

114TH CONGRESS  
1ST SESSION

# H. R. 3998

To direct the Federal Communications Commission to commence proceedings related to the resiliency of critical telecommunications networks during times of emergency, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 16, 2015

Mr. PALLONE introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To direct the Federal Communications Commission to commence proceedings related to the resiliency of critical telecommunications networks during times of emergency, 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 “Securing Access to  
5 Networks in Disasters Act”.

1 **SEC. 2. PROCEEDINGS RELATED TO CELLULAR NETWORK**  
2 **RESILIENCY.**

3 (a) ROAMING AGREEMENTS.—Not later than 90 days  
4 after the date of enactment of this Act, the Commission  
5 shall commence a proceeding on the provision of roaming  
6 agreements between mobile service providers which shall  
7 allow for mobile service at reasonable rates during times  
8 of emergency during which there is a mobile service outage  
9 lasting longer than 24 hours.

10 (b) EMERGENCY COMMUNICATIONS.—Not later than  
11 90 days after the date of enactment of this Act, the Com-  
12 mission shall commence a proceeding on the provision of  
13 roaming agreements between mobile service providers at  
14 no charge for all communications during times of emer-  
15 gency to or from 911 services.

16 (c) DIRECTORY.—

17 (1) IN GENERAL.—Not later than 1 year after  
18 the date of enactment of this Act, the Commission  
19 shall create a master point of contact directory to  
20 provide for effective communication between public  
21 safety answering points and telecommunications  
22 service providers.

23 (2) CONFIDENTIALITY.—The directory estab-  
24 lished under this subsection shall be available to  
25 telecommunications service providers and public  
26 safety answering points on a confidential basis.

1           (3) EXEMPTION FROM PAPERWORK REDUCTION  
2           ACT REQUIREMENTS.—In establishing this directory,  
3           the Commission shall be exempted from chapter 35  
4           of title 44, United States Code (commonly known as  
5           the Paperwork Reduction Act).

6           (d) STUDY ON NETWORK RESILIENCY.—Not later  
7           than 18 months after the date of enactment of this Act,  
8           the Commission shall submit to Congress, and make pub-  
9           lically available on the Commission’s website, a study on—

10           (1) mobile service providers supplying outage  
11           data to public safety answering points in times of  
12           emergency on a confidential basis; and

13           (2)(A) making telecommunications service pro-  
14           vider-owned WiFi access points, and other commu-  
15           nications technologies operating on unlicensed spec-  
16           trum, available to the general public for access to  
17           911 services, without requiring any login credentials,  
18           during times of emergency when mobile service is  
19           unavailable; and

20           (B) whether non-telecommunications service  
21           provider-owned WiFi access points can provide pub-  
22           lic access to 911 services during times of emergency.

23 **SEC. 3. GAO STUDY AND REPORT.**

24           (a) STUDY.—The Comptroller General of the United  
25           States shall conduct a study on—

1           (1) the resiliency of telecommunications net-  
2           works power utility during times of emergency;

3           (2) how Federal agencies can better ensure crit-  
4           ical telecommunications networks remain operational  
5           during times of emergency;

6           (3) the feasibility of mobile service infrastruc-  
7           ture receiving backup electrical power from the in-  
8           frastructure or buildings to which such mobile serv-  
9           ice infrastructure are affixed during times of emer-  
10          gency;

11          (4) the feasibility and advisability of adding  
12          points of contact for local utilities to the directory  
13          described in section 2(c); and

14          (5) any legislative matters Congress should con-  
15          sider to help promote network resiliency.

16          (b) REPORT.—Not later than 18 months after the  
17          date of enactment of this Act, the Comptroller General  
18          shall transmit a report to Congress containing the findings  
19          and recommendations of the study required by subsection  
20          (a).

1 **SEC. 4. PRIORITY ACCESS TO ESSENTIAL SERVICE PRO-**  
2 **VIDERS DURING FEDERALLY DECLARED**  
3 **EMERGENCIES.**

4 Section 427 of the Robert T. Stafford Disaster Relief  
5 and Emergency Assistance Act (42 U.S.C. 5189e) is  
6 amended—

7 (1) in subsection (a)(1)(A), by striking “tele-  
8 communications service” and inserting “communica-  
9 tions service, including wireline and mobile telephone  
10 service, Internet access service, radio and television  
11 broadcasting, cable service, and direct broadcast sat-  
12 ellite service”;

13 (2) by redesignating subsection (c) as sub-  
14 section (e); and

15 (3) by inserting after subsection (b) the fol-  
16 lowing:

17 “(c) **PRIORITY ACCESS AND ESCORTS.**—Unless ex-  
18 ceptional circumstances apply, in an emergency or major  
19 disaster, the Administrator of the Federal Emergency  
20 Management Agency, to the greatest extent practicable,  
21 shall take actions to ensure that an essential service pro-  
22 vider has—

23 “(1) priority access to relevant locations and re-  
24 sources; and

25 “(2) escorts to relevant locations.

1       “(d) CREDENTIALS.—Not later than 1 year after the  
2 date of enactment of this Act, the Administrator of the  
3 Federal Emergency Management Agency shall establish a  
4 program to provide credentials to essential service pro-  
5 viders to facilitate access to relevant locations and re-  
6 sources for such providers.”.

7 **SEC. 5. DEFINITIONS.**

8       As used in this Act and for purposes of the rules re-  
9 quired by this Act—

10           (1) the term “Commission” means the Federal  
11       Communications Commission;

12           (2) the term “mobile service” means commer-  
13       cial mobile service (as defined in section 332 of the  
14       Communications Act of 1934 (47 U.S.C. 332)) or  
15       commercial mobile data service (as defined in section  
16       6001 of the Middle Class Tax Relief and Job Cre-  
17       ation Act of 2012 (47 U.S.C. 1401));

18           (3) the term “mobile service infrastructure”  
19       means a site or similar facility used to transmit or  
20       receive mobile service signals;

21           (4) the term “WiFi access point” means wire-  
22       less Internet access using the standard designated as  
23       802.11 or any variant thereof; and

24           (5) the term “times of emergency” means ei-  
25       ther an emergency as defined in section 102 of the

1 Robert T. Stafford Disaster Relief and Emergency  
2 Assistance Act (42 U.S.C. 5122), or an emergency  
3 as declared by the governor of a State or territory  
4 of the United States.

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