appropriate emergency
25 entities;

1 (E) supports data or video communications
2 needs for coordinated incident response and
3 management; and

4 (F) provides broadband service to public
5 safety answering points or other first responder
6 entities.

7 (5) OFFICE.—The term “Office” means the
8 Next Generation 9–1–1 Implementation Coordina-
9 tion Office established under section 158 of the Na-
10 tional Telecommunications and Information Admin-
11 istration Organization Act (47 U.S.C. 942).

12 (6) PUBLIC SAFETY ANSWERING POINT.—The
13 term “public safety answering point” has the mean-
14 ing give the term in section 222 of the Communica-
15 tions Act of 1934 (47 U.S.C. 222).

16 **SEC. 5. NEXT GENERATION 9–1–1 IMPLEMENTATION CO-**
17 **ORDINATION OFFICE.**

18 (a) ADDITIONAL RESPONSIBILITIES.—In addition to
19 any responsibilities assigned to the Office under section
20 158 of the National Telecommunications and Information
21 Administration Organization Act (47 U.S.C. 942), the Of-
22 fice shall—

23 (1) create a clearing house of information for
24 Federal, State, and local entities to assist with the

1 development and deployment of Next Generation 9–
2 1–1 services;

3 (2) provide assistance to States and localities
4 with development and deployment of Next Genera-
5 tion 9–1–1 services, including with respect to—

6 (A) governance structures for Next Gen-
7 eration 9–1–1 services;

8 (B) network deployment models for Next
9 Generation 9–1–1 services; and

10 (C) sustainable funding models for Next
11 Generation 9–1–1 services;

12 (3) help States and localities to coordinate ac-
13 quisitions and procurements related to deployment
14 of Next Generation 9–1–1 services, including devel-
15 opment of model—

16 (A) Requests for Proposals;

17 (B) vendor guidelines; and

18 (C) vendor lists;

19 (4) coordinate assistance from Federal entities,
20 including the First Responder Network Authority,
21 the National Institute of Standards and Technology,
22 and the Department of Homeland Security, for
23 States and localities with respect to issues related to
24 Next Generation 9–1–1 services; and

1 (5) work with the General Services Administra-
2 tion to determine the feasibility of allowing States
3 and localities to take advantage of blanket purchase
4 agreements for acquisition of equipment related to
5 Next Generation 9–1–1 services.

6 (b) COORDINATION ROLES.—The Office shall—

7 (1) serve as the Federal government coordi-
8 nator for—

9 (A) the development and deployment of
10 Next Generation 9–1–1 services; and

11 (B) for ensuring that the Federal Commu-
12 nications Commission, the National Institute of
13 Standards and Technology, the Department of
14 Homeland Security, and other relevant agencies
15 consider 9–1–1 issues, including Next Genera-
16 tion 9–1–1 services, in Federal cybersecurity ef-
17 forts; and

18 (2) work with all relevant Federal agencies and
19 departments, including the Federal Communications
20 Commission, the National Institute of Standards
21 and Technology, the National Highway Traffic Safe-
22 ty Administration, the Department of Homeland Se-
23 curity.

24 (c) ANNUAL REPORTS.—

1 (1) IN GENERAL.—Beginning not later than 2
2 years after the date of enactment of this Act, and
3 annually thereafter, the Office shall prepare a com-
4 prehensive report on the status of the implementa-
5 tion of Next Generation 9–1–1 services by States
6 and localities.

7 (2) PUBLICATION.—The reports required by
8 this subsection shall be published online and sub-
9 mitted to the Committee on Commerce, Science, and
10 Transportation of the Senate and the Committee on
11 Energy and Commerce of the House of Representa-
12 tives.

13 (3) COMBINATION OF EXISTING REPORTS.—To
14 the extent that the Office is required by law to issue
15 other reports, such reports may be combined with
16 the annual reports required by this subsection.

17 (d) MEMORANDUM OF UNDERSTANDING.—

18 (1) IN GENERAL.—Not later than 180 days
19 after the date of enactment of this Act, the Adminis-
20 tration and the National Highway Traffic Safety
21 Administration shall enter into a memorandum of
22 understanding with respect to the operations of the
23 Office.

1 (2) REQUIRED ELEMENTS.—The memorandum
2 of understanding required by this subsection shall
3 include provisions related to—

4 (A) streamlining the administrative review
5 of the actions of the Office, including—

6 (i) providing that the Administration
7 take sole responsibility for reviewing any
8 rulemaking or other formal activity, re-
9 quired by this Act or other law, conducted
10 by the Office; and

11 (ii) ensuring that a single entity is re-
12 sponsible for reviewing and approving
13 grants, including grant guidance and funds
14 solicitations, made under the amendments
15 made by this Act;

16 (B) staffing and support for the operations
17 of the Office; and

18 (C) any other matters that the Administra-
19 tion and National Highway Traffic Safety Ad-
20 ministration consider necessary to enhance the
21 ability of the Office to achieve its mission and
22 accomplish its responsibilities under this Act or
23 other law.

1 (e) **【AUTHORIZATION OF APPROPRIATIONS】**.—
2 **【There is authorized to be appropriated to carry out this**
3 **section such sums as may be necessary】**.

4 **SEC. 6. NEXT GENERATION 9–1–1 GRANT PROGRAM.**

5 (a) GRANT REQUIREMENTS.—

6 (1) SINGLE POINT OF CONTACT.—Section
7 158(b)(3)(A) of the National Telecommunications
8 and Information Administration Organization Act
9 (47 U.S.C. 942(b)(3)(A)) is amended by amending
10 clause (ii) to read as follows:

11 “(ii) has designated a single officer or
12 governance body to serve as the State
13 point of contact for implementation of
14 Next Generation 9–1–1 services for that
15 State, except that such designation need
16 not vest such officer with direct legal au-
17 thority to implement Next Generation 9–
18 1–1 services or to manage emergency com-
19 munications operations;”.

20 (2) ADDITIONAL REQUIREMENTS.—Section
21 158(b)(3)(A) of the National Telecommunications
22 and Information Administration Organization Act
23 (47 U.S.C. 942(b)(3)(A)) is amended—

24 (A) in clause (iii), by striking “; and” and
25 inserting a semicolon;

1 (B) in clause (iv), by striking “or” at the
2 end; and

3 (C) adding at the end the following:

4 “(v) has developed and submitted a
5 proposed architecture for deployment of
6 Next Generation 9–1–1 services that—

7 “(I) uses an accredited, non-pro-
8 prietary, consensus-based, standards-
9 based approach in the design and im-
10 plementation of all aspects of such
11 services; and

12 “(II) incorporates the use of ef-
13 fective cybersecurity resources;

14 “(vi) has developed a plan to use open
15 and competitive Request for Proposal proc-
16 esses, or the equivalent, for deployment of
17 Next Generation 9–1–1 services;

18 “(vii) has offered all relevant public
19 safety answering points, regional authori-
20 ties, local authorities, and tribal authorities
21 an opportunity to be involved in the devel-
22 opment of the proposed architecture for
23 deployment under clause (v), which—

1 “(I) shall include outreach di-
2 rectly to relevant tribal governments;
3 and

4 “(II) may include the creation of
5 a governance body or bodies that in-
6 cludes these parties and other stake-
7 holders to consult and coordinate with
8 the State point of contact required by
9 clause (ii); and

10 “(viii) has a plan to ensure sufficient
11 staffing and training of staff at all levels
12 to ensure the effectiveness of all aspects of
13 Next Generation 9–1–1 services; or”.

14 (b) GRANT COMMITMENTS.—Section 158(b) of the
15 National Telecommunications and Information Adminis-
16 tration Organization Act (47 U.S.C. 942(b)) is amended
17 by adding at the end the following:

18 “(5) ADDITIONAL GRANT CERTIFICATIONS.—To
19 receive a grant under this section, as part of an ap-
20 plication for the grant, an eligible entity shall certify
21 that—

22 “(A) any funds received by the applicant
23 will be utilized to support deployment of Next
24 Generation 9–1–1 services that comply with ac-

1 credited, non-proprietary, consensus-based
2 standards;

3 “(B) it has taken steps to ensure that
4 there is a sustainable funding mechanism for
5 the Next Generation 9–1–1 services to be de-
6 ployed pursuant to the grant;

7 “(C) it will take all necessary steps to en-
8 sure that its implementation of Next Genera-
9 tion 9–1–1 services will be fully interoperable
10 with the Nationwide Public Safety Broadband
11 Network created by the Middle Class Tax Relief
12 and Job Creation Act of 2012 (Public Law
13 112–96; 126 Stat. 156);

14 “(D) it has or will take all necessary steps
15 to coordinate with neighboring States to ensure
16 interoperable and interconnected Next Genera-
17 tion 9–1–1 services; and

18 “(E) it has developed a plan for public out-
19 reach and education related to Next Generation
20 9–1–1 and the steps to be undertaken pursuant
21 to the grant.”.

22 (c) EXTENSION OF GRANT PROGRAM.—Section
23 158(d)(2) of the National Telecommunications and Infor-
24 mation Administration Organization Act (47 U.S.C.

1 942(d)(2)) is amended by striking “2022,” and inserting
2 “[2025],”.

3 (d) CONFORMING AMENDMENTS.—Section 158(b) of
4 the National Telecommunications and Information Ad-
5 ministration Organization Act (47 U.S.C. 942(b)) is
6 amended—

7 (1) in paragraph (1)—

8 (A) in subparagraph (B), by striking “;
9 and” and inserting a semicolon;

10 (B) in subparagraph (C), by striking the
11 period at the end and inserting “; and”; and

12 (C) by adding at the end the following:

13 “(D) administrative costs associated with
14 planning and implementation of Next Genera-
15 tion 9–1–1 services, including related to pre-
16 paring an application under this section, if—

17 “(i) such costs are fully documented
18 in materials submitted to the Office as
19 part of the grant application and subse-
20 quent to grant award; and

21 “(ii) such costs do not amount to
22 more than **[X]** percent of the total grant
23 award.”;

1 (2) in paragraph (3)(B), by striking “clauses
2 (i), (iii), and (iv)” and inserting “clauses (i), (iii),
3 (iv), (v), (vi), (vii), and (viii)”; and

4 (3) in paragraph (4)—

5 (A) by striking “120” and inserting
6 “180”; and

7 (B) by striking “Next Generation 9–1–1
8 Advancement Act of 2012” and inserting “Next
9 Generation 9–1–1 Act of 2017”.

10 (e) ADJUSTMENT OF MATCHING REQUIREMENT.—

11 Section 158(b)(2) of the National Telecommunications
12 and Information Administration Organization Act (47
13 U.S.C. 942 (b)(2)) is amended by striking “60” and in-
14 serting “80”.

15 (f) ISSUANCE OF GUIDANCE.—

16 (1) IN GENERAL.—The Office shall issue grant
17 guidance and application criteria for the grant pro-
18 gram established in section 158 of the National
19 Telecommunications and Information Administration
20 Organization Act (47 U.S.C. 942), as amended by
21 this Act, not later than 180 days after the date of
22 enactment of this Act.

23 (2) JOINT APPLICATIONS.—The grant guidance
24 and application criteria issued under this subsection
25 shall permit joint, multi-State applications for funds.

1 (3) EXISTING GUIDANCE AND APPLICATIONS
2 CRITERIA.—As part of meeting its requirements
3 under this subsection, the Office shall repurpose, as
4 appropriate, any existing grant guidelines or applica-
5 tion criteria to conform to the amendments made by
6 this Act.

7 (g) AUTHORIZATION OF APPROPRIATIONS.—

8 (1) IN GENERAL.—In addition to any funds al-
9 ready made available for grants pursuant to section
10 158 of the National Telecommunications and Infor-
11 mation Administration Organization Act (47 U.S.C.
12 942), there is authorized to be appropriated to carry
13 out such grants \$**[INSERT AMOUNT]** for fiscal
14 year 2018.

15 (2) USE OF FUNDS.—Any funds appropriated
16 under this subsection shall remain available until ex-
17 pended or until the termination of the grant pro-
18 gram, whichever is sooner.

19 (3) LIMITATION.—The Office may utilize not
20 more than **[X]** percent of the funds appropriated
21 under this subsection for administrative costs associ-
22 ated with the grant program required by section 158
23 of the National Telecommunications and Informa-
24 tion Administration Organization Act (47 U.S.C.
25 942), as amended by this Act.

1 **SEC. 7. ENCOURAGING DEPLOYMENT OF NEXT GENERA-**
2 **TION 9-1-1 SERVICES.**

3 (a) STATEMENT OF POLICY.—It is the policy of the
4 United States that—

5 (1) Next Generation 9-1-1 services should be
6 technologically and competitively neutral; and

7 (2) design and implementation of Next Genera-
8 tion 9-1-1 services should conform to accredited,
9 non-proprietary, consensus-based standards.

10 (b) CONSISTENT IMPLEMENTATION OF NEXT GEN-
11 ERATION 9-1-1 SERVICES.—

12 (1) FEDERAL ACTION.—The Administration
13 and the Office shall, to the maximum extent pos-
14 sible, implement their responsibilities under this Act
15 in a technologically and competitively neutral man-
16 ner.

17 (2) STATE AND LOCAL ACTION.—The Office
18 shall encourage and support efforts by States and lo-
19 calities—

20 (A) to implement Next Generation 9-1-1
21 services in a technologically and competitively
22 neutral manner, including through procure-
23 ments related to deployment of Next Generation
24 9-1-1 services;

25 (B) to adopt expanded and uniform defini-
26 tions of entities that may obtain certifications

1 to act as system providers of Next Generation
2 9–1–1 services; and

3 (C) to take other steps to harmonize State
4 laws so as to speed deployment of Next Genera-
5 tion 9–1–1 services.

6 (c) REGULATIONS THAT INHIBIT DEPLOYMENT OF
7 NEXT GENERATION 9–1–1 SERVICES.—Not later than 18
8 months after the date of enactment of this Act, the Office
9 shall prepare a report—

10 (1) making recommendations to States and lo-
11 calities on laws, regulations, and policies that may
12 need updating to better support deployment of Next
13 Generation 9–1–1 services; and

14 (2) including, where appropriate, recommenda-
15 tions on model language for updates to laws, regula-
16 tions, and policies to further deployment of Next
17 Generation 9–1–1 services.

18 (d) REQUEST FOR INFORMATION.—

19 (1) IN GENERAL.—Not later than 1 year after
20 the date of enactment of this Act, the Administra-
21 tion shall issue a request for information seeking
22 public comment on other steps the Federal Govern-
23 ment could take to enhance and support Next Gen-
24 eration 9–1–1 services.

1 (2) REQUIREMENTS.—At a minimum, the re-
2 quest for information required by this subsection
3 shall seek public comment on—

4 (A) whether there is a need for a mecha-
5 nism to ensure proper call routing for 9–1–1
6 calls;

7 (B) whether there is a need for a national
8 public safety answering points certification or
9 credentialing process with respect to Next Gen-
10 eration 9–1–1 services;

11 (C) whether there is a need for Federal
12 backstop authority to make sure there is no
13 regulatory gap for Next Generation 9–1–1 serv-
14 ices due to lack of state authority or exercise of
15 such authority;

16 (D) whether there is a need for the Fed-
17 eral government and states to update relevant
18 laws and regulations to clarify liability protec-
19 tions for Next Generation 9–1–1 services, and
20 what any such updates should look like; and

21 (E) additional steps that can be taken to
22 ensure accessibility to Next Generation 9–1–1
23 services for individuals with disabilities.

24 (3) REPORT.—Not later than 2 years after the
25 date of enactment of this Act, the Administration

1 shall publish a report summarizing the comments re-
2 ceived in the request for information required by this
3 section.

4 **SEC. 8. SUPPORT FOR CYBERSECURITY IN NEXT GENERA-**
5 **TION 9-1-1 SERVICES.**

6 The Administration, in consultation with the Depart-
7 ment of Homeland Security and the National Institute for
8 Science and Technology, shall provide support to States,
9 localities, vendors, and other entities in addressing
10 cybersecurity issues related to Next Generation 9-1-1
11 services.