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 9–1–1 Act of 2017”.

5 SEC. 2. FINDINGS.

6 Congress makes the following findings:
(1) The Nation’s 9–1–1 systems, while a model for the entire world, lacks the advanced functionality and capabilities that come with the adoption of new digital technologies.

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

(3) This lack of modern technology, when coupled with other challenges, is impacting the ability of the 9–1–1 system to efficiently and effectively provide responses to emergencies.

(4) Modernizing the Nation’s 9–1–1 systems to include new and evolving capabilities of broadband voice and data communications is essential for the safety and security of the general public as well as first responders.

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

(6) A nationwide strategy for Next Generation 9–1–1 services has become essential to help guide
the transition and create a common framework for implementation of Next-Generation 9–1–1 services while preserving local control over 9–1–1 services governance and technology choices.

(7) Accelerated implementation of Next Generation 9–1–1 will—

(A) increase compatibility with emerging communications trends;

(B) enhance the flexibility, reliability, and survivability of the Nation’s 9–1–1 systems during major incidents;

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

(D) help ensure seamless integration of the Nation’s 9–1–1 systems with the wireless nationwide public safety broadband network being deployed by the First Responder Network Authority; and

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

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States that—

(1) the transition from legacy 9–1–1 services systems to Next Generation 9–1–1 services is a national priority and a national imperative;
(2) the Nation should complete the transition of
the current 9–1–1 services system to Next Genera-
tion 9–1–1 services as soon as practicable[, with the
goal of having full implementation of Next Genera-
tion 9–1–1 services by INSERT DATE];

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

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

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

SEC. 4. DEFINITIONS.

In this Act:

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

(2) FIRST RESPONDER NETWORK AUTHORITY.—The term “First Responder Network Author-

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

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

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

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

(B) processes all types of emergency calls, including voice, text, data, and multimedia information;

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

(D) delivers the emergency calls, messages, and data to the appropriate public safety answering point and other appropriate emergency entities;
(E) supports data or video communications needs for coordinated incident response and management; and

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

(5) OFFICE.—The term “Office” means the Next Generation 9–1–1 Implementation Coordination Office established under section 158 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942).

(6) PUBLIC SAFETY ANSWERING POINT.—The term “public safety answering point” has the meaning give the term in section 222 of the Communications Act of 1934 (47 U.S.C. 222).

SEC. 5. NEXT GENERATION 9–1–1 IMPLEMENTATION COORDINATION OFFICE.

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

(1) create a clearing house of information for Federal, State, and local entities to assist with the
development and deployment of Next Generation 9–1–1 services;

(2) provide assistance to States and localities with development and deployment of Next Generation 9–1–1 services, including with respect to—

(A) governance structures for Next Generation 9–1–1 services;

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

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

(3) help States and localities to coordinate acquisitions and procurements related to deployment of Next Generation 9–1–1 services, including development of model—

(A) Requests for Proposals;

(B) vendor guidelines; and

(C) vendor lists;

(4) coordinate assistance from Federal entities, including the First Responder Network Authority, the National Institute of Standards and Technology, and the Department of Homeland Security, for States and localities with respect to issues related to Next Generation 9–1–1 services; and
(5) work with the General Services Administration to determine the feasibility of allowing States and localities to take advantage of blanket purchase agreements for acquisition of equipment related to Next Generation 9–1–1 services.

(b) COORDINATION ROLES.—The Office shall—

(1) serve as the Federal government coordinator for—

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

(B) for ensuring that the Federal Communications Commission, the National Institute of Standards and Technology, the Department of Homeland Security, and other relevant agencies consider 9–1–1 issues, including Next Generation 9–1–1 services, in Federal cybersecurity efforts; and

(2) work with all relevant Federal agencies and departments, including the Federal Communications Commission, the National Institute of Standards and Technology, the National Highway Traffic Safety Administration, the Department of Homeland Security.

(c) ANNUAL REPORTS.—
(1) IN GENERAL.—Beginning not later than 2 years after the date of enactment of this Act, and annually thereafter, the Office shall prepare a comprehensive report on the status of the implementation of Next Generation 9–1–1 services by States and localities.

(2) PUBLICATION.—The reports required by this subsection shall be published online and submitted to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.

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

(d) MEMORANDUM OF UNDERSTANDING.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administration and the National Highway Traffic Safety Administration shall enter into a memorandum of understanding with respect to the operations of the Office.
(2) REQUIRED ELEMENTS.—The memorandum of understanding required by this subsection shall include provisions related to—

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

(i) providing that the Administration take sole responsibility for reviewing any rulemaking or other formal activity, required by this Act or other law, conducted by the Office; and

(ii) ensuring that a single entity is responsible for reviewing and approving grants, including grant guidance and funds solicitations, made under the amendments made by this Act;

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

(C) any other matters that the Administration and National Highway Traffic Safety Administration consider necessary to enhance the ability of the Office to achieve its mission and accomplish its responsibilities under this Act or other law.
SEC. 6. NEXT GENERATION 9–1–1 GRANT PROGRAM.

(a) Grant Requirements.—

(1) Single point of contact.—Section 158(b)(3)(A) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942(b)(3)(A)) is amended by amending clause (ii) to read as follows:

“(ii) has designated a single officer or governance body to serve as the State point of contact for implementation of Next Generation 9–1–1 services for that State, except that such designation need not vest such officer with direct legal authority to implement Next Generation 9–1–1 services or to manage emergency communications operations;”.

(2) Additional requirements.—Section 158(b)(3)(A) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942(b)(3)(A)) is amended—

(A) in clause (iii), by striking “; and” and inserting a semicolon;
(B) in clause (iv), by striking “or” at the end; and

(C) adding at the end the following:

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

“(I) uses an accredited, non-proprietary, consensus-based, standards-based approach in the design and implementation of all aspects of such services; and

“(II) incorporates the use of effective cybersecurity resources;

“(vi) has developed a plan to use open and competitive Request for Proposal processes, or the equivalent, for deployment of Next Generation 9–1–1 services;

“(vii) has offered all relevant public safety answering points, regional authorities, local authorities, and tribal authorities an opportunity to be involved in the development of the proposed architecture for deployment under clause (v), which—
“(I) shall include outreach directly to relevant tribal governments; and

“(II) may include the creation of a governance body or bodies that includes these parties and other stakeholders to consult and coordinate with the State point of contact required by clause (ii); and

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

(b) GRANT COMMITMENTS.—Section 158(b) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942(b)) is amended by adding at the end the following:

“(5) ADDITIONAL GRANT CERTIFICATIONS.—To receive a grant under this section, as part of an application for the grant, an eligible entity shall certify that—

“(A) any funds received by the applicant will be utilized to support deployment of Next Generation 9–1–1 services that comply with ac-
credited, non-proprietary, consensus-based standards;

“(B) it has taken steps to ensure that there is a sustainable funding mechanism for the Next Generation 9–1–1 services to be deployed pursuant to the grant;

“(C) it will take all necessary steps to ensure that its implementation of Next Generation 9–1–1 services will be fully interoperable with the Nationwide Public Safety Broadband Network created by the Middle Class Tax Relief and Job Creation Act of 2012 (Public Law 112–96; 126 Stat. 156);

“(D) it has or will take all necessary steps to coordinate with neighboring States to ensure interoperable and interconnected Next Generation 9–1–1 services; and

“(E) it has developed a plan for public outreach and education related to Next Generation 9–1–1 and the steps to be undertaken pursuant to the grant.”.

(c) EXTENSION OF GRANT PROGRAM.—Section 158(d)(2) of the National Telecommunications and Information Administration Organization Act (47 U.S.C.
942(d)(2)) is amended by striking “2022,” and inserting “2025,”.

(d) CONFORMING AMENDMENTS.—Section 158(b) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942(b)) is amended—

(1) in paragraph (1)—

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

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

(C) by adding at the end the following:

“(D) administrative costs associated with planning and implementation of Next Generation 9–1–1 services, including related to preparing an application under this section, if—

“(i) such costs are fully documented in materials submitted to the Office as part of the grant application and subsequent to grant award; and

“(ii) such costs do not amount to more than [X] percent of the total grant award.”;
(2) in paragraph (3)(B), by striking “clauses (i), (iii), and (iv)” and inserting “clauses (i), (iii), (iv), (v), (vi), (vii), and (viii)”; and
(3) in paragraph (4)—
(A) by striking “120” and inserting “180”; and
(B) by striking “Next Generation 9–1–1 Advancement Act of 2012” and inserting “Next Generation 9–1–1 Act of 2017”.

(e) ADJUSTMENT OF MATCHING REQUIREMENT.—
Section 158(b)(2) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942 (b)(2)) is amended by striking “60” and inserting “80”.

(f) ISSUANCE OF GUIDANCE.—

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

(2) JOINT APPLICATIONS.—The grant guidance and application criteria issued under this subsection shall permit joint, multi-State applications for funds.
(3) Existing Guidance and Applications

Criteria.—As part of meeting its requirements under this subsection, the Office shall repurpose, as appropriate, any existing grant guidelines or application criteria to conform to the amendments made by this Act.

(g) Authorization of Appropriations.—

(1) In General.—In addition to any funds already made available for grants pursuant to section 158 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942), there is authorized to be appropriated to carry out such grants $[INSERT AMOUNT] for fiscal year 2018.

(2) Use of Funds.—Any funds appropriated under this subsection shall remain available until expended or until the termination of the grant program, whichever is sooner.

(3) Limitation.—The Office may utilize not more than [X] percent of the funds appropriated under this subsection for administrative costs associated with the grant program required by section 158 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942), as amended by this Act.
SEC. 7. ENCOURAGING DEPLOYMENT OF NEXT GENERATION 9–1–1 SERVICES.

(a) Statement of Policy.—It is the policy of the United States that—

(1) Next Generation 9–1–1 services should be technologically and competitively neutral; and

(2) design and implementation of Next Generation 9–1–1 services should conform to accredited, non-proprietary, consensus-based standards.

(b) Consistent Implementation of Next Generation 9–1–1 Services.—

(1) Federal Action.—The Administration and the Office shall, to the maximum extent possible, implement their responsibilities under this Act in a technologically and competitively neutral manner.

(2) State and Local Action.—The Office shall encourage and support efforts by States and localities—

(A) to implement Next Generation 9–1–1 services in a technologically and competitively neutral manner, including through procurements related to deployment of Next Generation 9–1–1 services;

(B) to adopt expanded and uniform definitions of entities that may obtain certifications
to act as system providers of Next Generation 9–1–1 services; and

(C) to take other steps to harmonize State laws so as to speed deployment of Next Generation 9–1–1 services.

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

(1) making recommendations to States and localities on laws, regulations, and policies that may need updating to better support deployment of Next Generation 9–1–1 services; and

(2) including, where appropriate, recommendations on model language for updates to laws, regulations, and policies to further deployment of Next Generation 9–1–1 services.

(d) REQUEST FOR INFORMATION.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administration shall issue a request for information seeking public comment on other steps the Federal Government could take to enhance and support Next Generation 9–1–1 services.
(2) REQUIREMENTS.—At a minimum, the request for information required by this subsection shall seek public comment on—

(A) whether there is a need for a mechanism to ensure proper call routing for 9–1–1 calls;

(B) whether there is a need for a national public safety answering points certification or credentialing process with respect to Next Generation 9–1–1 services;

(C) whether there is a need for Federal backstop authority to make sure there is no regulatory gap for Next Generation 9–1–1 services due to lack of state authority or exercise of such authority;

(D) whether there is a need for the Federal government and states to update relevant laws and regulations to clarify liability protections for Next Generation 9–1–1 services, and what any such updates should look like; and

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

(3) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administration
shall publish a report summarizing the comments re-
ceived in the request for information required by this
section.

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

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