

116TH CONGRESS
1ST SESSION

H. R. 2760

To further deployment of Next Generation 9–1–1 to enhance and upgrade the 9–1–1 systems of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2019

Ms. ESHOO (for herself and Mr. SHIMKUS) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To further deployment of Next Generation 9–1–1 to enhance and upgrade the 9–1–1 systems of the United States, 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 2019”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) The 9–1–1 systems of the United States,
9 while a model for the entire world, lack the advanced
10 functionality, interoperability, and capabilities that

1 come with the adoption of new digital communica-
2 tions technologies.

3 (2) Communications technologies currently
4 available to the public, including first responders
5 and other public safety personnel, have substantially
6 outpaced the legacy communications technologies
7 still used by most emergency communications cen-
8 ters in the 9–1–1 systems of the United States.

9 (3) This lack of modern technology, when cou-
10 pled with other challenges, is impacting the ability of
11 the 9–1–1 systems of the United States to efficiently
12 and effectively provide responses to emergencies.

13 (4) Modernizing the 9–1–1 systems of the
14 United States to incorporate the new and evolving
15 capabilities of broadband voice and data communica-
16 tions is essential for the safety and security of the
17 public, including first responders and other public
18 safety personnel.

19 (5) Efforts to modernize the 9–1–1 systems of
20 the United States to date, while laudable and impor-
21 tant, have been limited due to a lack of funding and
22 inconsistent or unclear policies related to the govern-
23 ance, deployment, and operations of Next Genera-
24 tion 9–1–1.

1 (6) A nationwide strategy for Next Generation
2 9–1–1 has become essential to help guide the transi-
3 tion and create a common framework for implemen-
4 tation of Next Generation 9–1–1 while preserving
5 State, regional, and local control over the governance
6 and technology choices of the 9–1–1 systems of the
7 United States.

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

10 (A) increase compatibility with emerging
11 communications trends;

12 (B) enhance the flexibility, reliability, and
13 survivability of the 9–1–1 systems of the United
14 States during major incidents;

15 (C) improve emergency response for the
16 public, including first responders and other
17 public safety personnel;

18 (D) promote the interoperability of the 9–
19 1–1 systems of the United States with emer-
20 gency response providers including users of the
21 Nationwide Public Safety Broadband Network
22 being deployed by the First Responder Network
23 Authority; and

24 (E) increase the cost effectiveness of oper-
25 ating the 9–1–1 systems of the United States.

1 **SEC. 3. SENSE OF CONGRESS.**

2 It is the sense of Congress that—

3 (1) the 9–1–1 professionals in the United
4 States perform important and lifesaving work every
5 day, and need the tools and communications tech-
6 nologies to perform the work effectively in a world
7 with digital communications technologies;

8 (2) the transition from the legacy communica-
9 tions technologies used in the 9–1–1 systems of the
10 United States to Next Generation 9–1–1 is a na-
11 tional priority and a national imperative;

12 (3) the United States should complete the tran-
13 sition described in paragraph (2) as soon as prac-
14 ticable;

15 (4) the United States should develop a nation-
16 wide framework that facilitates cooperation among
17 Federal, State, and local officials on deployment of
18 Next Generation 9–1–1 in order to meet that goal;

19 (5) the term “Public Safety Answering Point”
20 becomes outdated in a broadband environment and
21 9–1–1 centers are increasingly and appropriately
22 being referred to as emergency communications cen-
23 ters; and

24 (6) 9–1–1 authorities and emergency commu-
25 nications centers should have sufficient resources to
26 implement Next Generation 9–1–1, including re-

1 sources to support associated geographic information
2 systems (commonly known as “GIS”), and cyberse-
3 curity measures.

4 **SEC. 4. STATEMENT OF POLICY.**

5 It is the policy of the United States that—

6 (1) Next Generation 9–1–1 should be techno-
7 logically and competitively neutral;

8 (2) Next Generation 9–1–1 should be interoper-
9 able;

10 (3) the governance and control of the 9–1–1
11 systems of the United States, including Next Gen-
12 eration 9–1–1, should remain at the State, regional,
13 and local level; and

14 (4) individuals in the United States should re-
15 ceive information on how to best utilize Next Gen-
16 eration 9–1–1 and on its capabilities and usefulness.

17 **SEC. 5. COORDINATION OF NEXT GENERATION 9–1–1 IMPLI-**
18 **MENTATION.**

19 Part C of title I of the National Telecommunications
20 and Information Administration Organization Act (47
21 U.S.C. 901 et seq.) is amended by adding at the end the
22 following:

1 **“SEC. 159. COORDINATION OF NEXT GENERATION 9–1–1 IM-**
2 **PLEMENTATION.**

3 “(a) ADDITIONAL FUNCTIONS OF 9–1–1 IMPLEMEN-
4 TATION COORDINATION OFFICE.—

5 “(1) AUTHORITY.—The Office shall implement
6 the provisions of this section.

7 “(2) MANAGEMENT PLAN.—

8 “(A) DEVELOPMENT.—The Assistant Sec-
9 retary and the Administrator shall develop and
10 may modify a management plan for the grant
11 program established under this section, includ-
12 ing by developing—

13 “(i) plans related to the organiza-
14 tional structure of such program; and

15 “(ii) funding profiles for each fiscal
16 year of the duration of such program.

17 “(B) SUBMISSION TO CONGRESS.—Not
18 later than 90 days after the date of the enact-
19 ment of this section or 90 days after the date
20 on which the plan is modified, as applicable, the
21 Assistant Secretary and the Administrator shall
22 submit the management plan developed under
23 subparagraph (A) to—

24 “(i) the Committees on Commerce,
25 Science, and Transportation and Appro-
26 priations of the Senate; and

1 “(ii) the Committees on Energy and
2 Commerce and Appropriations of the
3 House of Representatives.

4 “(3) PURPOSE OF OFFICE.—The Office shall—

5 “(A) take actions, in concert with coordi-
6 nators designated in accordance with subsection
7 (b)(3)(A)(ii), to improve coordination and com-
8 munication with respect to the implementation
9 of Next Generation 9–1–1;

10 “(B) develop, collect, and disseminate in-
11 formation concerning practices, procedures, and
12 technology used in the implementation of Next
13 Generation 9–1–1;

14 “(C) advise and assist eligible entities in
15 the preparation of implementation plans re-
16 quired under subsection (b)(3)(A)(iii);

17 “(D) receive, review, and recommend the
18 approval or disapproval of applications for
19 grants under subsection (b); and

20 “(E) oversee the use of funds provided by
21 such grants in fulfilling such implementation
22 plans.

23 “(4) REPORTS.—The Assistant Secretary and
24 the Administrator shall provide an annual report to
25 Congress by the first day of October of each year on

1 the activities of the Office to improve coordination
2 and communication with respect to the implementa-
3 tion of Next Generation 9–1–1.

4 “(b) NEXT GENERATION 9–1–1 IMPLEMENTATION
5 GRANTS.—

6 “(1) MATCHING GRANTS.—The Assistant Sec-
7 retary and the Administrator, acting through the Of-
8 fice, shall provide grants to eligible entities for—

9 “(A) the implementation of Next Genera-
10 tion 9–1–1;

11 “(B) establishing and maintaining Next
12 Generation 9–1–1;

13 “(C) training directly related to Next Gen-
14 eration 9–1–1;

15 “(D) public outreach and education on how
16 best to use Next Generation 9–1–1 and on its
17 capabilities and usefulness; and

18 “(E) administrative costs associated with
19 planning and implementation of Next Genera-
20 tion 9–1–1, including costs related to planning
21 for and preparing an application and related
22 materials as required by this section, if—

23 “(i) such costs are fully documented
24 in materials submitted to the Office; and

1 “(ii) such costs are reasonable and
2 necessary and do not exceed 5 percent of
3 the total grant award.

4 “(2) MATCHING REQUIREMENT.—The Federal
5 share of the cost of a project eligible for a grant
6 under this section shall not exceed 80 percent.

7 “(3) COORDINATION REQUIRED.—In providing
8 grants under paragraph (1), the Assistant Secretary
9 and the Administrator shall require an eligible entity
10 to certify in its application that—

11 “(A) in the case of an eligible entity that
12 is a State, the entity—

13 “(i) has coordinated the application
14 with the emergency communications cen-
15 ters located within the jurisdiction of such
16 entity;

17 “(ii) has designated a single officer or
18 governmental body to serve as the State
19 point of contact to coordinate the imple-
20 mentation of Next Generation 9–1–1 for
21 that State, except that such designation
22 need not vest such coordinator with direct
23 legal authority to implement Next Genera-
24 tion 9–1–1 or to manage emergency com-
25 munications operations; and

1 “(iii) has developed and submitted a
2 State plan for the coordination and imple-
3 mentation of Next Generation 9–1–1
4 that—

5 “(I) ensures interoperability by
6 requiring the use of commonly accept-
7 ed standards;

8 “(II) enables emergency commu-
9 nications centers to process, analyze,
10 and store multimedia, data, and other
11 information;

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

14 “(IV) uses open and competitive
15 request for proposal processes, or the
16 applicable State equivalent, for de-
17 ployment of Next Generation 9–1–1;

18 “(V) includes input from relevant
19 emergency communications centers,
20 regional authorities, local authorities,
21 and Tribal authorities; and

22 “(VI) includes a governance body
23 or bodies, either by creation of new or
24 use of existing body or bodies, for the

1 development and deployment of Next
2 Generation 9–1–1 that—

3 “(aa) includes relevant
4 stakeholders; and

5 “(bb) consults and coordi-
6 nates with the State point of con-
7 tact required by clause (ii); or

8 “(B) in the case of an eligible entity that
9 is not a State, the entity has complied with
10 clauses (i) and (iii) of subparagraph (A), and
11 the State in which the entity is located has
12 complied with clause (ii) of such subparagraph.

13 “(4) CRITERIA.—

14 “(A) IN GENERAL.—Not later than 9
15 months after the date of enactment of this sec-
16 tion, the Assistant Secretary and the Adminis-
17 trator shall issue regulations, after providing
18 the public with notice and an opportunity to
19 comment, prescribing the criteria for selection
20 for grants under this section.

21 “(B) REQUIREMENTS.—The criteria
22 shall—

23 “(i) include performance requirements
24 and a schedule for completion of any

1 project to be financed by a grant under
2 this section; and

3 “(ii) specifically permit regional or
4 multi-State applications for funds.

5 “(C) UPDATES.—The Assistant Secretary
6 and the Administrator shall update such regula-
7 tions as necessary.

8 “(5) GRANT CERTIFICATIONS.—Each applicant
9 for a grant under this section shall certify to the As-
10 sistant Secretary and the Administrator at the time
11 of application, and each applicant that receives such
12 a grant shall certify to the Assistant Secretary and
13 the Administrator annually thereafter during any pe-
14 riod of time the funds from the grant are available
15 to the applicant, that—

16 “(A) no portion of any designated 9–1–1
17 charges imposed by a State or other taxing ju-
18 risdiction within which the applicant is located
19 are being obligated or expended for any purpose
20 other than the purposes for which such charges
21 are designated or presented during the period
22 beginning 180 days immediately preceding the
23 date on which the application was filed and con-
24 tinuing through the period of time during which

1 the funds from the grant are available to the
2 applicant;

3 “(B) any funds received by the applicant
4 will be used to support deployment of Next
5 Generation 9–1–1 that ensures interoperability
6 by requiring the use of commonly accepted
7 standards;

8 “(C) the State in which the applicant re-
9 sides has established, or has committed to es-
10 tablish no later than 3 years following the date
11 on which the funds are distributed to the appli-
12 cant, a sustainable funding mechanism for Next
13 Generation 9–1–1 to be deployed pursuant to
14 the grant;

15 “(D) the applicant will promote interoper-
16 ability between Next Generation 9–1–1 emer-
17 gency communications centers and emergency
18 response providers including users of the na-
19 tionwide public safety broadband network im-
20 plemented by the First Responder Network Au-
21 thority;

22 “(E) the applicant has or will take steps to
23 coordinate with adjoining States to establish
24 and maintain Next Generation 9–1–1; and

1 “(F) the applicant has developed a plan for
2 public outreach and education on how to best
3 use Next Generation 9–1–1 and on its capabili-
4 ties and usefulness.

5 “(6) CONDITION OF GRANT.—Each applicant
6 for a grant under this section shall agree, as a con-
7 dition of receipt of the grant, that if the State or
8 other taxing jurisdiction within which the applicant
9 is located, during any period of time during which
10 the funds from the grant are available to the appli-
11 cant, fails to comply with the certifications required
12 under paragraph (5), all of the funds from such
13 grant shall be returned to the Office.

14 “(7) PENALTY FOR PROVIDING FALSE INFOR-
15 MATION.—Any applicant that provides a certification
16 under paragraph (5) knowing that the information
17 provided in the certification was false shall—

18 “(A) not be eligible to receive the grant
19 under this subsection;

20 “(B) return any grant awarded under this
21 subsection during the time that the certification
22 was not valid; and

23 “(C) not be eligible to receive any subse-
24 quent grants under this subsection.

1 “(8) PROHIBITION.—No grant funds under this
2 subsection may be used—

3 “(A) for any component of the Nationwide
4 Public Safety Broadband Network; or

5 “(B) to make any payments to a person
6 who has been, for reasons of national security,
7 prohibited by any entity of the Federal Govern-
8 ment from bidding on a contract, participating
9 in an auction, or receiving a grant.

10 “(c) FUNDING AND TERMINATION.—

11 “(1) IN GENERAL.—In addition to any funds
12 authorized for grants under section 158, there is au-
13 thorized to be appropriated \$12,000,000,000 for fis-
14 cal years 2019 through 2023.

15 “(2) ADMINISTRATIVE COSTS.—The Office may
16 use up to 5 percent of the funds authorized under
17 this subsection for reasonable and necessary admin-
18 istrative costs associated with the grant program.

19 “(d) DEFINITIONS.—In this section:

20 “(1) 9–1–1 REQUEST FOR EMERGENCY ASSIST-
21 ANCE.—The term ‘9–1–1 request for emergency as-
22 sistance’ means a communication, such as voice,
23 text, picture, multimedia, or any other type of data
24 that is sent to an emergency communications center
25 for the purpose of requesting emergency assistance.

1 “(2) COMMONLY ACCEPTED STANDARDS.—The
2 term ‘commonly accepted standards’ means—

3 “(A) the technical standards followed by
4 the communications industry for network, de-
5 vice, and Internet Protocol connectivity, includ-
6 ing but not limited to, standards developed by
7 the Third Generation Partnership Project
8 (3GPP), the Institute of Electrical and Elec-
9 tronics Engineers (IEEE), the Alliance for
10 Telecommunications Industry Solutions (ATIS),
11 the Internet Engineering Taskforce (IETF),
12 and the International Telecommunications
13 Union (ITU); and

14 “(B) standards that are accredited by a
15 recognized authority such as the American Na-
16 tional Standards Institute (ANSI).

17 “(3) DESIGNATED 9–1–1 CHARGES.—The term
18 ‘designated 9–1–1 charges’ means any taxes, fees, or
19 other charges imposed by a State or other taxing ju-
20 risdiction that are designated or presented as dedi-
21 cated to deliver or improve 9–1–1 services, E9–1–1
22 services, or Next Generation 9–1–1.

23 “(4) ELIGIBLE ENTITY.—The term ‘eligible en-
24 tity’—

1 “(A) means a State, local government, or
2 a tribal organization (as defined in section 4(l)
3 of the Indian Self-Determination and Education
4 Assistance Act (25 U.S.C. 450b(l)));

5 “(B) includes public authorities, boards,
6 commissions, and similar bodies created by one
7 or more eligible entities described in subpara-
8 graph (A) to coordinate or provide Next Gen-
9 eration 9–1–1; and

10 “(C) does not include any entity that has
11 failed to submit—

12 “(i) the certifications required under
13 subsection (b)(5); and

14 “(ii) the most recently required cer-
15 tification under subsection (c) within 30
16 days after the date on which such certifi-
17 cation is due.

18 “(5) EMERGENCY COMMUNICATIONS CENTER.—

19 The term ‘emergency communications center’ means
20 a facility that is designated to receive a 9–1–1 re-
21 quest for emergency assistance and perform one or
22 more of the following functions:

23 “(A) Process and analyze 9–1–1 requests
24 for emergency assistance and other gathered in-
25 formation.

1 “(B) Dispatch appropriate emergency re-
2 sponse providers.

3 “(C) Transfer or exchange 9–1–1 requests
4 for emergency assistance and other gathered in-
5 formation with other emergency communica-
6 tions centers and emergency response providers.

7 “(D) Analyze any communications received
8 from emergency response providers.

9 “(E) Support incident command functions.

10 “(6) EMERGENCY RESPONSE PROVIDER.—The
11 term ‘emergency response provider’ has the meaning
12 given that term under section 2 of the Homeland Se-
13 curity Act (47 U.S.C. 101(6)), emergency response
14 providers includes Federal, State, and local govern-
15 mental and nongovernmental emergency public safe-
16 ty, fire, law enforcement, emergency response, emer-
17 gency medical (including hospital emergency facili-
18 ties), and related personnel, agencies, and authori-
19 ties).

20 “(7) INTEROPERABLE.—The term ‘interoper-
21 able’ or ‘interoperability’ means the capability of
22 emergency communications centers to receive 9–1–1
23 requests for emergency assistance and related data
24 such as location information and callback numbers
25 from the public, then process and share the 9–1–1

1 requests for emergency assistance and related data
2 with other emergency communications centers and
3 emergency response providers, regardless of jurisdic-
4 tion, equipment, device, software, service provider, or
5 other relevant factors, and without the need for pro-
6 prietary interfaces.

7 “(8) NATIONWIDE.—The term ‘nationwide’
8 means all states of the United States, the District
9 of Columbia, Puerto Rico, American Samoa, Guam,
10 the United States Virgin Islands, the Northern Mar-
11 iana Islands, any other territory or possession of the
12 United States, and each federally recognized Indian
13 tribe.

14 “(9) NATIONWIDE PUBLIC SAFETY BROADBAND
15 NETWORK.—The term ‘nationwide public safety
16 broadband network’ has the meaning given the term
17 in section 6001 of the Middle Class Tax Relief and
18 Job Creation Act of 2012 (47 U.S.C. 1401).

19 “(10) NEXT GENERATION 9–1–1.—The term
20 Next Generation 9–1–1 means an interoperable, se-
21 cure, Internet Protocol-based system that—

22 “(A) employs commonly accepted stand-
23 ards;

24 “(B) enables the appropriate emergency
25 communications centers to receive, process, and

1 analyze all types of 9–1–1 requests for emer-
2 gency assistance;

3 “(C) acquires and integrates additional in-
4 formation useful to handling 9–1–1 requests for
5 emergency assistance; and

6 “(D) supports sharing information related
7 to 9–1–1 requests for emergency assistance
8 among emergency communications centers and
9 emergency response providers.

10 “(11) OFFICE.—The term ‘Office’ means the
11 Next Generation 9–1–1 Implementation Coordina-
12 tion Office established under section 158 of this
13 title.

14 “(12) STATE.—The term ‘State’ means any
15 State of the United States, the District of Columbia,
16 Puerto Rico, American Samoa, Guam, the United
17 States Virgin Islands, the Northern Mariana Is-
18 lands, and any other territory or possession of the
19 United States.

20 “(13) SUSTAINABLE FUNDING MECHANISM.—
21 The term ‘sustainable funding mechanism’ means a
22 funding mechanism that provides adequate revenues
23 to cover ongoing expenses, including operations,
24 maintenance, and upgrades.”.

1 **SEC. 6. SAVINGS PROVISION.**

2 Nothing in this Act or any amendment made by this
3 Act shall affect any application pending or grant awarded
4 under section 158 of the National Telecommunications
5 and Information Administration Organization Act (47
6 U.S.C. 942) prior to date of the enactment of this Act.

○