

Next Generation 9-1-1 Act of 2017

Modernizing the Nation's 9-1-1 systems is a national imperative. The Federal Government must do its part.

Section by Section

Sec. 2. Findings. The key findings of the Act include the following:

- The lack of modern digital technologies is hampering the ability of the Nation's 9-1-1 systems to efficiently and effectively provide responses to emergencies.
- Modernizing 9-1-1 is essential for the safety and security of Americans.
- Efforts to modernize 9-1-1 to date, while laudable, have been limited by lack of funds and inconsistent or unclear policies.
- A nationwide strategy for Next Generation 9-1-1 (NG 9-1-1) is essential.

Sec. 3. Sense of Congress. It is the sense of the Congress that:

- 9-1-1 call center professionals perform important and lifesaving work every day, and need the tools and communications technologies to perform the work effectively.
- The transition to NG 9-1-1 is a national priority and national imperative.
- The nation should complete its transition to NG 9-1-1 as soon as practicable, with the goal of full implementation within 10 years of enactment.
- The nation should develop a framework that enables and facilitates cooperation among Federal, State, and local officials on deployment of NG 9-1-1.
- 9-1-1 authorities should have sufficient resources to implement NG 9-1-1 services.

Sec. 4. Statement of Policy. It is the policy of the United States that:

- NG 9-1-1 services should be technologically and competitively neutral.
- Design and implementation of NG 9-1-1 services should conform to accredited, non-proprietary, consensus-based standards.
- NG 9-1-1 services should be seamlessly interoperable.
- Governance and control of the Nation's 9-1-1 systems should remain at the State, regional, and local level.
- Americans must be fully informed about how best to utilize NG 9-1-1.

Sec. 5. Definitions. This section sets forth the key definitions for the Act, including a definition for seamless interoperability for NG 9-1-1.

Sec. 6. Next Generation 9-1-1 Implementation Coordination Office.

- This section updates the responsibilities of the Next Generation 9-1-1 Implementation Coordination Office (Office), reauthorized as part of the spectrum legislation passed in the Middle Class Tax Relief and Job Creation Act of 2012.
- The Office would be responsible for the following:

- Create a clearinghouse of NG 9-1-1 information for Federal, State, and local entities.
- Provide guidance to States and localities on NG 9-1-1 governance, network deployment, and funding.
- Help States and localities coordinate acquisitions and procurements related to NG 9-1-1.
- Help coordinate Federal activities related to NG 9-1-1, including the transition of Federal public safety answering points on their transition to NG 9-1-1.
- Explore whether General Services Administration can help facilitate the ability of States and localities to take advantage of GSA blanket purchase agreements for acquisition of NG 9-1-1 equipment.
- The Office would prepare annual reports on the status of implementation of NG 9-1-1, beginning two years after the date of enactment of the Act.
- The Act would authorize direct appropriations to fund the operations of the Office.

Sec. 7. Advisory Board for Next Generation 9-1-1 Interoperability.

- This section would create an Advisory Board (Board) to provide certain recommendations to the Office solely related to the definition of NG 9-1-1 services.
- The Board would consist of 17 members appointed by the Secretary of Commerce. Individuals would need to meet certain criteria to be named to the Board.

Sec. 8. Revised Definition of Next Generation 9-1-1 Services.

- This section provides a mechanism for updating the definition of “Next Generation 9-1-1 services” adopted by the Middle Class Tax Relief and Job Creation Act of 2012 to ensure that it incorporates necessary technical advancements in the past 5 years.
- The Board shall be responsible for developing recommended updates to that definition, taking into account certain specified issues (including the need for seamless interoperability within NG 9-1-1 services).
- The Office must review and approve the recommendations of the Board regarding updates to the definition, after public comment.
- The Departments of Commerce and Transportation would adopt updates to the definition based on those approved recommendations as part of the rulemaking for the grant program as modified by this Act.

Sec. 9. Next Generation 9-1-1 Grant Program.

- This section would update the grant requirements for an existing Federal grant program supporting NG 9-1-1 deployment, and provides additional Federal funds for the grants.
- Grant applicants would now have to meet the following additional requirements:
 - Designate (or for non-State applicants, show that a state has designated) a single officer or governance body to serve as the State point of contact for NG 9-1-1 services for that State.

- Develop and submit a state plan (or for non-State applicants, show that such plan has been developed and submitted) for deployment of NG 9-1-1 that—
 - uses an accredited, non-proprietary, consensus-based, standards-based approach, including seamless interoperability;
 - incorporates the use of effective cybersecurity resources;
 - uses open and competitive RFPs for deployment of NG 9-1-1;
 - includes input from a wide variety of stakeholders;
 - includes a governance body or bodies that consults/coordinates with the State point of contact; and
 - ensures sufficient staff and training of staff.
- Certify the following as part of its grant application and after grant award—
 - Any funds will be used for deployment of NG 9-1-1 services that comply with accredited, non-proprietary, consensus-based standards.
 - The applicant has taken all necessary steps to ensure sustainable funding for the NG 9-1-1 services to be deployed with grant funds.
 - The applicant will coordinate with the First Responder Network Authority to make sure its NG 9-1-1 services are interoperable with FirstNet.
 - The applicant has or will take steps to coordinate with neighboring States to have interoperable and interconnected NG 9-1-1 services.
 - The applicant has developed a plan for public outreach and education related to NG 9-1-1.
- Ensure that all grant funds are used for NG 9-1-1 purposes; no grant funds are used for any component of FirstNet.
- The existing NG 9-1-1 grant program would be extended for another 5 years, expiring in 2027.
- The matching requirement for grants would be adjusted to so that applicants would be required to provide 20 percent (rather than 40 percent) in matching funds (consistent with similar grant programs). Grant applicants also would be allowed to retain up to 5 percent of grant funds for administrative and planning expenses, provided those expenses are reasonable, necessary, and fully documented.
- Grant regulations must be issued within 15 months of enactment, and grant guidance within 18 months of enactment. This timing would make sure that the work of the Technical Advisory Board is fully incorporated into the grant program.
- The Act would authorize direct appropriations to provide additional funding for the grant program in fiscal years 2018 to 2022.

Sec. 10. Encouraging Deployment of Next Generation 9-1-1 Services.

- This section includes other measures designed to encourage the deployment of NG 9-1-1 systems throughout the country.
- The Office shall implement its responsibilities under the Act in a technologically and competitively neutral manner.

- The Office shall encourage and support efforts by the Federal government, States, and localities to (1) implement NG 9-1-1 in a technologically and competitively neutral manner; and (2) take other steps to harmonize and expedite NG 9-1-1 deployment.
- The Office is directed to prepare two reports:
 - Within 12 months of enactment, it must prepare a report making recommendations to States and localities on laws, regulations, and policies that may need updating to better support deployment of NG 9-1-1.
 - Within 18 months of enactment, it must prepare a report summarizing comments received in response to a Notice of Inquiry to be released by the Office on the following issues:
 - Whether there is a need for a national 9-1-1 Public Safety Answering Point certification or credentialing process.
 - Whether there is a need for the Federal government or states to clarify liability, privacy, and data security protections for NG 9-1-1.
 - Additional steps that can be taken to ensure NG 9-1-1 accessibility for persons with disabilities.

Sec. 11. Support for Cybersecurity in Next Generation 9-1-1 Services.

- The Office shall provide support to States, localities, vendors, and other entities in addressing NG 9-1-1 cybersecurity issues.
- Within 18 months of enactment, the National Institute for Standards and Technology shall prepare a report on potential unique cybersecurity vulnerabilities in NG 9-1-1 and how to address those within NIST's cybersecurity framework.
- Within 18 months of enactment, the Federal Communications Commission shall prepare a report on—
 - adoption of and adherence by telecom communications companies to the network reliability best practices recommended by the FCC in its Improving 911 Reliability rulemaking; and
 - adoption of and adherence by public safety answering points to the best practices for such entities recommended by the Task Force on Optimal Public Safety Answering Point Architecture.

Sec. 12. GAO Study on PSAP Resiliency.

- Within 18 months of enactment, GAO shall prepare a report on public safety answering point resiliency during natural disasters and other catastrophes.
- The report must examine the following:
 - How public safety answering points have fared during recent natural disasters.
 - Common issues that impaired public safety answering point operations during and after those disasters.
 - Current best practices for public safety answering points and communications companies related to public safety answering point resiliency.
 - How NG 9-1-1 can improve public safety answering point resiliency and the overall resiliency of the Nation's 9-1-1 systems.

- Whether there are additional actions the Federal Communications Commission and Congress should take to enhance public safety answering point resiliency.